WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
May 22, 2017
4:00 P.M.

The Warrick County Commissioners met in regular session with Marlin Weisheit, President; Dan Saylor, Vice President; and Bob Johnson, Member. Attorney Todd Glass attended.

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

President Marlin Weisheit called the meeting to order at 4:00 PM.

PLEDGE OF ALLEGIANCE

RECESS FOR PUBLIC HEARING

Marlin Weisheit: Thank you. First item, I guess we need to have a Public Hearing. So we'll ask to recess the Commissioner's meeting. I'll ask for a motion.

Bob Johnson: I make a motion to recess the meeting.

Dan Saylor: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

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

PUBLIC HEARING
IN THE MATTER OF THE VACATION OF A PUBLIC UTILITY EASEMENT IN LINCOLNWOOD ESTATES PHASE II SUBDIVISION

Marlin Weisheit: Okay. In the Matter of a Public Utility Easement, Part of Lot 25 in Lincolnwood Estates, Phase II Subdivision.

Sherri Rector: Yes, they, they have had to file, it's just a, you can see by the plot plan inside your packet. It's just a very small portion of a public utility easement. This was not shown on the recorded plat, nor was the homeowner aware that the developer granted the easement after the plat was recorded. So therefore a corner of her garage is being built in it. So we have letters from all the utility companies that they have no objection to the vacation of this portion of the easement. So you would make his garage into conformity.

Marlin Weisheit: Okay.

Sherri Rector: And we have someone here from Mr. Easley's office, I believe.

Marlin Weisheit: Hi, Justin.

Justin Shofstall: Good afternoon, Justin Shofstall, Easley Engineering. As Sherri mentioned, this is essentially pretty straight forward, cut and dry. The property owner, the person's lot after recording the subdivision and that the easement that was dedicated, which portion of the garage was encroaching into it was dedicated after the fact with being cross-referenced with the plat. It was not easily found. It wasn't until they were under construction that Vectren was able, through some of their records, say, "Hey, there's a utility easement on this." We worked with Vectren and the other utilities to vacate that small portion to allow a slight adjustment to the actual overall construction of the garage. I'm requesting that you okay the petition to vacate that portion of the utility easement.

Sherri Rector: And we do have all the notices to the adjacent property owners also. So everything is in order.

Marlin Weisheit: Do I have anyone else who would like to speak on this before we…? Okay.

ACTION ON PUBLIC HEARING
ORDINANCE 2017-13

Marlin Weisheit: I'll reconvene the Commissioner's meeting then and we'll have an action on the Public Hearing. Anybody have any questions? I guess that's an Ordinance on this, isn't it?

Roger Emmons: Yes.

Sherri Rector: '13. 2017-13.

Marlin Weisheit: Does anybody have any questions on this Ordinance? Pretty simple, it looks like to me. I'd entertain a motion.

Bob Johnson: I make a motion that we accept the Ordinance 2017-13 for the Public Utility Easement on part of Lot 25 in Lincolnwood Estates.

Marlin Weisheit: I have a motion.

Dan Saylor: Second.

Marlin Weisheit: Second by Dan. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0). Thank you.

(Ordinance 2017-13 is located on Pages 27 through 32 of these Official Minutes)

AREA PLAN COMMISSION
REQUEST FOR STREET ACCEPTANCE
RIVER RIDGE IV-B

Marlin Weisheit: Okay. Sherri, you wanna go ahead with Area Plan Business?

Sherri Rector: Yes, Sir. We have a Request for Street Acceptance. It's River Ridge IV-B by Old Hickory Development, Carolyn Foster, Member. It's Wind Pointe Court, two hundred and ninety-five (295) lineal feet; River Ridge Drive, four hundred and sixty-three (463) lineal feet. The letter of credit expires on June 10, 2017. We are holding sixteen thousand eighty-eight dollars ($16,088.00) for the street construction. This was continued from the May 8th Meeting. There were a few items that needed to be completed. Mr. Sherwood did an inspection this morning. I believe there's still some that needs to be corrected. And I, I don't think that it would take the whole sixteen thousand eighty-eight dollars ($16,088.00). And here is, and Steve will have to explain to you what needs to be finished. I think there's two (2) ways we can handle this. Either somebody's going to have to come up with a dollar amount to finish it and draw the money out of the bank which would be Bobby and Steve. And then we have to go draw the money or else. Her letter of credit does not expire for three (3) more weeks, but we don't have another meeting before then. You could vote to accept the street for maintenance and if she has it done by say, June 5th. That gives us five (5) days if it's not completed to go to the bank and draw the money. I don't, I don't know. Steve will have to tell you whether they can get it completed within two (2) weeks or not. I wasn't, I haven't, don't know.

Marlin Weisheit: What do you think, Steve?

Steve Sherwood: Yeah, my name is Steve Sherwood. I'm here for Bobby Howard tonight. He was too ill to attend the meeting. I did speak with him about this. I inspected the punch list items that were requested to be done. Most of the work was done. There are some cracked curbs remaining to be sealed in locations of mostly residential driveway approaches. So Bobby's recommendation was to pull a dollar amount and return what is not used to make the repairs. Sherri said that's a lot, a full amount of money but repairs can be done for probably less than that amount. But he did not want to put a dollar amount to it, just for me to report what I just said to the Board.

Jim Biggerstaff: Okay, we're talking about sixteen thousand dollars ($16,000.00) which the sixteen thousand ($16,000.00) is what we paid for service of the road and everything. So we're talking about two (2), three (3) driveways. Would you have a dollar amount on that, Steve?

Steve Sherwood: Well, what I said earlier was around a thousand dollars ($1,000.00) or less. But...

Jim Biggerstaff: Okay.

Steve Sherwood: I believe we can still get that done per Sherri's second portion of her recommendation that she's got about three (3) weeks before the letter expires. So those still can be sealed in a timely manner prior to that. You still have time to take action, but there is no meeting.

Sherri Rector: Right. You can go ahead and approve it for acceptance conditioned upon it being done by the 5th...

Jim Biggerstaff: Yeah.

Sherri Rector: But we won't, but we will not record it unless Steve and Bobby sign off that it has been done.

Jim Biggerstaff: Right, right. If we can go with that, the acceptance of what's been completed. We're talking about a thousand dollars ($1,000.00). I mean, I think what the issue here is it gets down to, you know, how we're going to repair those three (3) driveways. In talking to Steve, it's not going to be concrete, it takes some, it takes a State INDOT standard gray sealant, Steve?

Steve Sherwood: Epoxy sealer.

Jim Biggerstaff: Epoxy seal and we, we can't be talking about five hundred dollars ($500.00) there. So I'm saying if we can reduce it down to the thousand dollars ($1,000.00) and let it go at that. Now the other thing, we had a hard time. We found a guy, he, Hubert, you know they work for INDOT. And they said they did all the highways and that's the epoxy they use. But apparently that's not an acceptable epoxy for Warrick County. But it is an INDOT black epoxy rather than a gray epoxy. Cause a black you know takes a while for it to sate. But the other three driveways, my gosh, we're not talking about two (2) hours work with a gray sealant, epoxy sealant.

Sherri Rector: So you're saying, Jim, that she could have someone get this done in two (2) weeks?

Jim Biggerstaff: Yeah, here's the problem. We had a hard time finding someone and found a couple of guys in Vincennes that worked for INDOT. They're retired. And they said they knew how to do it, so we respected them to do it, then they put in a black epoxy instead of a gray epoxy.

Steve Sherwood: Just that all the cracks need to be finished and sealed. They haven't been sealed. And then the driveways where it's cracked.

Jim Biggerstaff: We're talking about three (3) driveways right now. And they're not, I mean, they're like this. And they're not a quarter of an inch wide.

Marlin Weisheit: Well, surely you guys can get it repaired to meet our Engineer's specks.

Jim Biggerstaff: Sure.

Marlin Weisheit: When they inspect it. I'd be okay with that as long as you've got it done in the three (3) weeks.

Jim Biggerstaff: Yeah.

Marlin Weisheit: But it has to meet their approval. I mean I'd entertain...

Jim Biggerstaff: I don't see a problem getting it done in three (3) weeks, but you know...

Sherri Rector: Well, no, it'd have to be by June 5th.

Jim Biggerstaff: I'm, but...

Sherri Rector: Because if it's not done, we have to have a week to do the paperwork and get to the bank.

Jim Biggerstaff: No, I understand that, but I'm just the carrier here. I'm trying...

Sherri Rector: So, two (2) weeks.

Marlin Weisheit: Two (2) weeks.

Jim Biggerstaff: To help Carolyn out and get this handled right.

Marlin Weisheit: Yeah. Yeah.

Jim Biggerstaff: But you know...

Marlin Weisheit: And I don't want us to have to mess with it to be honest with you. I'd just as soon have you guys fix it.

Jim Biggerstaff: I've been messing with it for sixteen (16) years, so.

Marlin Weisheit: But I mean my thought on it, would be to give you to June 5th to get it repaired and done and meet the Engineer's approval. And then we would release it pending that. I mean, how do you guys feel?

Bob Johnson: I'm good with that.

Dan Saylor: Good with that.

Marlin Weisheit: You good with that JL?

Jim Biggerstaff: Yeah, I like, the only thing I like to have, I like to have the exact spec and I like to have, Steve, if you would, go out there and say, 'This is what we want done." I mean this street's nine (9) years old. So you know, like I say, give me a spec. I'll tell the guys who work for INDOT, this is the spec we want to put in there.

Steve Sherwood: They're apparent where they need to be done. Use Dow chemical eight-eight-eight (888). That's Dow, D-o-w, eight hundred eighty-eight (888) epoxy sealer, which is an INDOT standard...

Jim Biggerstaff: Dow chemical eight-'o-eight (808)?

Steve Sherwood: Eight-eight-eight. All three (3) eights (8's).

Jim Biggerstaff: Three (3) eight's (8's). Okay.

Steve Sherwood: And it's an approved INDOT epoxy sealer.

Jim Biggerstaff: Okay. Well, I don't think this epoxy's a big deal. It's a communications and what the people that did the work saying, "Well, this meets INDOT's standards. So I didn't question that.

Marlin Weisheit: Steve, you're okay with that then? Okay? I'd entertain a motion.

Bob Johnson: I make a motion to give the two (2) weeks to get this cleared up, pending Bobby and Steve's approval.

Marlin Weisheit: So the deadline would be June 5th to notify that it's been completed and them sign off on it could be released, right?

Bob Johnson: Correct.

Marlin Weisheit: I got a second?

Dan Saylor: Second.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0). Good luck with it, Jim. Thank you.

Jim Biggerstaff: One (1) other question.

Marlin Weisheit: Sure.

Jim Biggerstaff: Who's going to sign off? You or Bobby?

Marlin Weisheit: Either one (1) works for me.

Steve Sherwood: Bobby's the man in charge.

Jim Biggerstaff: Okay, Bobby (inaudible).

Marlin Weisheit: If Bobby's available, fine, if not, just get with Steve.

Jim Biggerstaff: Okay. Thank you.

Sherri Rector: I'm going to go ahead, I'm going to keep, have this for you to sign in under the street acceptance and like I said, we won't process it 'til they sign off.

Marlin Weisheit: Okay, thank you.

Sherri Rector: Okay. I think that's all I have. Yes.

Marlin Weisheit: That's all you have?

Sherri Rector: That's all I have.

Marlin Weisheit: Alright. Good job. Thank you.

(Street Acceptance, River Ridge IV-B, is located on Pages 32 through 33 of these Official Minutes)

APPROVAL OF MINUTES
MAY 8, 2017

Marlin Weisheit: Okay, we have Approval of Minutes from the May 8th Meeting.

Steve Sherwood: He told us thirty (30) days ago.

Todd Glass: (Inaudible).

Dan Saylor: I make a motion to approve the minutes from May 8, 2017 Regular Session Meeting.

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Bob Johnson: Aye.

Dan Saylor: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

ITEMS FOR DISCUSSION
DEPARTMENTAL REPORTS
COUNTY ADMINISTRATOR
YMCA YOUTH TRIATHLON

Marlin Weisheit: Items for Discussion, Departmental Reports, Roger, you're up. County Administrator.

Roger Emmons: Thank you, Mr. President. Heather, are you here?

Heather Lejman: (Inaudible).

Roger Emmons: Is it Lejman?

Heather Lejman: Lejman, yeah.

Roger Emmons: Lejman, that's spelled L-e-j-m-a-n.

Todd Glass: (Inaudible).

Roger Emmons: Heather is the Special Events Director for YMCA. She's here to answer any questions you might have regarding their request to, for their YMCA Youth Triathlon which will mainly use Casey Road on June 4th. Correct?

Heather Lejman: Yes.

Roger Emmons: I think that's a...

Heather Lejman: It's a Sunday afternoon. The event doesn't even start 'til 2:00 (PM). So we would be on Casey Road a maximum of two (2) hours. Probably not 'til about 2:15 (PM). We'll be clear of it by 4:00 (PM). The rest of the event will take place in the parking lot and the track at the school.

Roger Emmons: And the Sheriff's Office is going to provide...?

Heather Lejman: Yeah, I talked to Lieutenant Weinzapfel today.

Roger Emmons: Okay.

Heather Lejman: We talked about if it's closed or not closed and how many officers we need out there based on how we do it. Obviously because it's a youth triathlon, I'd feel better if it's closed. But if it can't be then we will just have people out kind of slowing traffic down while they're biking. But they will ride the parking lot at Castle. They'll ride just the section of Casey Road between Castle High School and Peachwood, it's Peachwood Lane I believe and turn around and come back. So that's all that they will be on. The rest of the time they'll be in the parking lot.

Roger Emmons: Peachtree I think.

Heather Lejman: Peachtree? I knew it was Peach-something.

Dan Saylor: What time is this going to happen?

Heather Lejman: The event starts at 2:00 (PM). They'll probably not even hit the road on their bikes until about 2:10 (PM), 2:15 (PM) and they'll be clear no later than 4:00 (PM). But my guess is lots earlier than that. So, depends on how many kids we have. Right now we have about fifty-five (55) registered. We're looking at about seventy-five (75). So they'll ride, they just ride that stretch pretty quick. So...

Todd Glass: Heather, it's the same route as the Band on the Run?

Heather Lejman: It's the exact same route.

Todd Glass: That's been previously approved.

Heather Lejman: Yeah, uh huh.

Roger Emmons: And that was done under traffic, wasn't it?

Dan Saylor: What day of the week...? Oh, that's on Sunday.

Heather Lejman: I didn't do the Band, I mean I participated but...

Roger Emmons: I, I don't recall that it was closed. I think it was run under traffic.

Todd Glass: No, it was closed.

Roger Emmons: It was closed? Okay.

Todd Glass: Yeah, Casey and Peachtree.

Roger Emmons: Well, if the Board okay's the closure then we're going to have to get the Highway Department to get out signage and barricades. I mean they've been done both ways. We do have their certificate of insurance, liability insurance, and the entry form includes the waiver and hold harmless everyone has to sign.

Marlin Weisheit: I personally, I'm okay with it. They've contacted the Sheriff's Department and you have everything you need. I mean I think it's a great event and I don't have any problem. You guys have any questions? Dan, Bob?

Bob Johnson: Yeah.

Dan Saylor: Sure, if you're okay with it.

Marlin Weisheit: Then I'd entertain a motion then.

Dan Saylor: I make a motion for the road closure for the YMCA Youth Triathlon on Sunday, June 4th.

Bob Johnson: I'll second that.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

Heather Lejman: Alright. Do you guys need us to do anything else for the closure? I mean I'm going to contact Lieutenant Weinzapfel either this evening or tomorrow.

Roger Emmons: I'll contact Bobby Howard at the Highway Department...

Heather Lejman: Okay.

Roger Emmons: And let him know about the event and I'll copy you on my email so you can comment as well.

Heather Lejman: Great. Thank you. Thanks a lot.

Roger Emmons: Thank you.

Marlin Weisheit: Thank you. Good luck with it.

FIXED ASSET NOTIFICATION FORM FOR HVAC SYSTEM IN VETERANS' AFFAIRS OFFICE

Roger Emmons: Next item is to approve the Fixed Asset Notification Form for a new HVAC system that was installed in the Veterans' Office. You approved this project back on March 27th and it has been installed now. Joe presented that to you. Broerman and Sons did that. We just need a motion to approve and I have tabs for Marlin's signatures and for Joe's as Purchasing Manager.

Dan Saylor: I make a motion to approve the Fixed Asset Notification Form for the new HVAC system for Veterans' Affairs Office.

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

Roger Emmons: Thank you.

(Fixed Asset Notification, HVAC System, is located on Page 70 of these Official Minutes)

NEW MOWER FOR MAINTENANCE DEPARTMENT-DISCUSSION

Roger Emmons: Discuss purchasing a new mower for our Maintenance Department and I believe the County Council's going to recommend that we submit this for 2018 Budget requests. Our current mower will last until then of course.

Steve Sherwood: Somebody will have to.

Roger Emmons: And if the Board directs, I think we should probably keep that so we'll have two (2) and reduce our maintenance time down to one (1) day from three (3) it's taking them now with one (1) mower.

Steve Sherwood: (Inaudible).

Roger Emmons: So and we proved, I showed, several years ago when the Council approved the funds for the one (1) we have now that we were paying a contractor to do it and in twenty (20) years we were like saving, I think it was fifty thousand dollars ($50,000.00) just by purchasing our own instead of hiring it out. So if the Board's okay I think a consensus on including it in the Budget request, that's fine.

Marlin Weisheit: That's what I recommend. You okay with that?

Dan Saylor: I'm okay.

Bob Johnson: I'm good with that.

Marlin Weisheit: Thank you.

COURTHOUSE RENOVATION PROJECT-DISCUSSION

Roger Emmons: And for the Courthouse Renovation Project, as I stated in my items here, I think the main thing here we need to discuss and hopefully with Todd's input and maybe Joe would have something to add as well, is to, selecting a professional firm, design firm to prepare plans and specifications for the various phases and the scope of work. I have yet to schedule the next meeting of the Courthouse Renovation Committee but that will be done so we can start fine-tuning our actual needs. So that when you do select one (1), and I think we have to pursuant to Indiana Code., then we can have a better idea what to tell them to design for us.

Marlin Weisheit: I agree with you. And you're going to schedule that meeting for that committee here shortly?

Roger Emmons: Yes. As far as selecting a consultant, you know, professional firms, you can hire one (1) outright. Or you can take you know on quality based selection or RFP, however you wish to choose.

Todd Glass: You could also, I could also work with Joe. Mr. President, another way, you could ask the Courthouse Renovation Committee to recommend what they would suggest you do.

Roger Emmons: That's correct.

Todd Glass: So, you've got a few options in front of you.

Marlin Weisheit: Okay, thank you.

Roger Emmons: You just want me to do the meeting first?

Marlin Weisheit: Get the meeting set up and then we'll kind of feel them out.

Roger Emmons: Alright.

Marlin Weisheit: Yep.

NEW SCRUBBER AND BUFFER FOR JUDICIAL CENTER CUSTODIANS-DISCUSSION

Roger Emmons: Next item is to discuss purchase of a new scrubber and buffer for our Judicial Center custodians. Dave Rector, the Director of Evansville-Vanderburgh County Building Authority, and he's used a company called HP Products, which is a Ferguson Enterprise. And has many more machines than what we have in the Judicial Center. But a gentleman and tech from HP Products demonstrated a couple of their machines on May 5th. The brand is the Advance model. And I sent, I believe I sent those to you as far as the pricing but I won't mention those in this meeting, should the Board wish Joe to take quotes on this. And one (1) thing I want to point out for HP and perhaps other companies provide this as well, they offer lease purchase options. So I think with our funding limitations with not having the funds to buy outright, we could do it under our contractual services on a monthly lease payment towards the purchase of the machine. The machines we have now, they're almost twenty (20) years old and they're past their point where repairing them is not economically wise. I don't know what you're prepared to do.

Bob Johnson: They're not very expensive.

Roger Emmons: Uh...

Bob Johnson: I just bought one (1) for my facility for four thousand dollars ($4,000.00).

Roger Emmons: Okay. Is it a walk behind and...?

Bob Johnson: Um hum.

Roger Emmons: And self-propelled?

Bob Johnson: Um hum.

Roger Emmons: Okay. I'll get with you and get the name of that company, okay?

Bob Johnson: Okay.

Roger Emmons: If the Board would give us a consensus, we'll take some quotes then.

Marlin Weisheit: Okay that's fine with me. Yeah. We need to get some better machines over there. We know that.

Roger Emmons: Okay.

Marlin Weisheit: Find the best product for the dollar and get something they can work with.

Roger Emmons: Okay, thank you.

UPGRADE FOR COURTHOUSE TOWER CLOCK

Roger Emmons: Next is to discuss the proposal from the Tower Clock Company for an upgrade for our Courthouse clock. We recently had a stoppage. And Phil Wright is the owner of the Tower Clock Company. He's been doing our maintenance and even restored it to its original state back in 1995. He's been doing work for us since at least 1992 so he's very familiar with our clock. He's proposed, well, let me address the problem first. It hasn't been, the hands haven't been painted in, in, you know, really, it's caused them to curl outward and they've weathered. And so they're rubbing against each other. And he mentioned that the hand on the south dial are rubbing against each other and their counter-weight rods, it's been twenty-two (22) years since their restoration. Your clock hands are weathered allowing the hour hands spade ends to curl outwards and causing problems. We have three thousand three hundred and seventy-eight dollars ($3,378.00) in the clock donation fund that will help. But we're going to have to use the Contractual Services line item in your budget for the balance. I'd recommend you approve this proposal so we can get started on it as soon as possible. The other option is for Joe to take quotes. There are, we know of a couple other companies out there that do this work. But Mr. Wright knows our clock better than anybody.

Marlin Weisheit: Yeah, he's been real reasonable to work with over the years.

Roger Emmons: Yeah.

Marlin Weisheit: And that Clock Donation Fund was set up through a trust. And that's what it was set up for. So...

Roger Emmons: Yes that was (inaudible)...

Marlin Weisheit: And it's maintained it for the last several years and it's just finally running out. So, but it's time for us to pick up the slack a little and make sure that clock stays in operation is my thought. So I for one (1) would be willing to go ahead and let Mr. Wright finish it up and get it in working order. That'd be one (1) thing in the renovation that would be done then. The clock would be restored

Roger Emmons: Yes.

Marlin Weisheit: Get several more years out of it.

Roger Emmons: It is a (inaudible)...

Marlin Weisheit: And most of the clock is in good shape.

Roger Emmons: Oh, yeah.

Marlin Weisheit: When he rebuilt it several years ago, it's well...

Roger Emmons: The clock itself and the housing, it still looks very new.

Marlin Weisheit: Yes.

Roger Emmons: It's just the outside of the clock faces and the hands.

Marlin Weisheit: Yeah. Not everybody wants to climb up there and do that kind of work, that's for sure. So, you need a motion on that, I take?

Roger Emmons: Yes.

Marlin Weisheit: I'd entertain a motion to go ahead and allow Roger to get the clock repaired with Mr. Wright.

Bob Johnson: I make a motion to go ahead and have Mr. Wright repair the clock face.

Dan Saylor: Second.

Marlin Weisheit: All in favor? Aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Motion carries three, zero (3-0). Thank you.

Roger Emmons: Thank you very much.

(Tower Clock Company Upgrade is located on Page 34 of these Official Minutes)

PURCHASE OF CAMERA SECURITY SYSTEM FOR CLERK

Roger Emmons: County Clerk, Patty Perry, sometime ago looked back in late February this year. She called me and requested the Board's consideration of a camera security system over in the counter area, correct, Patty?

Patty Perry: Yes, Sir.

Roger Emmons: Talking, I know Dan's looked into this, is that the security desk commander believes a separate system is the way to go because first of all, there's no space on the regular JC camera system to add more cameras. And secondly the security desk personnel advised, they just don't have time to monitor activities in the individual offices. You know this is something you could consider adding to the Courthouse Renovation Project. Which hopefully the County Council would come through and fund that for us. I'll turn it over to Patty for comment.

Patty Perry: I'd like to add, I actually reviewed this. This is quite reasonable for what we're wanting. We've had a couple of incidences of, well actually I, myself with an individual and I refused to marry him so he chest bumped me.

Roger Emmons: Oh, no.

Patty Perry: So, and by the time security got there, he was already gone.

Roger Emmons: Yeah. You can prove it as long as you have witnesses.

Patty Perry: Yeah. We, so we obtained this, this estimate and I think it's very reasonable. We take a lot of money into the Clerk's Office. We recently set up where we have one (1) counter now where it's cash only. Our two (2) end corners are checks only. So we've got it zeroed down to only one (1) register where we're accepting money. But I'm not going to say how much we take in. But we take a lot of money in through the Clerk's Office. And without being, some of the people that we're dealing with are not very happy with us when they come in there.

Roger Emmons: Do you have money in your budget for this?

Patty Perry: Uh, I didn't even look, give it to me, Roger. No, we do. We have some monies we can, we'll have to obviously do a transfer...? Yes.

Roger Emmons: That's great.

Patty Perry: Yes, so I have looked at that, yes.

Roger Emmons: I mean it looks like a pretty reasonable amount.

Patty Perry: It's very reasonable for what we're getting here.

Roger Emmons: Yeah.

Patty Perry: And it would give me the capability where I could actually monitor it from my computer and also my cell phone, if someone's working on the weekends in the building too. Which I always worry about any of my ladies going in and working on the weekends.

Dan Saylor: Do you think installing a system like this will help with productivity?

Patty Perry: Mr. Saylor, I did not say that.

Dan Saylor: That's just a question.

Patty Perry: I did not say that. I won't have time to watch TV all day though, I can tell you.

Todd Glass: So this records the data, Patty, I guess for a particular period of time in a server of some sort? Is that what it does?

Bob Johnson: Three (3) terabyte hard drive.

Patty Perry: I'm sorry?

Todd Glass: Three (3)...?

Dan Saylor: Three (3) terabyte hard drive.

Todd Glass: Terabytes?

Patty Perry: Yes.

Dan Saylor: Which depending on how many cameras, which I think it's...

Bob Johnson: It's like a month's worth.

Dan Saylor: Were eight (8), eight (8), yeah, eight (8) cameras, would be quite a bit.

Patty Perry: And we would be, actually be putting two (2) in the Child Support Office which also takes in a lot of money. And then also two (2) in the Election Office. Either two (2) or one (1), I haven't yet decided on that yet. And speaking with the individual that I received these, this estimate from, he explained to me that you have to have where it comes down and then it also comes across, so you get the full picture.

Dan Saylor: Meaning the view of the cameras?

Patty Perry: Yes, Sir.

Todd Glass: No service, services provided of any kind. You monitor it yourself, right?

Patty Perry: That's correct.

Todd Glass: So it's just a warranty issue if something goes wrong. You'd have to rely on the warranty, I guess?

Patty Perry: Yes.

Marlin Weisheit: So, Roger, you have the funding worked out, I mean, does, are you asking us to help pay for it out of Contractual Services a little bit? I don't know, I'm just...

Roger Emmons: She just said she's got the funds for the twenty-five hundred ($2,500.00).

Marlin Weisheit: Yeah.

Roger Emmons: I just rounded up a little bit there which would help our budget tremendously.

Marlin Weisheit: I mean, yeah, we're kind of limited. But we could go to the Council and ask for an additional if we needed help, I guess.

Roger Emmons: I think mainly it's because she's modifying a County-owned building.

Marlin Weisheit: Uh huh.

Roger Emmons: (Inaudible).

Marlin Weisheit: I sure don't have a problem with it being added as long as the funds are worked out.

Patty Perry: Might I add also if you notice at the bottom that it has to be before May 31st or it's going to go up...

Marlin Weisheit: Yeah.

Patty Perry: Eight hundred and thirty-one dollars ($831.00). That's a lot of money for my budget. So...

Bob Johnson: You need a motion.

Bob Johnson: I make a motion to approve Warrick County Clerk camera system for twenty-four hundred eighty-six dollars ($2,486.00) with Five Star Security.

Dan Saylor: I'm going to abstain.

Marlin Weisheit: I'll second the motion. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries. You did vote, aye, though?

Dan Saylor: Yeah.

Marlin Weisheit: Three, zero (3-0). Okay.

Roger Emmons: Okay.

Patty Perry: Thank you, Gentlemen.

Roger Emmons: Thank you, Patty.

Marlin Weisheit: Thank you, Patty.

(Five Star Security Contract is located on Pages 59 through 62 of these Official Minutes)

TECHNOLOGY UPGRADE TO JUDICIAL CENTER HVAC

Roger Emmons: Okay, get that out of the way, next item is to approve a Technology Upgrade to our Judicial Center's HVAC system by Harshaw Trane. So, which is our provider ever since the Judicial Center's been in operation. Our current HVAC software is obsolete and is only running though patches done by HT personnel. I had met with them here awhile back and they've given us, it was going to be an ES migration, but instead it's the SC, it's the System Controller where they will replace the PCU building controller in the Judicial Center with a new SCU Controller. The fixed price for hardware upgrade and onsite programming is eighteen thousand four hundred ninety-seven dollars ($18,497.00). The additional price for intelligence services data migration is not to exceed two thousand one hundred dollars ($2,100.00). We have line items in CUM CAP that this can be paid for. But this will enhance our energy efficiency and energy savings in the Judicial Center as well as making it more efficient for, Brad is our maintenance man who controls the system. To access, he doesn't have to be in the building. He can be on a cell phone or a laptop. And Harshaw Trane is providing the laptop. So it's really a good system. I'd recommend your official approval today.

Marlin Weisheit: Any questions? If not, I'd entertain a motion.

Dan Saylor: They did agree to apply or furnish a laptop or an iPad?

Roger Emmons: Yeah.

Dan Saylor: Yeah, that's, okay, that's, when you said laptop, so I didn't know if ...

Roger Emmons: Oh, I'm sorry. I meant to say that.

Dan Saylor: Okay, okay.

Bob Johnson: Are there any energy saving grants or anything that we can get with some of this?

Roger Emmons: Well, I, I don't know. Joe's been involved with in the past. Energy-savings grants?

Bob Johnson: Rebates?

Joe Grassman: (Inaudible) heard of energy-savings grants.

Bob Johnson: Rebates?

Roger Emmons: I'll check with Harshaw Trane and we'll find out about that. Okay?

Bob Johnson: Okay.

Marlin Weisheit: We've been needing to do this for quite some time. And I know it's been on the, we've been talking about it for eighteen (18) months at least, probably.

Dan Saylor: Yeah, (inaudible).

Marlin Weisheit: I'd be in favor. And we need to get it done. I'd entertain a motion to approve it.

Dan Saylor: I make a motion to approve the technology upgrade to our HVAC system at the JC.

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0). Thank you.

Roger Emmons: Thank you, Gentlemen.

(Harshaw Trane Technology Upgrade is located on Pages 34 through 35 of these Official Minutes)

FINANCIAL ASSURANCE UPDATE SUBMITTAL FOR LANDFILL ON PELZER ROAD

Roger Emmons: I've got just a few other items. One (1) is a Financial Assurance Update Submittal for Warrick County Landfill II. It's Permit 87-05. This is the landfill that's closed on the west side of Pelzer Road. I sent you an email on May 12th. It was my reply to Glenda Oaks who is at IDEM in their permits section. We have two (2) different funds that have sufficient monies in them so that I would recommend you have Joe or myself contact Environmental Management Consultants to provide the mandated information to us as soon as possible. Because we have to submit it to IDEM no later than June 15th every year. This is the first year where they've actually sent us this and the IAC Code and the IDEM regulations about this financial responsibility. So I think Environmental Management Consultants, they can provide the costs for inflation as to maintain the Landfill II with the monitoring. You know your, if you have any methane or wells, monitoring wells, we've got the money to pay for that. And that's what, that's what...

Marlin Weisheit: Anybody have any questions? Well I'd entertain a motion.

Roger Emmons: I'd say a consensus would be okay.

Marlin Weisheit: Oh, well, okay. I'm fine with it. They've been working with us in the past on the other side as well.

Bob Johnson: Sounds good.

Marlin Weisheit: Thank you, Roger.

Roger Emmons: Thank you.

EMERGENCY MANAGEMENT PERFORMANCE GRANT

Roger Emmons: Let's see what else I've got. Okay, uh, yes. The, there is a 2016 Emergency Management Performance Grant Program, Salary Grants, Sub-Recipient Agreement, CFDA 97.042. Excuse me. It's for an amount not to exceed forty-one thousand two hundred thirty-one dollars ($41,231.00). It is to reimburse the County for a portion of the salaries paid to our EA, EMA staff from January 1st of last year to December 31st of 2016. Marlin had to electronically sign this agreement within five (5) days of receipt. I didn't get it from Doris at the EMA Office 'til May 5th and we finally had success with it on May 9th. So I couldn't get it on your May 8th Meeting. So just ask you to approve this by motion. It has been uploaded by Jennifer Leach up there. So it's good to go.

Marlin Weisheit: Just helps us with our funding. So, I'd entertain a motion to approve that.

Dan Saylor: I make a motion to approve the 2016 Emergency Management Performance Grant, or Grant Program for salaries.

Marlin Weisheit: I have a second?

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Marlin Weisheit: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Motion carries three, zero (3-0).

Roger Emmons: Thank you very much.

(Emergency Management Performance Grant is located on Pages 62 through 67 of these Official Minutes)

DYLAN WOODS-REQUEST FOR EXTENDED LEAVE OF ABSENCE

Roger Emmons: I have one (1) last item. Our Highway employee, Dylan Woods, has submitted a letter pursuant to the Employee Handbook wherein he is requested a six (6) month leave of absence without pay. And he's been off for quite a while this year on Family Medical Leave. It's expired. And this is really going to put Bobby in a bind. The Handbook says that you may approve it, but you're not obligated to.

Todd Glass: Mr. President, I would recommend you just ask your Department Supervisor to make a recommendation to the Board and then you take action from there.

Marlin Weisheit: Sounds good. Okay, Roger?

Roger Emmons: Yes, Sir.

Roger Emmons: Alright.

Marlin Weisheit: Anything else?

Roger Emmons: That's all I have. Thank you.

COUNTY ATTORNEY
E911 SYSTEM AGREEMENT DOCUMENTS WITH AT&T

Marlin Weisheit: County Attorney.

Todd Glass: Alright, thank you, Mr. President. Only a couple of items listed on the agenda but several to deal with. The first is the Enhanced 911 System Contract extension which I believe is running out next month. You'll remember at the last meeting we had the service agreement. I believe the service agreement was all that we had in front of us. Since then we have obtained all the other paperwork necessary. I would say the service agreement is in order. It provides for everything that the AT&T, SBC Global Services will provide to the County. But now what we have is, we have a proposal that will be a contract upon approval by the Commissioners of the finance terms with AT&T Capital Services. This is the contract that actually describes the quarterly payments and, Roger, those are at twenty-nine thousand two hundred thirty-two dollars and twelve cents ($29,232.12) per quarter which I think is similar to...

Roger Emmons: That's correct.

Todd Glass: What we've been paying.

Roger Emmons: A little bit higher but not much.

Todd Glass: But if, if I would liken it to describe it better, the service agreement is similar to your mortgage, and the Capital Service Agreement is your note explaining how you're going to pay it back. AT&T does get paid in a lump sum because you're financing it. And, but our repayment terms for the County are quarterly. And that was one (1) of the concerns we had because we only had one (1) contract in front of us. But I would make a recommendation that the Commissioners approve and enter into the Enhanced 911 Service Agreement, approve the proposal of AT&T Capital for financing, and approve the entering into of all the other additional lease agreements that are needed to proceed on with the approval of the contract. And I'll oversee the execution of these additional forms with the assistance of the Treasurer and the Auditor's Office.

Marlin Weisheit: Does anybody have any questions? If not, I'd entertain a motion. Can we do that all in one (1) motion?

Todd Glass: Yes, Sir.

Marlin Weisheit: Okay.

Todd Glass: Approve both the Enhanced 911 Service Agreement and all related financing documents.

Bob Johnson: I make a motion to approve all of the E911 System Agreement documents with AT&T.

Dan Saylor: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0). Thank you.

Todd Glass: Thank you, Mr. President.

(AT&T E911 Contract is located on Pages 35 through 40 of these Official Minutes)

REQUEST FOR WAIVER FOR SEPTIC SYSTEM BY BRIAN AND NICOLE COLVERT

Todd Glass: Second on the agenda I invite Mr. Josh Claybourn to the podium. We wanted to address the Board regarding a septic permit issue for some residents on Castle Garden Road.

Josh Claybourn: Thanks, Todd. I appreciate it. Commissioners, as he mentioned, my name is Josh Claybourn with the law firm of Jackson Kelly. I'm here on behalf of Brian Colvert, who's here and then his wife, Nicole who live at 899 Castle Garden Road. They're interested in, they're in the process of building a home and are interested in installing a septic tank and went through the process of obtaining various permits. And my understanding they had gotten virtually all of those including for a septic tank and as they went to sign up for water someone resubmitted a request I believe to the Health Department who then raised some concerns over a septic tank. My understanding is that his property line is about one hundred (100) feet away from a sewer line. He's just outside Chandler town limits. And the actual foundation of the building, my understanding, is about seven hundred (700) feet away from the sewer line and that's downhill. And so as a result, and I think there's a road involved, and so really to hook up to the sewer lines would be a very substantial cost to him. Number one (1), to get uphill and to deal with the roads, all sorts of other stuff. So he's interested in a septic tank. The first step was, Chandler has the opportunity or the ability to require him being within three hundred (300) feet of the town to be on the Chandler Municipal Sewer System. And the Chandler Town Council unanimously waived that requirement, listening to the particulars of his situation. They were more than happy to let him have a septic tank. But the County Health Department raised concerns about an Ordinance you guys have on the books, and Todd put that here on the agenda, 130.02 G. I won't get into the legal minutia, but I certainly have the belief that, I don't think it requires him to be on the municipal system. Number one (1), the building line which is the phrase

used in this, in this code you guys have, is more than three hundred (300) feet. Now the property line is within three hundred (300), but we believe the foundation is more. So number one (1), I don't know that that applies to the extent it does. I have a question, a big one (1) as to whether a State law supersedes that, which really gives that authority to the town as to whether or not it would require them. Because essentially what this is doing is it's requiring him to be on the Chandler Municipal Sewer System when Chandler is saying, "No, we don't want him. We're more than happy if he's not." But again, I, that's a, that's a legal issue. And Todd and I have spoken about that. I don't want to put words in his mouth, but he may have a slightly different opinion on the law there. But he was very gracious and generous to suggest that a possible very reasonable solution would be for him to come here before you guys to avoid any sort of protracted disagreement and just waive that requirement given what we see is, well we believe that he doesn't have to, but to the extent that there's some gray area or vagueness that he may have to. Certainly, you guys I think, I think Todd would agree, the ability to waive that requirement if you want to. So that's the purpose of us being here today. I can answer any questions.

Todd Glass: If I, yeah, and he can certainly answer any questions. It probably would be, Mr. President, a decision on your part to perhaps instruct your Health Officer to approve the septic permit, is probably what we're talking about. And, and what you, if, if the building line is seven hundred (700) feet back from the sewer line downhill which I guess would require a pump...

Josh Claybourn: Right, exactly.

Todd Glass: System, right? So I suppose, Mr. President, you'd want to consider whether or not you want to instruct your Health Officer to make a recommendation to you as to whether or not to approve that permit or not taking into consideration these specific facts of the case. Just to forewarn you that it, I don't know, and, and, and Aaron doesn't know of, and I don't know of any prior circumstance where you've done this.

Dan Saylor: Todd, is this, is this where the Ordinance needs to be cleaned up to handle this unique situation? Or is this just such a unique situation, it's not corrigible? Do you know?

Todd Glass: I'd never say that an Ordinance doesn't need to be cleaned up...

Dan Saylor: Cleaned up.

Todd Glass: I always look at the way, and this is an Ordinance that perhaps is ten (10), twenty (20) years old or so. I don't necessarily agree that there's an ambiguity in it. I understand what it's meant to provide. But yeah you could certainly revise it if you wanted to. I believe that the state of the affairs is that if a property line is within three hundred (300) feet of a municipal sewer service, and Josh and I have talked about this, that that's what this Ordinance is requiring, is that you hook up. And that there's public interests in directing your County residents to hook up to a sanitary sewer service is, if available. And that is the components of how to figure out who does and who doesn't within three hundred (300) feet of the property line. This particular parcel owner obviously has different dynamics and problems with it because of his decision to where he's going to place his house. And that's cause it's seven hundred (700) feet back, and it's downhill. So, because of the decision of the property owner where to build on his lot, it's causing additional issues to be presented as to whether or not the enforcement of this Ordinance is fair or not.

Marlin Weisheit: Yeah. How many acres is with this piece of parcel.

Josh Claybourn: That's a good question, Brian?

Brian Colvert: It's got five (5).

Marlin Weisheit: Five (5), that's what I was thinking. I've had many calls on this, this issue. I mean there's been many calls. I'm sure the other Commissioners have had them as well.

Todd Glass: I don't mean to delay, I know you're chomping at the bit, but I'm just concerned, Mr. President, in not tripping over ourselves with the desire to help a County resident out that would cause ourselves a problem. And if I could, Josh, what I might, going on the fly here, but what I might suggest is I ask the Commissioners to instruct the Health Officer to again visit the site and outline to the Commissioners the particular circumstances of this lot and the problems that it causes in enforcing the Ordinance so that we can identify a narrow exception if the Commissioners would like to approve it. So we're not caught into a problem later on.

Josh Claybourn: Sure and I guess the only concern from, Brian, you can correct me with the particulars here, but he's had quite a bit of delays on building because of this issue. In fact he's already lost one (1) contractor over it and in the process that's raising costs and so, you know, we, he's, I mean we want to be very reasonable here, but at the same time we don't want, I don't want to keep causing increased expenses. So I don't know if there's a way to approve it contingent on something or subject to particulars. But, and maybe I'm putting more words in the mouths of the Commissioners then there's there. But there's an interest in waiving, but just getting more specific so it's waived in a narrow circumstance, that way maybe it gives him some assurance in dealing with contractors. But if there needs to be more information, I'm, you know, we're obviously reasonable to that too, so...

Dan Saylor: I guess Chandler, Chandler waived?

Bob Johnson: Chandler waived. Chandler doesn't want want him. It's gone on way to long.

Marlin Weisheit: But you know, that's, that's kind of the change, and I'll go on record stating this. I worked for the Town of Chandler for six (6) years and set through six (6) years of Chandler Town Board Members where they never waived a time. You know what I mean? But I know things have changed down there; they have a different Town Board now. But I guarantee you the old Town Board for the last fifteen (15) years would have not waived a bit on this. They'd have forced you into going on their sewer system.

Todd Glass: Right, I just...

years earlier he spent fifteen thousand ($15,000.00) and put a new field bed in and Boonville made him hook on. Them's the concerns I have. You know of course he sold his property and moved on. But nobody's ever waived on this. It makes sense. You've got five (5) acres and you've got the ideal spot to put a field bed in, I understand.

Bob Johnson: Chandler's the one (1) that, they called me.

Marlin Weisheit: Chandler's called you and they called me.

Todd Glass: I'll, I'll caution the Board, however, to just at least recognize that if you grant an exception, I'm not, if you instruct your Health Officer to sign off on the permit, you, you might cause yourselves a problem. Because everybody will want that deal. Every time Aaron Franz goes out to condemn a property. And they're going to say, "I want the deal that he got." Okay? So that's what I'm simply telling you is that if we can really define this narrowly as to why you did it. And only in this circumstance would you do it. That would protect the County.

Dan Saylor: Well, then the other thing too, that Chandler's already signed off on this, correct?

Todd Glass: I don't think that Chandler's action has any bearing on whether or not you enforce a County Ordinance for Public Health and Safety, where you're not telling Chandler to do anything. You're just telling your county residents what your Health Officer can and can't do under the Ordinance.

Josh Claybourn: Yeah, and if I may just point out, I mean if he's not given the waiver and Chandler's not interested in serving him, he's sort of in a bit of a pickle, right? I mean he doesn't have municipal sewer and then suddenly you can't have septic either.

Todd Glass: I don't think, you didn't describe to me that they're not interested in providing him service. But they've granted him an exception or a waiver that he doesn't have to hook up to them.

Josh Claybourn: Yeah, and at the risk of not putting on too many hats here, but as a Chandler Town Attorney, I can tell you that there's not an interest from Rob Coghill to go through the trouble of doing all that. But I think if I may suggest one (1) of the exceptions that could be used is that his building line, the foundation is more than three hundred (300) feet. And so that, that and the fact that Chandler has waived it, although maybe you don't want to go down that road. I think those are two (2) things that would seem to feed into the decision to maybe waive it.

Todd Glass: If the Commissioners would instruct Aaron to do this, I could work, Mr. President, with Aaron to craft the language that we want to identify as a narrow exception and if you want to you could direct your Health Officer to do that along with me. And just to do it and go with it or you can have one (1) of the Commissioners, Aaron could report to one (1) of the Commissioners as to his findings, if you want to so you can keep up.

Marlin Weisheit: Does a consensus work on that? Or do we need a motion?

Todd Glass: Oh, no, consensus will be fine.

Marlin Weisheit: I think, I'm in agreement to just let you and Aaron work out the details and see if it can be worked out.

Todd Glass: But I'll get with Aaron tomorrow morning if that's okay, Mr. President.

Marlin Weisheit: Are you two (2) okay with that?

Dan Saylor: I'm okay.

Bob Johnson: Yes, Sir.

Marlin Weisheit: Yeah, I'd like to get it resolved for you. I understand your frustration.

Todd Glass: And, Josh, if that's okay then I'll try to get to you in the afternoon or Wednesday at the latest.

Brian Colvert: Can I add something to this?

Marlin Weisheit: Sure.

Brian Colvert: When this all started last year, I went to Aaron and asked, "Can I have septic or sewer?" And he said, "How many acres you have? Where's it at?" I told him. He said, "Septic is fine if he gets it perk tested." So I, he had me pay to have it all done. I had it tested. He approved it. And then when I went to the water department they said, well there's sewer and that's when all of this started. But to me, if that's his job then he should say, let me look into it as see if there's sewer or septic before he ever, because that's what started this whole deal.

Todd Glass: Well, I don't know the circumstances behind that conversation.

Brian Colvert: Well, I know I have the perk test, where he had me have perk test. I have everything. Documents, emails, I, I mean, you know, I'm just saying, you know he says that's not his job. But that's why we went to them to decide where to put the house how to do it. And that's how this all started.

Marlin Weisheit: Aaron's here if he wants to speak on anything today.

Brian Colvert: I mean, yeah, that's fine.

Marlin Weisheit: If you'd like to speak on it Aaron while we're covering it, I'm fine with you, hear your side of it as well. Cause it's been going on long enough.

Aaron Franz: I'm Aaron Franz with the Warrick County Health Department. We don't, we don't have a record of which municipalities sewers, where they are. So when we're contacted on, on getting a septic system, we give the same information to everyone as to get a septic system. Actually the Town of Chandler Water Department is the one (1) that

brought this to Mr. Colvert's attention that sewer was available. Now by, by our County definitions according to our Board of Zoning the building line definition is twenty-five (25) feet from the setback line. And Steve can say where that setback line is. It's not where you decide to put your house, that's entirely up to you. So we, we were going through the process until Mr. or Mrs. Colvert called and said, "Hey, we talked to the Town Water Department and they said sewer's there." Well, apparently it is everywhere. It's all the way up to their residence. Their next door neighbors to the north have city sewers as well. It is, it is very, if you guys do decide to instruct me to not follow that Ordinance, it will have repercussions for us. We have three (3) other cases that we're currently working right now, the exact same thing. This has been, you know, we don't do this for ourselves, we do this in conjunction with these municipalities. We have worked with Mr. Coghill on a regular basis to do this exact same thing. We do this with the City of Boonville; we do this with Pigeon Township. We do this with Tennyson, with Lynnville, whoever does this. So this isn't just a one (1) time situation. We have to be very, very careful language if we do craft it. However, you know, we were not aware that the city's sewers were there. We were not made aware until Chandler made Mr. Colvert aware of that. And then if we do, or we have not issued a permit, septic permit. One (1) has not been issued. That was stated earlier. That is not the case. We do not have that. A soil test was obtained. And so, but our septic permits which Mr. Glass has a copy of, they state that if you're going to obtain that permit and city sewers comes within three hundred (300) feet of the same, well it quotes that Ordinance, that you will hook on without remonstrance. This is more than just, in my opinion, it's more than just a one (1) time thing. This really impacts a lot of things that we do. And that's, it is your Ordinance but there are other Ordinances out there that reference these things. So, I mean I'll leave that in your hands. My, my, my, my opinion is just be very careful, please, if we do this. It does change a lot of things that I do. But I have other things I can do as well. But it would, it would change that, the course of those things.

Dan Saylor: The other cases that you're, you have, you cited are exactly like this?

Aaron Franz: Well, we're, we're, we are, we are required to, have been for the last eighteen (18) years to hook other residents on to city sewers. That building line reference, since we have it, since we have it defined, it's in a County Ordinance, we have it defined what it is. It doesn't matter how far back they decide to build their house. That's up to, really that's up to each individual. When we started this process what I stated was with, in reference to a waiver from the Town of Chandler, it wasn't a waiver. I had to have a letter stating no you can't hook on. I have never in eighteen (18) years had Chandler say, we don't want anybody to hook on. As a matter of fact...

Marlin Weisheit: (Inaudible).

Aaron Franz: I've had them aggressively, even still to this day, aggressively trying to get us to hook seventy (70) homes on. Right now at this point, at this very moment. They are still interested in that. So they're not the exact same situation, but I don't know that any situation is exactly the same.

Dan Saylor: I guess that was a basis behind my question. Is it such a unique situation, you know, and that's why.

Aaron Franz: No, I do not believe that it is.

Dan Saylor: It's not such a unique situation?

Aaron Franz: No.

Todd Glass: But Aaron, Aaron is right. That's what a building line means. Our Area Plan and Zoning Ordinances...

Aaron Franz: But again this is a...

Todd Glass: And you have, you have to have, you have to have a criteria to apply this sort of Ordinance and, and that's why that's worded that way, because Aaron has to be able to apply it to the same criteria at each parcel.

Aaron Franz: So this, this, but this is a Commissioner Ordinance. So I mean if you guys choose, then I will, as Todd said, as you direct me, I will do as you direct me to do. Or as you direct the Board of Health to do. And that's what we'll do.

Todd Glass: Thank you, Aaron.

Josh Claybourn: If, if I could. We're not here, I don't wanna go down the road of who did what wrong. We're just looking for a common sense solution which I think we've approached you guys on. I mean as relates to the building line, I understand how you guys have interpreted that. Todd mentioned that it's twenty (20) years old. Actually the code is from 1985 that that was first passed. Our State Representative, Ron Bacon, recently passed a bill that was designed to cover this very thing and it actually references three hundred (300) feet to the foundation line. Again, I don't want to get into the legal weeds, but we have an opinion that that's going to substantially impact what goes on here. Should it, to the extent court wanted to get involved and look at how they're going to interpret this. And moreover I think even throughout this, our conversations with Representative Bacon, who unfortunately couldn't be here today, I think he's taken a great interest in this and wants to make sure the legislation is even clearer. So that someone like Mr. Colvert can do what he's trying to do. That's certainly the intent of the State law whether Todd has a different opinion as to whether it does right now or not, I think that's the intent the State Legislature wants to be done. Again, I don't want to beat up on Aaron, I think he does a really great job. And I'm not trying to suggest there was anything wrong with that. We're just looking for common sense way of going forward. You know, he's seven hundred (700) feet beyond sewer lines, downhill, outside town limits and the town doesn't want to serve him. You know, it just seems like a common sense way would be to offer a waiver in this situation. And you've got others that come forward and I think you can certainly have reason to go forward with the Ordinance as it has been interpreted and enforced otherwise.

Dan Saylor: And I guess my whole reason of questions is just as we set precedence...

Todd Glass: Um hum. Right.

Dan Saylor: That's the thing that I'm more, you know, over the next year or so, we don't have fifty (50), sixty (60) other people...

Dan Saylor: Yeah, no, no, I'm not criticizing Aaron and I love common sense approaches. I just, and that's why I asked the question, do we need to maybe clean that Ordinance up to better address these unique situations? That's all.

Todd Glass: I would certainly watch Ron's legislation, see if they tweak it a little bit and then we would probably follow that up and maybe update at, at that point in time. But just to try to help, if the Commissioners wish it, to figure out a common sense solution here, is, best thing I can do is say I'll work with Aaron and we'll try to identify a way so that Warrick County or the Health Department isn't exposed to a problem.

Marlin Weisheit: You know I think that's all we can do today. Don't you? Okay.

Josh Claybourn: So I guess for his purposes, I mean, going forward, does that mean it's fine, subject to finding a narrow exception? Is that what I'm understanding today?

Marlin Weisheit: I myself am just looking for recommendation from Counsel and Aaron. You know, cause I don't want to cause us problems or legalities down the road.

Todd Glass: Well, I'll, I'll get with Aaron, Josh, and I'll promise to report to the Commissioners within forty-eight (48) hours with some solution.

Josh Claybourn: Okay. Appreciate your time today.

Marlin Weisheit: Best we can do today, okay? Thank you.

Dan Saylor: Thank you.

Todd Glass: So I'll call, get with you tomorrow. How's that?

Marlin Weisheit: Thanks, Aaron. Good job.

CONDEMNATION MEDIATION FINANCIAL AGREEMENT STATE ROAD 66 AND GRIMM

Todd Glass: Mr. President, I, I, lot of things are going on so I apologize there are a few other things to deal with that aren't, did not get on the agenda. You'll know that we have a condemnation matter on the southwest corner of State Road 66 and Grimm Road. And that matter went to mediation and I attended that along with Larry Taylor and the Redevelopment Commission. It was successfully mediated. And it is subject to a financial agreement but I would ask the Commissioners to approve that mediation agreement which will resolve all pending matters in that condemnation resulting in dismissal of the action and title to be conveyed to the County for that strip of dirt.

Marlin Weisheit: I'd entertain a motion to approve that.

Dan Saylor: I make the motion to approve the condemnation of (Hwy) 66 and Grimm.

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

Todd Glass: Thank you.

(Grimm Condemnation Agreement is located on Page 68 of these Official Minutes)

RESOLUTION 2017-13 RIGHT FOR RECOUPMENT

Todd Glass: Then we move on to a Resolution that has been requested of the Board of Commissioners by the Redevelopment Commission. That is waiving the County's recoupment rights for repayment of certain funds that were loaned pursuant to an Interlocal Agreement with the Town of Newburgh and the Redevelopment Commission back in 2004. The Redevelopment Commission did waive its recoupment rights under the Interlocal Agreement at its meeting last Thursday. They're requesting that the County do the same. The County put up twenty-five percent (25%) of the cost of the project for the master sewer-less station in Newburgh, as did the Town of Newburgh and the Redevelopment Commission put up fifty percent (50%) of that cost. Pursuant to the Interlocal Agreement and the Addendum, we have the right to waive our right to recoupment and that is now before the Board. If you do approve that, I have a Resolution, which is un-numbered...

Kristine Georges: '13.

Todd Glass: Resolution 2017-13 that simply states that you have the right to recoupment, you also have the right to waive recoupment. The Redevelopment Commission has waived their rights to recoupment. And that it is now resolved that the Board of Commissioners of Warrick County, Indiana, waives any and all rights it has to any future recoupment fees related to the Interlocal Agreement and the Addendum with the Town of Newburgh.

Marlin Weisheit: Any questions?

Todd Glass: Like I said, I don't recollect Larry or their Counsel saying that there's any great time constraints with this other than we do have to do it by July. If you want any more information on it.

Marlin Weisheit: Larry and the RDAC Board though is recommending we approve this, right?

Todd Glass: Right.

Marlin Weisheit: And you don't see any problem with it?

Todd Glass: No, not, I believe since the very onset of the project, I believe the intensions was that the Redevelopment Commission and Warrick County would not seek recoupment. Of course, it has provided a significant public interest of the Public Health and Safety in Newburgh and has assisted with significant development that is occurring in Ohio Township and I believe that is one (1) of the many reasons why the Redevelopment Commission has recommended waiver.

Marlin Weisheit: Any thoughts? If not, I'd entertain a motion or we can hold it? Waive it?

Todd Glass: You can table it to the next meeting, I believe. Because no one's told me that's a problem.

Marlin Weisheit: I don't see a problem if that's their recommendation myself.

Dan Saylor: Just, just vote on it?

Marlin Weisheit: Move on it, one (1) less thing to deal with later. So I'd entertain a motion to approve if you guys are comfortable with it. It'd be Resolation 2017-13.

Bob Johnson: Make a motion to approve Resolution 2017-13.

Dan Saylor: Second.

Marlin Weisheit: Motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

(Resolution 2017-13 is on Pages 40 through 41 of these Official Minutes)

PENDING LITIGATION AGAINST SHERIFF'S OFFICE

Todd Glass: Next, Mr. President, I have just by consensus if you would authorize the President of the Board to enter into an authority letter from your Legal Counsel regarding pending litigation against the Sheriff's Department. And it is my recommendation that you do this at the request of your Legal Counsel. And by consensus if you'd authorize Marlin to enter into that, we'll do that afterwards.

Marlin Weisheit: Any questions? If not, I'd entertain a motion.

Todd Glass: Just consensus.

Marlin Weisheit: Oh, just consensus, and I'm okay with it.

Dan Saylor: I'm okay.

Marlin Weisheit: You okay? I'm sorry.

REHABILITATION OF BRIDGE 374 BY LOCHMUELLER GROUP

Todd Glass: I have the specifications and contract documents for the rehabilitation of Bridge 374 located on Vann Road over Cypress Creek from Lochmueller Group. And Bobby asked me to review this. It was no small puppy here. But it is all in order and I believe Bobby's wanting to get snapping on this project. Everything is in order to retain Lochmueller Group for that project and needs approval and signature by the Board.

Marlin Weisheit: Need a motion on that. Bless you. Yeah, Vann Road Bridge. Need a motion.

Dan Saylor: I make a motion to approve Lochmueller Group for Bridge 374 located on Vann Road.

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

(Lochmueller, Bridge 374 Project, is located on Pages 69 through 70 of these Official Minutes)

PROSPECT ROAD REAL ESTATE PURCHASE AGREEMENT

Todd Glass: One (1) more thing, Mr. President. You've previously approved the purchase of three point four (3.4) acres roughly on Prospect Road for the Highway Department and District I yard. That has been previously approved. But I do need you to approve and enter into the Real Estate Purchase Agreement with Maken Corporation by motion. And I have that with me and then we'll also get Mr. Ubelhor's signature on it after you sign it.

Marlin Weisheit: Entertain a motion?

Dan Saylor: I make a motion that we enter into the Real Estate Purchase Agreement to purchase the property on Prospect Drive, I think it is.

Todd Glass: Yes, I'm sorry. Thank you.

Bob Johnson: Second.

Marlin Weisheit: Motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Marlin Weisheit: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Motion carries three, zero (3-0).

Todd Glass: I appreciate going through all that, Mr. President. That's all I have.

Marlin Weisheit: Thank you.

~~(Maken Real Estate Purchase Agreement is located on File in the Auditor's Office)~~

The deal fell through and is no longer valid. Per County Attorney Todd Glass. 12/1/2017 K.G.

COUNTY AUDITOR
CLAIMS-CERTIFIED AND NON-CERTIFIED

Marlin Weisheit: County Auditor. Claims. You're not going to take as long as him, are you?

Debbie Stevens: Won't take long.

Dan Saylor: She don't have as many papers.

Debbie Stevens: Okay. I do have a few, one (1) extra thing. Claims, regular Accounts Payable Voucher Claims total one million five hundred thirty-eight dollars ($1,000,538.00)...one million five hundred thirty-eight thousand eight hundred sixty-seven dollars and one cent ($1,538,867.01). And then Uncertified Claims, which included a two hundred twenty-five dollar ($225.00) late fee. I provided you all with the details on that Claim, which was audited by State Board of Accounts. And then three (3) other Claims that included personal use purchases for a total of three thousand eight hundred six dollars and sixteen cents ($3,806.16).

Marlin Weisheit: Any questions?

Bob Johnson: I make a motion to pay the Claims.

Dan Saylor: Second.

Marlin Weisheit: Motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

(Certified and Non-Certified Claims are located on Pages 41 through 44 of these Official Minutes)

REDEVELOPMENT COMMISSION ACKNOWLEDGMENT RECEIPT

Debbie Stevens: I did receive just today a, via certified mail, a letter, a notification from the Warrick County Redevelopment Commission. This was to notify the County that the Commission has determined that for the budget year 2018, they will need to capture all the Incremental Assessed Values from the TIF allocation areas in order to generate TIF Revenues sufficient to meet the Commission's outstanding debt service obligations. This is just required on their part to notify us that they'll be using all of the TIF collections and I can leave this for you to take a look at. It does require one (1) Commissioner's, I'm assuming Marlin's.

Todd Glass: Yes, yes...

Debbie Stevens: You've got copies? You have a copy.

Marlin Weisheit: We've got copies.

Debbie Stevens: Okay, yes

Todd Glass: We merely have to acknowledge receipt.

Debbie Stevens: Yes. One (1) of the Commissioners. Well, Marlin I'm assuming. Mr. Weisheit.

Marlin Weisheit: We need a motion on this then?

Todd Glass: I would move to instruct the President to acknowledge receipt.

Marlin Weisheit: So we don't need a motion on that?

Todd Glass: I would move to authorize the President to acknowledge receipt. I'm sorry.

Bob Johnson: I make a motion to allow Marlin to approve.

Marlin Weisheit: Do I have a second?

Dan Saylor: Second.

Marlin Weisheit: Second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0). Thank you.

Debbie Stevens: Alright, thank you.

Marlin Weisheit: Thank you.

Bob Johnson: Thank you, ma 'am.

Debbie Stevens: You're welcome.

(Receipt of Acknowledgement is located on Page 45 of these Official Minutes)

COUNTY ELECTION
RESOLUTION 2017-14
ESTABLISHING VOTING PRECINCTS WITH NEW ANNEXATION

Marlin Weisheit: County Election Office is up.

Patty Perry: We're going to let Mrs. Oser take over on this. She's been in touch with the Indiana Election Division. We were given a guideline or actually a, well it was a guideline by certain dates that we had to have certain criteria met. Did we provide everyone with a copy of that?

Marlin Weisheit: Yes.

Cathy Oser: Everybody got a copy.

Patty Perry: Wonderful.

Cathy Oser: Commissioners and Mr. Emmons did. I gave Mr. Glass one. Okay, so basically what, this is from when Boonville annexed in almost twelve hundred (1,200) acres out west of Boonville. They did the annexation quite some time ago and it ended up in court. Took about a year. So in May of this year we received notification that it was final. The court ruled in favor of the Town of, or City of Boonville. Now we had to wait 'til after the Election cycle was over to move these voters because of the timing. So the Election Division notified us that it's time. If we're going to do it, we've got to do it. So we're asking to move these voters into the three (3) City precincts that are on your map.

Patty Perry: And if I could add also, I'm sorry.

Cathy Oser: Sure, go ahead.

Patty Perry: May I interrupt?

Cathy Oser: No, go ahead.

Patty Perry: We're not in jeopardy of going over the number of registered voters…

Marlin Weisheit: Okay.

Patty Perry: For these precincts.

Cathy Oser: Yeah, we're far under.

Patty Perry: Yeah.

Cathy Oser: We could move all the voters into one (1) precinct. It's just if you look at the map, it's easier to just slide them from where they're at now just right over. We're just going to slide…it's gonna be probably about four hundred

Marlin Weisheit: It involves all three (3) precincts, doesn't it?

Cathy Oser: I'm sorry?

Patty Perry: Yes.

Marlin Weisheit: Three (3) precincts is what it involves?

Cathy Oser: Yes, Sir. Boon I, III, and V.

Todd Glass: So, Cathy, are we just wanting to have the Board authorize the Election Board to...?

Cathy Oser: Yes, we need, did I include the order that you would sign?

Roger Emmons: Yes, you did.

Cathy Oser: I need a signed copy of that. I've already been to the Election Division. Patty and I were at a conference last week. And I kind of got out of there and went over to the Election Division and gave them all my paperwork. They think everything looks fine the way we want to move it. But I just need this order from you...

Todd Glass: I do too. I just don't like your order.

Cathy Oser: Sorry.

Todd Glass: So I will redo it for you, how's that?

Cathy Oser: Trust me, I don't like having to do all the work either. But I'm (inaudible).

Todd Glass: I would imagine, Mr. President, I think this would be a Resolution.

Cathy Oser: It doesn't require anything but your signatures...

Todd Glass: Okay.

Cathy Oser: Then I send it to the State and it's done. Then they, they will approve, make sure I'm not crossing census lines.

Todd Glass: We don't need any of this. But I could easily take what Cathy has here and, and email you tomorrow a Resolution 2017-14 that does the trick.

Cathy Oser: Don't alter the form from the State. They will send it right back to you.

Todd Glass: I'm going to take out the optional language.

Cathy Oser: I wouldn't, but you're the attorney.

Patty Perry: I see where you're saying. Absolutely.

Todd Glass: And the Board of Commissioners...

Patty Perry: He's wanting that, this...

Todd Glass: Do not issue orders. I'm just going...

Cathy Oser: He's going to be taking out this, this is what we need.

Patty Perry: You're gonna take out the second option?

Todd Glass: The last paragraph.

Patty Perry: Yes, Sir.

Todd Glass: And, and we don't issue orders and the State knows that.

Cathy Oser: Well, we can come back if they don't like it. We don't mess with the Election Division. We just do what they say.

Todd Glass: Well, if the Board...

Cathy Oser: So that's our next step.

Todd Glass: Of Commissioners ask me to, I will make it pretty.

Cathy Oser: This is just the next step then they will approve, then, once you sign this, I will ask Shannon Woolsey in the Auditor's Office, don't ever let that woman out of your grasp. She will redo my maps and give us a new precinct description for each one (1) which we can provide to you. And that goes up to the State and we just wait. We've got until December 30th to do a public notice in the newspaper. And so I'd like to get moving it so we can get this done before the next election cycle starts.

Marlin Weisheit: I'd entertain a motion to pass the Resolution and allow Todd to get it, to make it look pretty and get it back to us tomorrow. You guys okay with that?

Bob Johnson: I make a motion to for Todd to approve once Todd makes his amendments.

Patty Perry: When do we have to have this back?

Bob Johnson: To Resolution 2017-14.

Cathy Oser: (Inaudible) I'll need it back right away if we want...

Dan Saylor: Second.

Cathy Oser: But it doesn't have to be...

Marlin Weisheit: Have a motion and a second. All in favor say, aye.

Cathy Oser: 'Til next week.

Bob Johnson: Aye.

Dan Saylor: (Inaudible).

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

Cathy Oser: You'll get it back in a timely fashion so we can move forward, right?

Todd Glass: Yes. I promise.

Cathy Oser: Thank you.

Todd Glass: Tomorrow morning.

Patty Perry: Thank you.

Todd Glass: Well that depends on the Commissioners. They actually have to sign something.

Marlin Weisheit: We'll get it signed.

Cathy Oser: Thank you.

Patty Perry: Thank you.

Marlin Weisheit: Thank you.

(Resolution 2017-14 is located on Pages 45 through 46 of these Official Minutes)

COUNTY EMERGENCY MANAGEMENT AGENCY PROMULGATION OF THE WARRICK COUNTY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Marlin Weisheit: County Emergency Management Agency. As soon as he gets done we'll bring that out, okay? We might just step out front and do (inaudible) if you guys are okay with it.

Dallas Scott: Good afternoon, Dallas Scott, Director of County Emergency Management. We're just here to ask you first of all to sign a Promulgation for the C.E.M.P.

Roger Emmons: Hey. Out of order, Dallas.

Dallas Scott: Pardon?

Roger Emmons: You're going out of the order on the agenda.

Dallas Scott: You wanna do the other first?

Roger Emmons: You can do it whichever way you want.

Dallas Scott: I was trying to do easy...

Roger Emmons: I've got the, it's just the one (1) page isn't it?

Dallas Scott: Yes. I would have sent you the whole C.E.M.P. but it's about seven hundred (700) pages long.

Marlin Weisheit: You showed me that today.

Dallas Scott: If you want it, I'll give it to you for your night time reading. So...

Marlin Weisheit: So we need to approve that by motion I take it?

Dallas Scott: Yes, Sir.

Marlin Weisheit: I'd entertain a motion to approve that.

Marlin Weisheit: Second one (1).

Dan Saylor: The second one (1)? I make a motion to approve the proposal for, no...

Roger Emmons: Promulgation.

Dan Saylor: Okay, I'm, I'm, I'm not seeing the numbers. Promulgation of the Warrick County Comprehensive Emergency Management Plan.

Marlin Weisheit: Good job.

Bob Johnson: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: (Inaudible).

Marlin Weisheit: Motion carries three, zero (3-0).

(C.E.M.P. is located on Page 46 of these Official Minutes)

MAINTENANCE PROPOSAL FOR EMA GENERATORS

Dallas Scott: And I thought that was going to be the easy one. The second thing is on the Proposal for Maintenance Agreement on two (2) generators that are at the eight hundred megahertz (800 MHz) sites. Somehow or another these generators have fell through the cracks. So rather than taking a chance of that happening again, if we get them on a maintenance schedule where a company just goes out and services them twice a year, I think we'll be far better off. I got one (1) quote from Cummins, for Cummins and it was for four thousand three hundred and seventy-two dollars and thirty-two cents ($4,372.32). That's for three (3) years. And then I sent Roger a copy from, of another proposal that I received today from EVAPAR. Same contract, same type of agreement, three (3) years for three thousand one hundred and eighty dollars ($3,180.00). So...

Marlin Weisheit: So we need, you okay with the lowest bid I take it? Right?

Dallas Scott: Yes.

Marlin Weisheit: Okay. I'd entertain a motion to approve that.

Dan Saylor: I make a motion to approve EVAPAR, the three thousand one hundred eighty dollars ($3,180.00) for the three (3) year service agreement.

Bob Johnson: I'll second.

Marlin Weisheit: Have a motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

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

Dallas Scott: Thank you very much.

(EVAPAR Contract Agreement is located on Pages 46 through 47 of these Official Minutes)

PRESENTATION TO DALLAS SCOTT FOR TWENTY-FIVE YEARS OF SERVICE

Marlin Weisheit: Well, I guess this is your last official meeting with us.

Dallas Scott: This will be it.

Marlin Weisheit: So we want to thank you for your dedicated service. And Warrick County definitely is a safer place because of your hard work. So don't run off, we got something we're gonna kind of present to you here today.

Dallas Scott: Oh, geez.

Marlin Weisheit: For twenty-five (25) years of service. We can't let him go without embarrassing you. That's how it works, so yeah. A clock here from the Commissioners and your staff for twenty-five (25) years of dedicated years of service in the EMA.

Dallas Scott: Sure do appreciate it. Thank you very much and I appreciate all the cooperation I've got for twenty-five (25) years. Thank you very much.

Marlin Weisheit: And I know you won't be a stranger.

Dallas Scott: Oh, no. I won't be a stranger. I'll be around.

Roger Emmons: (Inaudible).

Marlin Weisheit: Been a pleasure to work with you.

Dallas Scott: You too, thank you.

COUNTY ENGINEER/HIGHWAY
APPROVAL OF 2016 ANNUAL OPERATIONAL REPORT FOR LOCAL ROADS

Marlin Weisheit: Okay. County Purchasing.

Todd Glass: The County Engineer.

Marlin Weisheit: Oh, I'm sorry. Steve.

Steve Sherwood: Yes, Steve Sherwood here on behalf of Bobby Howard. He's got a couple of items for you tonight. I'll need an approval from the Board on the 2016 Annual Operations Report. The amount is in excess of eight point two million dollars ($8,200,000.00). This is done every year. It has to be sent in a timely manner up to the agencies. If approved I'll have it for you signatures after the meeting.

Marlin Weisheit: Okay. If no questions, I'd entertain a motion for that approval.

Bob Johnson: I make a motion to approve the 2016 Annual Operational Report for the local roads at eight point two million ($8,200,000.00).

Dan Saylor: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

(2016 Annual Operational Report is located on Pages 47 through 49 of these Official Minutes)

LINCOLN AVENUE PHASE III
CHANGE ORDER IV AND V

Steve Sherwood: And for Lincoln Avenue Phase III Construction, I have Change Order IV and Change Order V. Change Order IV is for the amount of nineteen thousand seven hundred and twenty-two dollars and eleven cents ($19,722.11). It's for switching the pavement marking material from paint to thermal plastic. This will make it in conjunction with Phases I and II by staying with thermal plastic pavement markings. I'd ask for your approval of Change Order IV accordingly.

Marlin Weisheit: I'd entertain a motion.

Dan Saylor: I make a motion to approve the Lincoln Avenue Phase III, Change Order IV.

Marlin Weisheit: Second?

Bob Johnson: I'll second.

Marlin Weisheit: Have a motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

Steve Sherwood: Thank you. And Change Order V is for the amount of ten thousand one hundred thirty-eight dollars and eighty cents ($10,138.80). All of the items are included are non-participating, so they're funded one hundred percent (100%) by Indiana American Water. And this is for the revisions to the water main relocation plans, such as changing pipe materials and adding or moving valves and fire hydrants. Again I'd ask for your approval for Change Order V.

Marlin Weisheit: Entertain a motion.

Dan Saylor: I make a motion to approve the Change Orders for Lincoln Phase III, Change Order V for ten thousand one hundred thirty-eight dollars and eighty cents ($10,138.80)

Bob Johnson: Second.

Marlin Weisheit: Motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Steve Sherwood: I'll get your signatures after the meeting for all three (3) documents. Thank you. That's all the business that I have from Mr. Howard.

Marlin Weisheit: Filling in for Bobby today. We appreciate it.

Bob Johnson: Thank you.

(Lincoln Avenue, Change Order IV and V are located on Pages 50 through 58 of these Official Minutes)

COUNTY PURCHASING
ELECTRICAL UPGRADE FOR ROOM 208
ENGINEERING/STORM WATER/BUILDING DEPARTMENT

Marlin Weisheit: Now we'll go to County Purchasing

Joe Grassman: Joe Grassman, Purchasing Manager. I've just got one (1) item involving Room 208 here in the Old Courthouse which houses the Engineering Department, Storm Water, and the Building Department. Sometime back, I think Steve invited me down. They were thinking about putting new carpet in the offices which it direly needs. But we got to looking around, there was wires and receptacles strewn throughout the floor. So that would have impeded, made it very difficult for the carpeters to get their job done. So we decided to see what it would cost to get that mess cleaned up as far as the wiring and receptacles protruding out of the floor and wires running all over the floor. So what I did is I really contacted three (3) electrical contractors. Asked them to provide what they would consider to be their best solution to the problem. We, they, we did get the quotes back. We reviewed them. One (1) of the quotes seemed to have the best grasp of the situation and provided the best solution. At least we thought that to be the case. And that the, the solution that that he was providing was the least invasive. In other words, some of the contractors were going to drill big holes in the floor and one (1) thing or another which would have disrupted offices on two (2) floors for a period of time. And even though there were three (3) bids, this is not the least expensive and not the most expensive. But in our opinion it was the best, the best quote we received that's in the best interest of the office and the County. The particular quote was provided by Head's Electric Incorporated for forty-eight hundred dollars ($4,800.00). So I would ask, I guess we're asking your permission to allow the Room 208 to do their electrical upgrade. It would be paid for as I understand by the Storm Water Department. So there'd be no new money needed to be taken out of General.

Marlin Weisheit: I know that's been kind of an issue for years. It's kind of a stumbling safety issue down there.

Joe Grassman: Yeah.

Marlin Weisheit: With them receptacles sticking up on top of the concrete floor. So I'd like to see it done, so I don't have a problem with it. So, you guys have any questions?

Bob Johnson: I'm good.

Steve Sherwood: And as Joe said, in lieu, before we do carpeting, this needs to be done.

Marlin Weisheit: Needs to be done, right. Yep, get that tucked away.

Bob Johnson: I make a motion to approve the electrical update in the Engineering/Storm Water/Building Department Room 208.

Dan Saylor: Second.

Marlin Weisheit: Motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. (Motion carries 3-0). Thanks, Joe. Appreciate you're taking care of it.

Joe Grassman: Thank you.

Steve Sherwood: Thank you, Joe.

(Electrical Upgrade for Room 208 is located on Page 58 of these Official Minutes)

COUNTY SHERIFF
INTERLOCAL AGREEMENT WITH VANDERBURGH COUNTY REGARDING TRANSFER OF INMATES

Marlin Weisheit: County Sheriff. Went over an hour today.

Bob Johnson: Um hum.

Marlin Weisheit: Hi, Sheriff.

Brett Kruse: Brett Kruse, Warrick County Sheriff. I sent a memorandum of understanding last week for the Commissioners to sign with Vanderburgh County. They need to house inmates and it needs to be signed by all three (3) of you, I believe. And myself.

Marlin Weisheit: Yeah.

Todd Glass: Yes, an Interlocal Agreement actually with Vanderburgh County. And everything's in order.

Marlin Weisheit: Okay, I'd entertain a motion.

Roger Emmons: And I have that here for your...

Marlin Weisheit: For signature, okay.

Bob Johnson: I make a motion to approve Sheriff Kruse's Interlocal Government Agreement.

Dan Saylor: Second.

Marlin Weisheit: Have a motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. Motion carries three, zero (3-0).

Brett Kruse: Thank you.

Marlin Weisheit: Thank you, Sheriff. You have anything else tonight?

Brett Kruse: No.

Marlin Weisheit: Okay.

(Interlocal Agreement with Vanderburgh County is located on Pages 59 of these Official Minutes)

COMMISSIONERS ITEMS FOR DISCUSSION

Marlin Weisheit: Alright, Commissioner Johnson, you have any further business?

Bob Johnson: No, Sir.

Marlin Weisheit: Commissioner Saylor?

Dan Saylor: No, Sir.

Marlin Weisheit: I'd entertain one (1) more motion.

Dan Saylor: I make a motion to adjourn.

Bob Johnson: Second.

Marlin Weisheit: Motion and a second. All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

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

ADJOURNMENT: Meeting adjourned at 5:24 PM.

WARRICK COUNTY BOARD OF COMMISSIONERS

Marlin Weisheit

MARLIN WEISHEIT, PRESIDENT

Dan Saylor

DAN SAYLOR, VICE PRESIDENT

ROBERT JOHNSON, JR., MEMBER

ATTEST: Deborah K. Stevens

DEBORAH K. STEVENS, AUDITOR
WARRICK COUNTY, INDIANA

Minutes transcribed by Kristine Georges

FILED
MAY 04 2017

STATE OF INDIANA
COUNTY OF WARRICK } SS:

BEFORE THE BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE ONE (1)
PUBLIC UTILITY EASEMENT
LINCOLNWOOD ESTATES PHASE II
WARRICK COUNTY, INDIANA

VACATION NO. [illegible]

NOTICE OF PUBLIC HEARING BY THE
WARRICK COUNTY COMMISSIONERS

A petition has been filed to vacate one (1) public utility easements in Part of Lot 25 in Lincolnwood Estates Phase II Subdivision as per plat thereof, recorded in Document Number 2001R-000056 in the office of the Recorder of Warrick County, lying in Ohio Township, Warrick County, Indiana. The easement to be vacated is more specifically described in the Petition which is on file in the Office of the Auditor of Warrick County.

The hearing on said petition will be heard by the WARRICK COUNTY COMMISSIONERS on [illegible] 2017 at 4:00 PM.

Dated: [illegible] 2017

Deborah Stevens, Auditor
Board of Commissioners of
Warrick County, Indiana

(Publish once in the Standard and once in the Register)

STATE OF INDIANA
COUNTY OF WARRICK } SS:

BEFORE THE BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE ONE (1)
PUBLIC UTILITY EASEMENT
IN LINCOLNWOOD ESTATES PHASE II
WARRICK COUNTY, INDIANA

VACATION NO. _____

PETITION

TO THE HONORABLE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA

The undersigned Petitioner to your honorable board represent as follows:

1. That said Petitioner is the owner of the real estate described on Exhibit "B", attached hereto and made a part hereof.

2. That the Petitioner respectfully petitions that the Board of Commissioners of Warrick County, Indiana proceed as authorized by law to vacate a public utility easements in Lincolnwood Estates Phase II being located in Warrick County, Indiana and more particularly described as follows:

Part of Lot 25 in Lincolnwood Estates Phase II Subdivision as per plat thereof, recorded in Document Number 2001R-000056 in the office of the Recorder of Warrick County, being part of the East Half of the Northwest Quarter of Section 23, Township 0 South, Range 8 West, lying in Ohio Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 25; thence along the South line of said Lot 25, South 88°38'11" East 77.00 feet; thence North 01°27'43" East 94.27 feet to the true point of beginning;

thence

1st: North 43°02'42" West 6.59 feet; thence

2nd: North 14°33'56" East 6.28 feet, thence

3rd: North 46°57'18" East 3.84 feet; thence

4th: South 01°27'43" West 15.45 feet to the point of beginning, containing 44.2 square feet more or less.

Reference: Public Utility Easement recorded in Document Number 2001R-000921

3. That at the present time the above public utility easement will no longer be used and is not maintained by Warrick County or any other public agency and all maintenance thereon has been performed by the petitioner who is presently the only property owner making any active use of the same. That the utility easement has been relocated by the petitioner for the public or Warrick County for the intended purpose.

4. That the only other real estate which could have any conceivable interest in this portion of Public Utility Easement to be vacated is the real estate owned by the following persons whose ownership of land in the area is as set forth opposite their names and contained below herein and corresponding to the designation of ownership set out on the sketches of Exhibit "A", attached hereto and made a part hereof, to-wit:

OWNER	ADDRESS	INTEREST
Delaterre, Jeff & Brenda	4166 Sherri Lee Lane; Newburgh, IN 47630	Lot 26 Lincolnwood II
Stanfill, Steve & Jan	4333 Cherry Blossom Ct; Newburgh, IN 47630	Lot 10 Lincolnwood I
McMullin, Christopher & Dorothy Baird	4388 Kinwood Ct.; Newburgh, IN 47630	Lot 24 Lincolnwood I
Cornell Excavating, Inc.	6022 S. Yankeetown Hwy; Boonville, IN 47601	Unimproved Land West of Petitioner
Findley, Donald L. & Anna Sue	4169 Sherri Lee Lane, Newburgh, IN 47630	Lot 40 Lincolnwood I

5. That the Petitioner, having provided a new public utility easement, is the only property owner actually using said utility easement to be vacated.

6. That the Petitioner has future plans for its presently owned real estate which plans may require use of portions of said utility easement to be vacated with its use of said lands presently owned, and Petitioner cannot properly formulate future plans for use of said land until said easement is vacated.

7. That the vacation of said easement, which is not being used and does not affect any other owner in the area, would be of benefit to the petitioner.

8. That the general location of the portions of the easement to be vacated is shown upon on the sketches of Exhibit B.

WHEREFORE, Petitioner respectfully prays that the Board of Commissioners of Warrick County, Indiana, take all necessary steps to properly vacate said easement in the manner as by law now provided.

Respectfully submitted,

Stephen R. & Bernita K. Murion

By: [illegible]
Stephen R. Murion, Owner

By: [illegible]
Bernita K. Murion, Owner

EXHIBIT "A"

ADJACENT AND AFFECTED PROPERTY OWNERS
EASEMENT TO BE PARTIALLY VACATED
LOT 25 LINCOLNWOOD ESTATES PHASE II
4188 SHERRI LEE LANE

1 Tax Code: 87-13-29-102-026.000-019
Lot 26 Lincolnwood Estates Phase II
Delalante, Jeff & Brenda
4188 Sherri Lee Lane
Newburgh, IN 47630

2 Tax Code: 87-13-29-101-010.000-019
Lot 10 Lincolnwood Estates Phase I
Stanfill, Steve & Jan
4333 Cherry Blossom Court
Newburgh, IN 47630

3 Tax Code: 87-13-29-101-024.000-019
Lot 24 Lincolnwood Estates Phase I
McMullin, Christopher L. & Dorothy N. Baird
4388 Kimwood Court
Newburgh, IN 47630

4 Tax Code: 87-13-29-100-019.000-019
NW ¼ NW ¼ Sec 29-T6S-R9W
Cornell Excavating, Inc.
5022 S. Yankeetown Highway
Boonville, IN 47601

5 Tax Code: 87-13-29-102-040.000-019
Lot 40 Lincolnwood Estates Phase II
Findley, Donald L. & Anna Sue
4155 Sherri Lee Lane
Newburgh, IN 47630

AE2

ANDY EASLEY ENGINEERING, INC.
1133 WEST MILL ROAD, SUITE 205
EVANSVILLE, INDIANA 47710
TELEPHONE (812) 424-2481
FACSIMILE (812) 426-3403
www.easleyengineering.com

CIVIL ENGINEERS
LAND SURVEYORS

CLIENT: Stephen R. & Bernita K. Marion

PROPERTY: 4188 Sherri Lee Lane; Newburgh, IN

PARCEL: Portion of public utility easement to be vacated

VACATION DESCRIPTION

Part of Lot 25 in Lincolnwood Estates Phase II Subdivision as per plat thereof, recorded in Document Number 2001R-000856 in the office of the Recorder of Warrick County, being part of the East Half of the Northwest Quarter of Section 29, Township 6 South, Range 8 West, lying in Ohio Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 25; thence along the South line of said Lot 25, South 88°38'11" East 77.00 feet; thence North 01°27'43" East 94.27 feet to the true point of beginning; thence

1st: North 43°02'42" West 0.59 feet; thence

2nd: North 14°33'56" East 0.28 feet; thence

3rd: North 46°57'16" East 3.84 feet; thence

4th: South 01°27'43" West 15.46 feet to the point of beginning, containing 44.2 square feet more or less.

Reference: Public Utility Easement recorded in Document Number 2001R-003921

Donald E Gries, PS
Indiana Reg. No. 29900003

DONALD E. GRIES
REGISTERED
No. LS29900003
STATE OF
INDIANA
LAND SURVEYOR

C:\PROJECTS\WPDON\10120Marion.easement.vac.LD.wpd

March 3, 2017

VECTREN
Live Smart

Vectren Corporation
P.O. Box 209
Evansville, IN 47702-0209

March 8, 2017

For Email

Justin Shofstall
Andy Easley Engineering, Inc.
1133 West Mill Road, Ste. 205
Evansville, IN 47710

Re: Proposed Partial Vacation of Public Utility Easement on part of Lot 25, Lincoln Wood Estates Phase II Subdivision as per plat thereof, recorded in Document #2001R-000856 in the office of the Recorder of Warrick County being part of the East Half of the Northwest Quarter of Section 29, Township 6 South, Range 8 West and more fully described and depicted on Exhibit "A" hereto.

Petitioners: Stephen R. & Bernita K. Marion

Dear Mr. Shofstall:

Engineering representatives for Southern Indiana Gas and Electric Company, Inc. doing business as Vectren Energy Delivery of Indiana ("VEDI") have researched the above location requested for vacation and has determined that there is no objection to the proposed partial vacate of the public utility easement shown on the attached exhibit.

In view of these findings VEDI has no objection to the proposed Petition to vacate the portion of the public utility easement as referenced herein and as described on the Exhibit attached hereto.

The consent granted by VEDI for said vacation is valid for ninety (90) days. This is due to the constant installation of our facilities at numerous locations. If this vacation request is not petitioned and passed by the Common Council within this time period, this letter becomes invalid, requiring a new study to be done by VEDI.

Please forward to my attention a copy of the recorded ordinance upon passing for our records.

Sincerely,

Colby Morris, SR/WA
Land Services, Right of Way Agent III
Vectren Energy Delivery of Indiana
(812) 491-4785

CM/jd
Enclosures
xc: S. Rector, Warrick County APC

INDIANA AMERICAN WATER

6627 State Road 66
P. O. Box 100
Newburgh, IN 47629
www.indianaamerican.com
P 812-842-0278
F 812-853-7565

April 21, 2017

Warrick County Plan Commission
Courthouse
Boonville, IN 47601

Subject: **Partial Vacation of PUE**
Part of Lot 25 of Lincoln Wood Estates Phase II
4188 Sherri Lee Lane

After reviewing the attached exhibit, Indiana American Water has determined that vacating the referenced easements would not affect our existing infrastructure. Therefore, Indiana American Water accepts the proposed easement vacations.

Please note that Indiana American Water does have buried water lines in the vicinity of this area and any variation from the proposal on the attached exhibit would require further review.

Thank you,

Roger Johnson
Operations Superintendent

Cc: Justin Shofstall
Andy Easley Engineering, Inc

NEWBURGH, INDIANA

RECEIVED MAY 01 2017
Susan Helms
Utility Office Manager

April 28, 2017

Andy Easley Engineering, Inc.
Attn: Justin Shofstall
1133 W Mill Road, Suite 205
Evansville, IN 47710

Re: 4188 Sherri Lee Lane, Newburgh, IN

Mr. Shofstall:

The Newburgh Town Council approved at the Town Council meeting on April 28, 2017 to vacate the portion of the Public Utility Easement located in part of Lot 25 of the Lincolnwood Estates Phase II Subdivision as per plat, recorded in Document Number 2001R-000856 in the office of the Recorder of Warrick County, Indiana. The property address is 4188 Sherri Lee Lane in Newburgh, Indiana in Ohio Township, Warrick County, Indiana. The property is owned by Stephen R. & Bernita K. Merlon.

The drawings are attached along with description of each easement.

Please feel free to contact me if you have any questions at 812-853-7496 or email at shelms@newburgh-in.gov.

Thanks,

Susan Helms
Newburgh Utility Office Manager

pc: Utility Committee

Town of Newburgh
23 W. Jennings Street • P. O. Box 100 • Newburgh, IN 47629
phone 812.853.7496 • fax 812.853.1728 • email shelms@newburgh-in.gov
www.newburgh-in.gov

WOW! It's that kind of experience.

RECEIVED MAR 18 2017

March 6, 2017

Andy Easley Engineering, INC.
1133 West Mill Rd, Suite 205
Evansville IN, 47710

RE: Partial Vacation of Public Utility Easement Doc. # 2001R003921
Part of Lot 25 of Lincoln Wood Estates Phase II 4188 Sherri Lee Lane

Dear Mr. Shofstall,

The SIGECOM/WOW Outside Plant Engineering department have reviewed the plans for the above reference project. The findings of this review determined that SIGECOM/WOW does not have any facilities in the proposed building location.

As a result of these findings, SIGECOM/WOW does not have any objection to this partial vacate at 4188 Sherri Lee Lane

Sincerely,

James A. Farnbrough

Construction Engineer
WOW! Internet, Cable & Phone
812-437-0355
James.Farnbrough@wowinc.com

at&t

3/13/2017

Mr. Justin Shofstall
Andy Easley Engineering Inc.
1333 West Mill Rd.
Suite 205
Evansville, IN 47710

Mr. Shofstall,

AT&T Indiana has no objection to partial easement vacation of 20' PUE as depicted in Doc. # 2001R003921, part of lot 25 of Lincoln Wood Estates Phase II, 4188 Sherri Lee Ln. AT&T has existing facilities within easement as close as 10.32 feet of proposed garage adjustment that will not be in conflict.

Please email or call me at 464-6055 if you need further information.

Thank you,

Jeremy Hile
AT&T OSP Design and Engineer
(812)464-6055 office
jh9769@att.com

Charter

March 15, 2017

Easley Engineering
www.easleyengineering.com

SUBJECT: 4188 Sherri Lee Lane

We have reviewed your request for the above referenced Public Utility Easement, and Charter hereby grants the vacation of 4188 Sherri Lee Lane in Newbergh, IN.

If applicable, please contact the Indiana Excavation Safety System (Indiana811) at IN811 or 1-800-752-6007 to have facilities marked & located within affected easements before any excavations are started.

For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to west-engineering-relo@charter.com. Please share this information with whoever needs these services.

Sincerely,

Lisa Law
Sr. Manager, Data Operations
Charter Communications
750 Canyon Drive
Coppell TX 75019

STATE OF INDIANA }
COUNTY OF WARRICK } SS:

BEFORE THE BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE
ONE (1) PUBLIC UTILITY EASEMENT IN
LINCOLNWOOD ESTATES PHASE II
WARRICK COUNTY, INDIANA

VACATION NO. CC-2017-15

AN ORDINANCE TO VACATE
A PUBLIC UTILITY EASEMENT

Be it ordained by the Board of County Commissioners of Warrick County, Indiana, as follows:

Section 1. Pursuant to IC 36-7-3-12, a petition was presented to the Board of County Commissioners of Warrick County, Indiana, requesting that the public utility easements described in Section 3 below be vacated.

Section 2. That after due and proper notice, a public hearing was held by the Board of County Commissioners of Warrick County, Indiana, at which time all interested persons were permitted to address said Board.

Section 3. That the Board of County Commissioners of Warrick, County, Indiana, after due investigation and consideration, have determined that the public utility easement hereinafter described will no longer be used and that it is in the public interest to vacate said public utility easement being more particularly described as follows:

Public Utility Easement for Lot 25:

Part of Lot 25 in Lincolnwood Estates Phase II Subdivision as per plat thereof, recorded in Document Number 2001R-000856 in the office of the Recorder of Warrick County, being part of the East Half of the Northwest Quarter of Section 29, Township 6 South, Range 8 West, lying in Ohio Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 25; thence along the South line of said Lot 25, South 09°38'11" East 77.00 feet; thence North 01°27'43" East 84.27 feet to the true point of beginning; thence

1st: North 43°02'42" West 0.59 feet; thence

2nd: North 14°33'56" East 8.28 feet; thence

3rd: North 46°57'18" East 3.84 feet; thence

4th: South 01°27'43" West 15.45 feet to the point of beginning, containing 44.2 square feet more or less.

Reference: Public Utility Easement recorded in Document Number 2001R-003921

and said public utility easements as above described is hereby vacated.

Section 4. The County Auditor shall furnish a copy of the ordinance to the County Recorder to recording.

Section 5. This ordinance shall be in full force and effect from and after the date hereof.

PASSED this 22nd day of May, 20 17

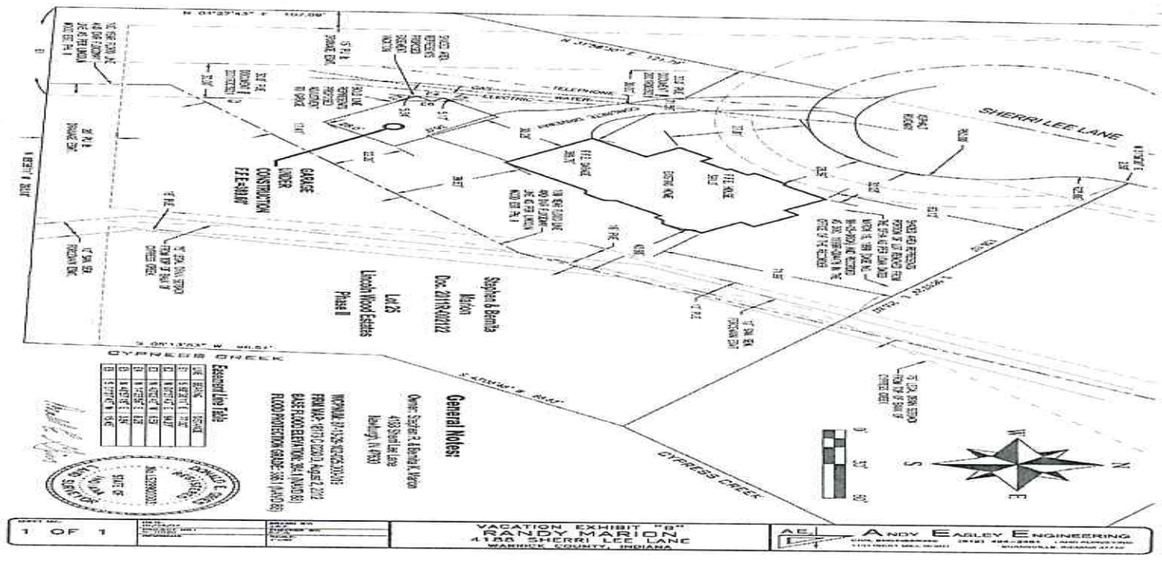
BOARD OF COUNTY COMMISSIONERS OF
WARRICK COUNTY, INDIANA

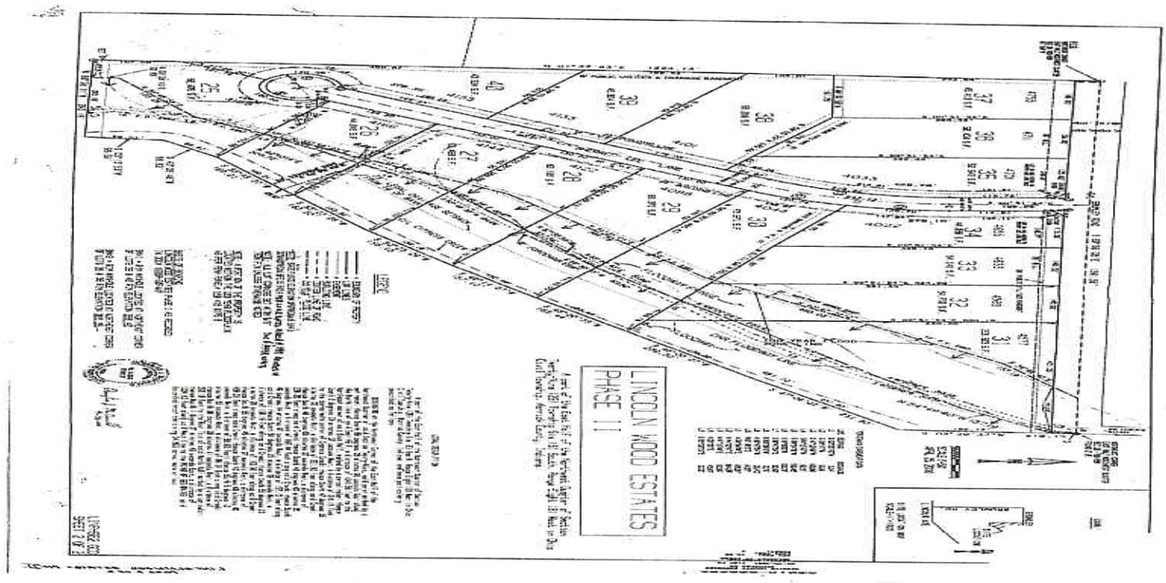
BY _____ Commissioner

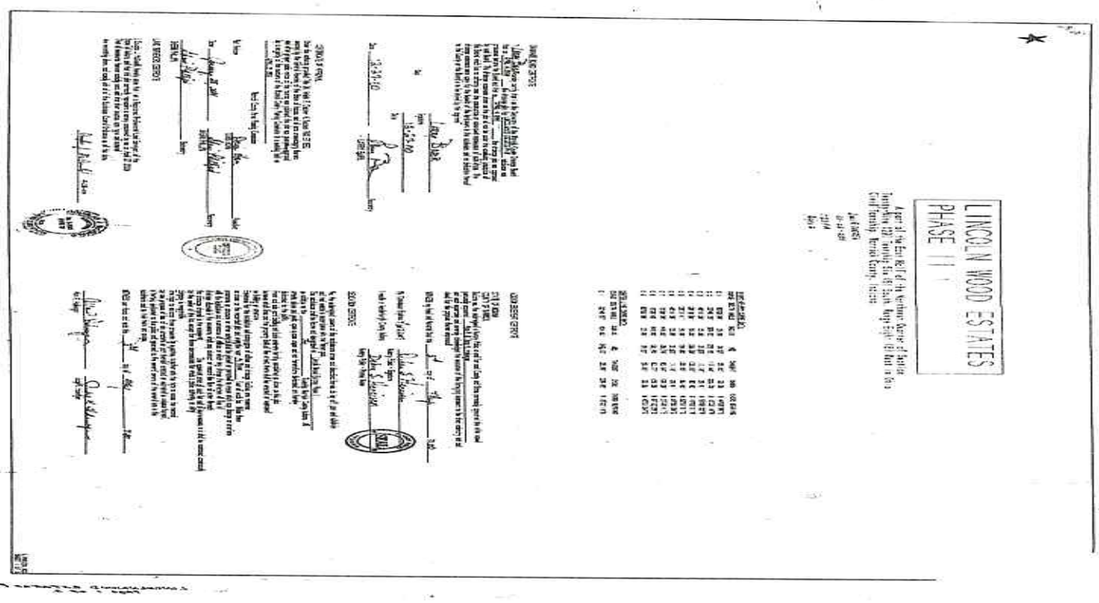
BY _____ Commissioner

BY _____ Commissioner

_____ Secretary







Street Acceptance

Date: 5/21/17 Receipt#: 21890

NAME OF SUBDIVISION: River Ridge IV B

as recorded in 2007R-008429 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
Wind Pointe Court	295 Lin Ft.
River Ridge Drive	463 Lin Ft

Subdivision Developer

This request is accompanied by a certificate of [illegible] 5/21/17 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: _____

BOARD OF COUNTY COMMISSIONERS

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 :

Utilities Consulting Co. Inc.
P.O. Box 441
Newburgh, Ind. 47629

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

May20, 2017

Warrick Country Area Planning Commission
Attention Sheila
107 W Locust Street Suite 208
Boonville, Indiana 47601

RE: River Ridge IV B Street and sidewalk Construction (Street Acceptance)
Irrevocable Letter of Credit No.10018992

Inlet located at the Southeast Corner of Wind Drift Court and River Ridge has been raised to curb height, inlets has been cleaned of debris and Cracks in curbs have been sealed with Indot driveway sealant.

The undersigned hereby certifies has been completed as per request by Steve Sherwood county Engineer Letter dated 4/28/17

Certified _____ Date 5/20/17

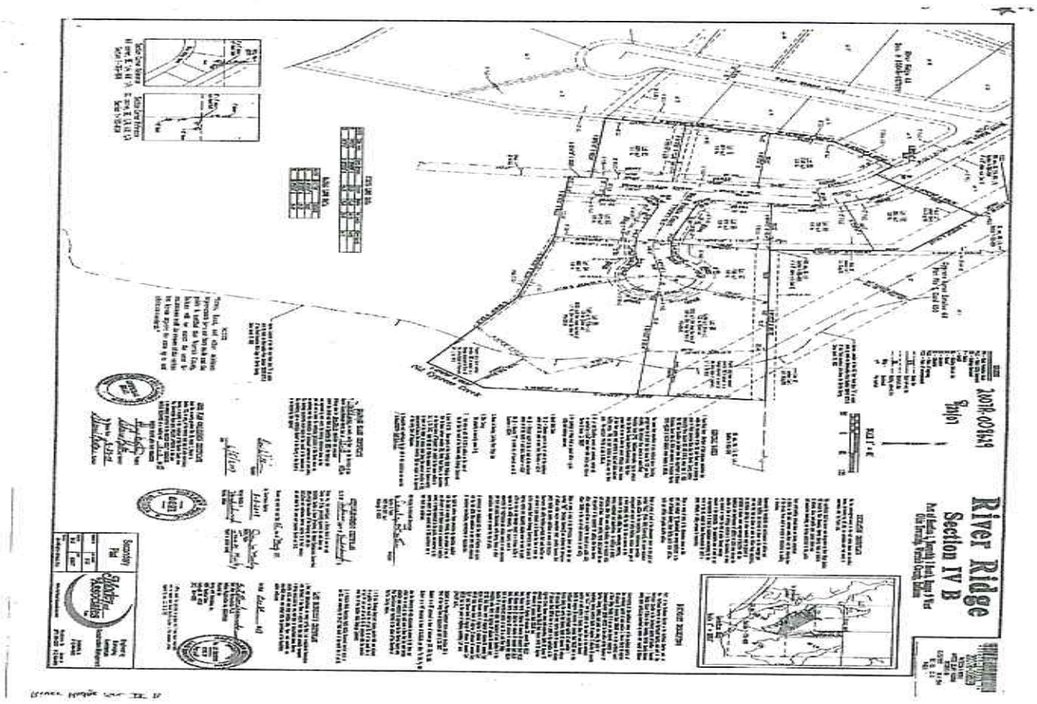
If have any more request please acknowledge the work was completed on May 19 ,2017 Heath Hubert whom work for Indot State Highway Crew (retired)

call me 812-483-3689 or email consulting 106@ att.net

Respectfully yours.

James H. Biggerstaff

FILED
MAY 2 2 2017
WARRICK COUNTY
AREA PLAN COMMISSION



WARRICK COUNTY HIGHWAY ENGINEER

107 WEST LOCUST STREET, COURTHOUSE, ROOM 208, BOONVILLE, IN 47601
PHONE (812) 897-6094 -- FAX (812) 897-6109

Date: April 25, 2017

Ms. Carolyn Foster
Old Hickory Development Corporation
1018 E. Hwy. 98 Unit 150
Destin, FL 32541

Re: River Ridge Subdivision Section IV B – Street Acceptance Request

Dear Ms. Foster:

An inspection was made April 20, 2017 per your Engineer's Certification of Completion filed on April 12, 2017 with the Area Plan Commission. Upon this inspection, the following items must be addressed prior to the County accepting the streets for maintenance. These are as follows:

1. Appropriately seal all cracked curb/gutters. Multiple cracks were observed.
2. The inlet back casting at the southeast corner of Wind Pointe Court and River Ridge Drive has dropped. Please make adjustments and bring up to grade flush with adjoining curb and sidewalk.
3. Please ensure that all inlets and streets have any silt and debris removed.

A photograph has been included illustrating the items cited in items numbers 1 and 2 above. When these items are completed, your engineer will need to re-certify to their completion. We will then make another inspection accordingly. If you would have any questions regarding this punch list, please feel free to contact this office. Thank you.

Respectfully:

Steven A. Sherwood, PE, PLS
Assistant Warrick County Highway Engineer

Encl.

Cc: Area Plan Commission
Utilities Consulting Co. Inc.
file

I:\Steve's Folder\Highway Engineer\APC\2017\River Ridge Section IV B

The Tower Clock Company
10340 Columbus-Cincinnati Road
South Charleston, Ohio 45368
(937) 605-1904
email: phil@thetowerclockcompany.com
website: thetowerclockcompany.com
Phil Wright, Owner

Warrick County Commissioners
107 West Locust, Suite 301
Boonville, Indiana 47601

May 1, 2017

Proposal/Agreement

1. A 33 inch tall x 24 inch wide rolling platform will be made to do this restoration work and left in the tower for future service work on your dials.
2. The center section of dial glass will be removed on all four dials.
3. The hands and motion works will be removed from the dial glass and the dial glass will be put back in.
4. The hands and dial gear assemblies, (motion works), will be packed and transported back to my shop.
5. New hands will be fabricated for the south dial and any other of the hands if they are warped or weather damaged.
6. The new hands will be made of #1sugar pine ¾ inch thick and tapered to 3/8 inch on their outer edges.
7. All hands will then be sanded smooth, then primed and painted with 5 coats of (Sherwin Williams) Emerald exterior black paint.
8. New counter balance rods will be made of ½ brass round stock.
9. The hands will then be precisely balanced.
10. The motion works will be disassembled, cleaned of all dirt and oil, deburred, then polished and sealed.
11. New gaskets will be made to seal the motion works to the dial glass.

Project: Warrick Co Judicial

Trane Technology Upgrade

This proposal details the upgrade to the outdated Trane BCU hardware and associated software. It includes the following scope of work:

- Replacement of the Trane BCU Building Controller with a new Trane SC System Controller.
  - The SC functions as the main controller managing all building wide functions and allows access to the system.
  - This hardware item is the latest version of Trane's controls platform and will allow for years of supported use.
  - The existing Trane BCU is no longer being produced, therefore a failure would require the upgrade to be made on an emergency basis.
  - We will also install a Communication Bridge to allow for access to the old changeover systems with dampers. This is the most economical approach to upgrade the system. As these changeover systems require replacement in the future, they can be migrated over to the SC directly as needed.

There are many benefits to upgrading to the SC System Controller:

- Migration to a fully updated and supported platform. This is our latest generation of hardware and software. The existing BCU is outdated and no longer in production. Support for this system is being phased out.
- This allows the Staff to move away from a single workstation and the requirement for software upgrades. With appropriate security rights, access to the system is capable at any Warrick Co networked computer.
- Remote access is also capable from Smartphone, Tablet or laptop via a secure connection.
- It enables the Staff to receive and respond to alarms from remote locations without having to return to the building. It also allows for remote troubleshooting so Staff can prepare to address problems without having to drive to the building.
- It allows Staff to troubleshoot the system and equipment with data available on a smartphone while at the equipment location. This eliminates the need to go back to the basement each time changes are made to monitor the system.
- It eliminates the expense of continued software upgrades. Firmware upgrades can be downloaded to the SC on a regular basis during Trane PM visits.

Fixed price for hardware upgrade and onsite programming .....$ 18,497

Harshaw Trane

Additional price for Intelligent Services data migration not to exceed..... $2,100

This will cover migrating data from existing BCU to the new system, establishing all programming that existed in the present system. A large amount of data will need to be moved to the new system and we estimate that it will cost no more than the price quoted. If it takes less time to complete, Trane will bill for the reduced amount.

Thanks for the opportunity to perform this work. We look forward to providing this solution.

Neil Bryant
PMP, CEM

CONTROLS ACCOUNT MANAGER
1024 East Sycamore
Evansville IN 47714
Tel: 812-421-5218
Cell: 812-409-3242
E-mail:nbryant@trane.com
Web:www.trane.com

Harshaw Trane

This proposal and the terms and conditions on the reverse side are hereby accepted and Harshaw Trane is authorized to proceed with the work.

Customer

By: Martin Weisheit
Title: Martin Weisheit
President, Warrick County Commissioners

Date: 05/22/2017
PO#: 21455

The information contained within this proposal is proprietary and confidential. Reproduction and distribution is not permissible without prior and written approval of the Operations Manager.

Harshaw Trane

PRESCRIBED BY STATE BOARD OF ACCOUNTS — GENERAL FORM NO. 98 (REV. 1987)

NOTE: NO CLAIM WILL BE APPROVED FOR PAYMENT UNLESS ORIGINAL COPY OF THIS ORDER OR THE P.O. NUMBER IS MADE A PART OF THE CLAIM.

PURCHASE ORDER
WARRICK CO. PURCHASING AGENCY
107 W. LOCUST STREET, ROOM 301
BOONVILLE, IN 47601
812-897-6120
FAX 812-897-6189

P.O. 21455
This Number Must be on Invoice, Claim and Delivery Memos.

TO Harshaw Trane
ADDRESS
CITY
SHIP TO DEPT.
SHIP VIA
CHARGE TO
APPROPRIATION FOR APPROPRIATION NUMBER

DATE
REQ.
IN ACCORDANCE WITH BID AND CONTRACT DATED
If subject to discount please indicate on Invoice or Claim.

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT

This order issued in compliance with CHAPTER 99, ACTS 1945 and Acts amendatory thereof and supplemental thereto.

TOTAL AMOUNT OF ORDER $

I HEREBY CERTIFY THAT THERE IS AN UNOBLIGATED BALANCE IN THIS APPROPRIATION SUFFICIENT TO PAY FOR THE ABOVE ORDER.

BILLING ON THIS ORDER MUST BE ACCORDING TO PRICES SHOWN ABOVE
ORDERED BY
TITLE

FEDERAL EXCISE TAX EXEMPT

INDIANA RETAIL TAX EXEMPT
CERTIFICATE NO. 003-119-076-001-5

ORIGINAL - VENDORS COPY

Board of Commissioners
County Courthouse
Boonville, Indiana 47601

Memorandum

To: Warrick County Public Safety Agencies, Partners and Stakeholders

From: Warrick County Board of Commissioners

Date: June 2017

Re: Promulgation of the Warrick County Comprehensive Emergency Management Plan

Warrick County faces the threat of disasters and emergencies. To this end, government at all levels has a responsibility for the health, safety and general welfare of its citizens.

It has been proven normal day-to-day procedures are sometimes not sufficient for effective disaster response, as extraordinary measures have to be implemented quickly if loss of life and property is to be kept to a minimum. The Warrick County Comprehensive Emergency Management Plan (CEMP) considers key actions necessary to meet the challenges of emergency and disaster situations.

In keeping with **Indiana Code 10-14-3**, local jurisdictions are required to develop and keep current an emergency operations plan. The Warrick County CEMP is the specified document and satisfies this requirement.

The Warrick County CEMP shall outline the necessary steps for local government and emergency partners to:

- Fully understand their responsibilities as outlined by the document
- Support activities related to the protection of personnel, equipment and critical public records during times of disaster.
- Ensure the continuity of essential services which may be needed during and after disasters.
- Build and foster strong relationships and collaboration with agencies, departments and personnel to build an effective emergency management system within Warrick County.

Warrick County Emergency Management Agency has been designated as the primary agency responsible for the coordination and preparation of the CEMP. It shall be consistent with the National Response Framework, the National Incident Management System, as well as other key state and federal policies and standards.

This plan is effective: May 22, 2017

Marlin Weisheit
Warrick County Commissioner

Dan Saylor
Warrick County Commissioner

Robert H. Johnson, Jr.
Warrick County Commissioner

AT&T

AT&T Capital Services, Inc.
240 N. Meridian, Room 770
Indianapolis, Indiana 46204

Kelly Poole
Direct (317) 826-0863
kp3251@att.com

Warrick County
107 W. Locust Street, Ste. 301
Boonville, IN 47601

May 8, 2017

Opportunity #: 1-58335686

AT&T Capital Services, Inc. ("AT&T Capital") is pleased to provide the following proposal for the equipment, services and/or maintenance as submitted to us. Our understanding of communication products and markets allows us to offer payment options at competitive rates and to accommodate your needs over the life of the lease.

Equipment/Services Description: E9-1-1 Service

Payment Terms: Quarterly - Arrears
Estimated Commencement Date: December 1, 2017

Description	One-Time Cost	Proposal Type	Payment Term	Rate Factor	Payment	Swap Rate	Initial
E9-1-1 10 Year Service	$852,000.00	Municipal	120 Months	0.03431	$29,232.12	1.53	
Combined Cost	$852,000.00		Combined Payment		$29,232.12		

Taxes & Shipping Charges	Pricing above excludes all applicable taxes and shipping charges, unless noted. Insurance is the responsibility of the customer. Customer shall be responsible to pay those taxes and fees described in the contract.
Payments & Indexing	The rate factors listed above are indexed to like-term Swap rates. Any increase or decrease in the corresponding like-term Swap rate may cause the rate factor to be adjusted point for point at the time of commencement.
Contract & Credit Approval	This proposal is subject to final investment committee approval and mutually acceptable documentation. Upon customer's acceptance of this proposal, AT&T Capital will require a copy of customer's latest audited Financial Statements**. Credit approval is not final until AT&T Capital has reviewed these statements and approved the credit. In the event any material change occurs during the anticipated rollout period in the financial or equipment markets after the date of this letter, including but not limited to any event which adversely affects cost of funds, changes in market credit margins or change in the financial condition of the customer, AT&T Capital at its sole discretion, may modify the rate or approval described above. ** Financial Statements Required: Auditor's Report, Balance Sheet, Income Statement, Cash Flow Statement and accompanying notes that apply to the above described financial statements.
Offer Expiration Date	This offer expires 30 days from the date of this proposal. If, for any reason, we fail to consummate a mutually satisfactory agreement by this date, we reserve the right to withdraw this offer and/or modify its terms.
Convert to Cash Sale	Lessee's failure to execute AT&T Capital's Acceptance Certificate relative to the contract within ninety (90) days of the lessee's first functional use of the equipment and/or services will result in the contract converting to a cash sale.
Progress Payments	The above rates do not include any additional interest expense for progress payments which are required by AT&T Capital Services, Inc. on all transactions with installations exceeding 60 days. Progress payments will be financed through AT&T Capital at Prime Rate plus 2% at time of funding.
UCC's	Customer hereby grants AT&T Capital permission to file any and all UCC financing Statements, which in their discretion is necessary or proper to secure it's interest in the equipment and/or services in all applicable jurisdictions.