WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
July 10, 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 Tax Deputy Lisa Wheeler attended and recorded the minutes.

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

PLEDGE OF ALLEGIANCE

Marlin Weisheit: Thank you, be seated.

AREA PLAN COMMISSION
STREET CONSTRUCTION PLANS

Marlin Weisheit: We'll go to Area Plan. Looks like Sherri, you've got a few items tonight.

Sherri Rector: Yeah, a few. The first ones are, Street Construction Plans, is Primary Plat-17-09, Gateway Place Subdivision and number two (2) is Primary Plat 17-11, the Village of Lexington II. Both of these need to be continued until the August 14th, I think, meeting due to the Boonville Standard not getting our ad in the paper for Public Hearing.

Marlin Weisheit: Okay, I'd entertain a motion to continue those two (2).

Dan Saylor: So moved.

Bob Johnson: Second.

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

Dan Saylor and Bob Johnson: Aye.

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

REZONING
PC-R-17-04

Sherri Rector: Okay. And, now we have Rezoning's. It is PC-R-17-04, Petition of Kenneth Hall, Owner Kenneth and Debra Hall, to rezone .35 acres located on the north side of Rose Hill Drive, 170' west of the intersection formed by Rose Hill Drive and Brosend Lane from "Agriculture" to "R-2" Multi Family Dwelling. It's in Ohio Township. It was advertised in the Boonville Standard on June the 1st. It was a recommendation of approval by the Plan Commission at their June 12th 2017 meeting. They are trying to clean up the piece of property and in an "R-2" you can have up to a four-unit building on there total. And, I think, they, they are here.

Marlin Weisheit: Now, if you just state your name and address.

Kenneth Hall: Okay. Kenneth Hall, 4957 Brosend Lane, Newburgh, Indiana.

Sherri Rector: This piece of property is just directly behind where the Dollar Store is and that complex there.

Kenneth Hall: And, it connects to our other properties also.

Marlin Weisheit: Does anybody have any questions for him?

Dan Saylor: So, what, what's your plans with this?

Kenneth Hall: We would like to put like either a duplex or four-plex on it at the most.

Dan Saylor: What's on your other properties?

Kenneth Hall: We have two (2) homes.

Dan Saylor: Just single-family homes?

Kenneth Hall: Single-family homes.

Dan Saylor: That, that you rent out or?

Kenneth Hall: We rent one of 'em out and we live in one (1).

Dan Saylor: I see. Okay.

Marlin Weisheit: Is there anybody here that would like to speak for or against this before we act on it tonight? And, this was recommended approval by the Area Plan?

Sherri Rector: Yes.

Marlin Weisheit: Okay.

Sherri Rector: And, it will be County Commissioner's Ordinance 2017-16.

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

Bob Johnson: Make a motion to approve Ordinance 2017-16, rezone .35 acres located on the north side of Rose Hill Drive.

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). Thank you.

Kenneth Hall: Thank you.

(Ordinance Number 2017-16 is on Page 16 of these Official Minutes)

PC-R-17-05

Sherri Rector: The next Petition is PC-R-17-05, Petition of Paul Adam Saalman, Owner, to rezone 3.3 acres located on the north side of Bethany Church Road approximately 1600' east of the intersection formed by Bethany Church Road and Yankeetown Road, being lot 17 and 18 in Oakwood Park Subdivision from "R-MH" Mobile Home Park to "R-1D" One Family Dwelling. It's in Anderson Township and it was a unanimous recommendation of approval by the Plan Commission at their June 12th meeting. This is an old subdivision that was rezoned, was zoned for mobile homes only and, and our ordinance now, well, back then too, you were not allowed for single family. And, so they are wanting to rezone this to be able to put a single-family dwelling instead of a mobile home in.

Roger Emmons: To better (inaudible).

Sherri Rector: Better anyway, yes.

Marlin Weisheit: If you want to go ahead and state your name and address.

Paul Adam Saalman: Paul Adam Saalman, the address is 5733 Bethany Church Road.

Marlin Weisheit: Okay. Anybody have any questions about this one?

Dan Saylor: So, you just, you gonna build a home there? You gonna build your home there?

Paul Adam Saalman: Yeah, building a house.

Dan Saylor: Okay.

Marlin Weisheit: Is there anybody in the audience like to speak for or against this before we take action on it? Okay. Any other questions? I'd entertain a motion.

Dan Saylor: I'll make a motion to rezone 3.3 acres on the north side of Bethany Church Road. Is that Ordinance Number 2017-17?

Sherri Rector: Yes, sir.

Marlin Weisheit: Have a motion.

Bob Johnson: Second.

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

Dan Saylor and Bob Johnson: Aye.

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

Paul Adam Saalman: Thank you.

(Ordinance Number 2017-17 is on Page 16 of these Official Minutes)

REQUEST FOR EXTENSION OF SURETY
C-16-009

Sherri Rector: Okay, let's see. The next item is Request for Extension of Surety. It is Commercial Driveway 16-009, Warrick Trail Apartment Homes, Driveway #9. Requesting a one (1) year extension. Has had one (1) year. The Letter of Credit expires on 8/1/17 and they are wanting to keep the dollar amount the same. Bobby, is that correct?

Sherri Rector: And...

Bobby Howard: It's a driveway, so...

Sherri Rector: Yeah, and he has signed off on it. This is for the apartments out off of Warrick Trail.

Marlin Weisheit: Yep. And, Bobby, you're okay with it?

Bobby Howard: Yes.

Marlin Weisheit: Anybody have any other questions? If not, I'd entertain a motion.

Bob Johnson: I make a motion to approve C-16-009, Warrick Trail Apartment Homes, Request for Extension of (inaudible), excuse me, Surety.

Marlin Weisheit: Okay, have a motion and...

Dan Saylor: Second.

Marlin Weisheit: And a second. All in favor say aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

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

(Request for Extension, C-16-009, is located on Page 16 of these Official Minutes)

GATEWAY BUSINESS PARK, SEC. 1
REQUEST FOR RELEASE OF SURETY C-17-026

Sherri Rector: The next one (1) is Gateway Business Park, Section 1 by Delta Properties, LLC by Evan Beck, Managing Member. Owners Delta Properties, LLC by Evan Beck, Managing Member and Crown Mark Properties, LLC by Evan Beck, Managing Member. This is Street Construction. They have had five (5) years, requesting a one (1) year extension with a reduction from one hundred and five thousand three hundred and twenty-seven dollars and sixty-one cents ($105,327.61) to eleven hundred dollars ($1,100.00). The letter, the Letter of Credit expires on August the 4th. Bobby has reviewed the dollar amount request.

Bobby Howard: Can, can we go ahead and do D4 the same time?

Sherri Rector: Who, what?

Bobby Howard: Number 4 under D. It's Gateway Business Park, Section 2.

Sherri Rector: Oh.

Bobby Howard: Cause that's, they kinda go hand in hand.

Sherri Rector: Sure. Well, that's just releasing the Letter of Credit to...

Bobby Howard: But we've, we've got a new Letter of Credit. It's releasing the Cashier's Check and then a brand new Letter of Credit, which offsets the reason why the reduction...

Sherri Rector: Oh, okay.

Bobby Howard: So, they really need to go at the same time.

Sherri Rector: Okay, okay. So, under Request for Release of Surety, Number 4 is Gateway Business Park, Section 2 by Delta Properties, all same owners, everything that I just named. Street and Drainage Construction. Mr. Beck submitted us a Cashier's Check for two hundred and sixty-six thousand six hundred and eighty-four dollars ($266,684.00) so we could record the plat until he got the Letter of Credit in place. He now has furnished us with a Letter of Credit, so he is asking for the amount that was deposited into escrow be released from the Auditor's Office.

Marlin Weisheit: You want to go ahead and state your name, just for the record.

Evan Beck: Yes, sir. Evan L. Beck, 4763 Rosebud Lane, Newburgh, Indiana.

Marlin Weisheit: Thank you.

Sherri Rector: So, Bobby?

Bobby Howard: The dollar amounts are fine, I recommend approval.

Marlin Weisheit: Okay, I'd entertain a motion unless somebody has any other questions.

Bobby Howard: I'm good.

Bob Johnson: Make a motion to, what am I requesting here? Gateway Business Park requesting a one (1) year extension reduction of surety or letter of credit, I'm sorry, and also Gateway Business Park, Section 2, no reduction in dollar amount of (inaudible) two hundred and sixty-six thousand six-eighty-four ($266,684.00).

Sherri Rector: Well, this is to replace the, the Letter, the Cashier's Check with the Letter of Credit.

Bob Johnson: That's correct.

Sherri Rector: To release it.

Marlin Weisheit: Okay.

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).

Evan Beck: Thank you.

Marlin Weisheit: Thank you, Mr. Beck.

Sherri Rector: Since he's here, standing here, can I shift again?

Marlin Weisheit: Yes.

Sherri Rector: Okay...

Evan Beck: Thank you, appreciate it, I do.

(Release of Surety, Gateway Business Park, is located on Page 17 of these Official Minutes)

C-17-026

Sherri Rector: Number 2 under Request for Release of Surety, it's Commercial Driveway 17-026, SEZ Holdings, LLC, Commercial Driveway Entrances, 9855 and 9877 Eastgate Court, Gateway Business Park, Number 2, replacing Cashier's Check with Letter of Credit. No reduction in dollar amount of twenty two thousand seven hundred and twelve dollars and fifty cents ($22,712.50). We have the new Letter of Credit, which won't expire until June 16th of 18. So, I just need this documentation for Debbie to be able to release the money held in escrow.

Marlin Weisheit: Okay.

Sherri Rector: To replace with Letter of Credit.

Marlin Weisheit: You need a motion on that?

Sherri Rector: Yes.

Marlin Weisheit: Okay.

Dan Saylor: I make a motion to release surety for SEZ Holdings, replacing the Cashier's Check with a Letter of Credit.

Bob Johnson: Second.

Marlin Weisheit: I 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).

Evan Beck: Thank you for the efficiency, I appreciate it very much. Thank you.

Sherri Rector: Thank you.

Marlin Weisheit: We like efficiency.

(Release of Surety, C-17-026, is located on Pages 18 of these Official Minutes)

REQUEST FOR RELEASE OF SURETY

Sherri Rector: Okay, now I gotta see where I'm at. Under Request for Release of Surety, Number 1. Evansville Christian School by David Abbott, Board President, this is Lot 3, Epworth Lincoln Subdivision and this is for Drainage Construction. We are holding thirty-four thousand eight hundred and twelve dollars and twenty-five cents ($34,812.25). Letter of Credit expires on July the 27th. Phil Baxter, County Surveyor, signed off it was ready to be released. It's drainage only.

Marlin Weisheit: Okay. Anybody have any questions? If not, I'd entertain a motion.

Bob Johnson: Make a motion for Release of Surety for Evansville Christian School by David Abbott, Board President, Lot 3, Epworth Lincoln Subdivision in the amount of thirty-four thousand eight hundred and twelve dollars and twenty-five cents ($34,812.25).

Dan Saylor: Second.

Marlin Weisheit: I've got 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). Thank you.

(Release of Surety, Evansville Christian, is located on Pages 18 of these Official Minutes)

C-16-060

Sherri Rector: Okay, and then we have Commercial Driveway 16-060, ARC Construction, Commercial Driveway Entrance, 8477 Bell Oaks Drive. We are holding money in escrow that is ten thousand six hundred and forty dollars ($10,640.00). This is the entrances for the German American Bank at Bell Oaks Drive and Bell Road. It's been signed off and reviewed by Bobby.

Marlin Weisheit: Okay. You okay with it, Bobby?

Bobby Howard: Yes, recommend approval.

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

Dan Saylor: I make a motion to release surety for ARC Construction for the commercial driveway entrance of 8477 Bell Oaks Drive.

Bob Johnson: Second.

Marlin Weisheit: I 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). Thank you.

(Release of Surety, C-16-060, is located Page 18 of these Official Minutes)

REQUEST TO ACCEPT STREETS FOR MAINTENANCE CAVENDISH ESTATES

Sherri Rector: The last item I have is Request to Accept Streets for Maintenance, Cavendish Estates by Paul Carey, Bayberry Court, 70 lineal feet and I don't believe it's ready, right Bobby?

Bobby Howard: Correct.

Sherri Rector: So, just needs to be...

Bobby Howard: I'd like to just take it off the agenda until it's...

Marlin Weisheit: Ready.

Bobby Howard: Reapplied for, yeah.

Sherri Rector: Okay.

Bobby Howard: I mean his next step's gonna be amended street plans, I believe.

Sherri Rector: That needs to come to this Board also?

Bobby Howard: Yes.

Sherri Rector: Okay.

Marlin Weisheit: So need a motion to table it, I guess. Or just to...

Todd Glass: Remove from agenda.

Marlin Weisheit: Remove from agenda. Yeah.

Bob Johnson: I make a motion to remove Cavendish Estates, the Request for Acceptance of Street Maintenance.

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). Thank you.

Sherri Rector: Thank you, it's all done.

Marlin Weisheit: Alright, good job, Sherri.

Roger Emmons: Back at 6:00?

Sherri Rector: Sheila will be, to tell everybody we don't have a meeting.

Roger Emmons: Oh, okay.

APPROVAL OF MINUTES

Marlin Weisheit: Okay, next on the agenda is Approval of Minutes from our June 26th Meeting.

Bob Johnson: I make a motion to approve June 26, 2017 Minutes.

Dan Saylor: Second, second.

Marlin Weisheit: I have a motion and a second to approve the June 26th Minutes, all in favor say aye.

Bob Johnson: Aye.

Dan Saylor: Aye.

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

ITEMS FOR DISCUSSION
REQUEST TO USE COUNTY ROADS FOR DOGS & SUDS 5K EVENT

Marlin Weisheit: Items for Discussion. You up, Roger?

Roger Emmons: Yes, is Wendy Gumbel here?

Wendy Gumbel: Yes.

Roger Emmons: Can you come to the podium? Wendy, Commissioners, is President of the Warrick Humane Society and I sent you an email regarding her Request to use County Roads for their Dogs & Suds 5K Event on October the 28th of this year. I sent you that on July 6th and they submitted their certificate of liability insurance with the County named as additional insured. We have the waiver form for their participants and the route they're requesting is to start from the 4H Center west on Degonia Road, north on Parklane Drive, east on Tennyson Road, south on Roth Road and back to the 4H Center. I have the information that it'll start at 9:00 AM, at least the 5K.

Wendy Gumbel: The 5K will, yes.

Roger Emmons: And it'll last for approximately an hour and a half and they believe the whole event should be finished by 1:00 PM.

Marlin Weisheit: Was they gonna have law enforcement there or how was that? I remember seeing email on that or…

Roger Emmons: I think they said they…

Wendy Gumbel: Yes, we will have law enforcement there.

Marlin Weisheit: You, you said, I remember seeing something on that. Now, will it be open to regular traffic as well during that time frame, just…

Wendy Gumbel: We would prefer the roads to be closed off but if we can just do one lane and have the other land open to traffic, whatever their recommendation is.

Marlin Weisheit: Okay.

Roger Emmons: We have done that in the past. There haven't been any incidents as long as we've got adequate traffic control, of course.

Marlin Weisheit: Yeah, yeah, that's what my concern was. Are we, are we shutting the roads down or we just gonna recommend they leave 'em open?

Roger Emmons: I, I haven't put down that it's a closure, that it's just a request to use that route.

Marlin Weisheit: Yeah, would that work for you?

Wendy Gumbel: Um huh, yeah.

Marlin Weisheit: As long as there's traffic enforcement out there, officers present, usually it works out.

Marlin Weisheit: Everybody wear protective clothing and gear. So, with that said, I'm okay with it unless you guys have any other questions.

Bob Johnson: I'm good.

Marlin Weisheit: Cause I know it is an inconvenience if you go shutting roads down, you know (inaudible)...

Bob Johnson: Yeah.

Dan Saylor: Yeah.

Marlin Weisheit: And usually, most of the run stays together.

Wendy Gumbel: Yeah.

Marlin Weisheit: And it goes pretty, I've helped them out there in years past too. So, I'd entertain a motion to approve unless you've got any other questions.

Dan Saylor: I make a motion to approve the road use request for the Warrick Humane Society.

Bob Johnson: Second.

Marlin Weisheit: I 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). Thank you.

Wendy Gumbel: Thank you.

Marlin Weisheit: Thank you and good luck with it.

Roger Emmons: Thank you, Wendy.

DEPARTMENTAL REPORTS
DISCUSS GENERATOR PREVENTIVE MAINTENANCE AGREEMENT WITH EVAPAR

Roger Emmons: The next item I have is to discuss the renewal of our Generator Preventative Maintenance Agreement with EVAPAR. Emailed a copy of the proposed renewal agreement to the Board and Council on June 30th. This agreement covered the annual preventative maintenance on three (3) of our County owned generators. There's one (1) at the Jail, one (1) at the Judicial Center, on the, you know the west side of the building and here at the Courthouse, which covers the Health Department's nurse's vaccine refrigerator. That cost is the same as when we first entered into this, thirteen hundred dollars ($1,300.00) for all three (3) units.

Marlin Weisheit: Anybody have any questions? If not, I'd entertain a motion.

Bob Johnson: I make a motion to renew the, the preventive maintenance agreement with EVAPAR.

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). Thank you.

Roger Emmons: Thank you, gentlemen.

(Evapar Agreement is located on Page 19 of these Official Minutes)

COMMISSIONERS NEW APPOINTEE FOR TRI-CAP BOARD

Roger Emmons: Next, I have Commissioners New Appointee for the Tri-Cap Board. Joyce Fleck, who's Director of the Tri-Cap called me last Friday, I think it was or perhaps Thursday. Anyway, Kelly Mitchell could no longer do it, she appointed local attorney, Mark Phillips and he has been unable to attend any of the Board Meetings since his appointment. So, Joyce is recommending that you appoint local attorney Hannah Klass, that's H-a-n-n-a-h, Klass is K-l-a-s-s, to serve out from July 10th, which is today, to December 31st of next year, 2018.
Marlin Weisheit: Anybody have any questions? If not, I'd entertain a motion.

Dan Saylor: I'll make a motion to approve the new appointee, Hannah Klass, for the Tri-Cap position.

Marlin Weisheit: Have a second?

Bob Johnson: I second.

Marlin Weisheit: A motion has been made and second, 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.

OPEN BIDS FOR WARRICK COUNTY BEP BID SET 5 JERRY AIGNER CONSTRUCTION, INCORPORATED

Roger Emmons: Next item I have is the Opening of Bids for the Warrick County Blight Elimination Program Bid Set Number 5. Debbie is here. The Board approved this bid date today at your June 12th meeting. The Notice to Bidders was published in the local paper June 22nd and 29th and the Pre-Bid Conference was held on June the 29th. So, these bids will be for a removal of a total of twelve (12) unsafe residential structures and I've listed where they're at. Eight (8) of them in the City of Boonville and Newburgh, Boon Township, Hart Township and Ohio Township. We had two (2) bids submitted timely, Jerry Aigner Construction, Incorporated and Naas Construction. And, open up the bid of Aigner, I'm sure Debbie will want these taken under advisement so she can take those, and review them and make a recommendation. Okay, let's see what we've got here. You might know I'd have it upside down. Alright, their bid, Aigner Construction, Jerry Aigner Construction, Incorporated, Boonville, one hundred twenty-seven thousand three hundred sixty-dollars even ($127,360.00).

Debbie Bennett-Stearsman from audience: You will have to read the individual homes since…

Roger Emmons: Oh, that's right.

Debbie Bennett-Stearsman from audience: Since its inside (inaudible).

Roger Emmons: Yeah.

Marlin Weisheit: Don't let him off easy.

Debbie Bennett-Stearsman from audience: No.

Roger Emmons: Yeah, yeah.

Debbie Bennett-Stearsman from audience: (Inaudible).

Roger Emmons: Yeah, probably inside the (inaudible). There it is. Alright, for 213 West Walnut Street, you wanted me to name each individual property?

Debbie Bennett-Stearsman: Correct.

Roger Emmons: Boonville, eleven thousand four hundred fifty ($11,450.00). 506 North 9th Street, Boonville.

Marlin Weisheit: 509, isn't it?

Dan Saylor: 509.

Roger Emmons: Pardon me?

Marlin Weisheit: Our sheet says 509. I just wanted to make sure we're clear on that.

Roger Emmons: Oh, okay, on that, he's written 506, so I'm…

Debbie Bennett-Stearsman: (Inaudible) there's a discrepancy between 506 and 509, so it's fine either way.

Marlin Weisheit: So it don't, okay, either way, same property, okay.

Debbie Bennett-Stearsman: You're fine.

Marlin Weisheit: Thank you.

Roger Emmons: Okay the bid for…

Bob Johnson: (Inaudible) probably upside down.

Debbie Bennett-Stearsman: Yeah, there's a couple houses that literally have the wrong address on the outside.

Marlin Weisheit: Okay.

Debbie Bennett-Stearsman: I mean you had to be at the pre-bid.

Marlin Weisheit: That's right, okay, thank you. Okay, I just wanted to make sure we was clear on that. Sorry Roger.

Roger Emmons: That's okay. Thank you for correcting. Thirteen thousand four hundred seventy-five dollars ($13,475.00) for the one (1) I just listed. Then there's 512 North 6th Street in Boonville, ten thousand five hundred fifty dollars ($10,550.00). Number 4 is 615 West Walnut Street in Boonville, six thousand four hundred twenty-five dollars ($6,425.00). 706 North Second Street, Boonville, eleven thousand four hundred fifty dollars ($11,450.00). Number 6 is 713 Poplar Street in Boonville, eleven thousand two hundred eighty-five dollars ($11,285.00). Number 7 is 808 East Chestnut Street in Boonville, eleven thousand three hundred fifty dollars ($11,350.00). Number 8 is 1002 Mulberry Street in Boonville, nine thousand four hundred fifty dollars ($9,450.00). Number 9 is at 1687 Bracher Road, Boonville, eleven thousand one hundred fifty dollars ($11,150.00). Number 10 is 7755 North State Road 61, Boonville, nine

one hundred seventy-five dollars ($9,175.00). Number 12, 514 Polk Street, that's P-o-l-k, in Newburgh, twelve thousand four hundred fifty dollars ($12,450.00).

Bob Johnson: Roger, on that next to last one (1), you said Manchester Road or Manchester Boulevard.

Roger Emmons: Manchester Boulevard. (Inaudible.) I think it is Boulevard. It's Road on the...

Marlin Weisheit: Yeah.

Roger Emmons: On the sheet. Let me put this back together here. Alright, Naas Construction, cashier's check, what is that, ten percent (10%)? Was it? Or, five, five percent (5%)?

Debbie Bennett-Stearsman: Five percent (5%).

Roger Emmons: Okay, they have, they do have a cashier's check in the envelope. And, I need the check in Aigner's or you'll check that?

Debbie Bennett-Stearsman: I'll, if you'd like, I'll check it.

Roger Emmons: Okay, maybe it's inside here and I missed it.

Bob Johnson: (Inaudible) to be a bid bond.

Debbie Bennett-Stearsman: It can be a check or a bid bond...

Roger Emmons: It may be a bid bond.

Debbie Bennett-Stearsman: Either one, yeah.

Roger Emmons: That's his financial statement, there's a bid bond in here for the five percent (5%), yes. Alright, that's, alright.

NAAS & SON, LLC

Roger Emmons: Naas, LLC in Haubstadt, their total bid is one hundred twenty-eight thousand eight hundred twenty-five dollars ($128,825.00). For the individual properties, 213 West Walnut Street, Boonville, eleven thousand seven hundred and fifty ($11,750.00). 506 North 9th Street, Boonville, thirteen thousand one hundred ($13,100.00). 512 North 6th Street, Boonville, ten thousand seven hundred and fifty dollars ($10,750.00). Number 4 is 615 West Walnut Street in Boonville, six thousand nine hundred fifty dollars ($6,950.00). 706 North Second Street, Boonville, eleven thousand seven hundred and fifty dollars ($11,750.00). Number 6 is 713 Poplar Street, Boonville, eleven thousand four hundred dollars (11,400.00). Number 7 is 808 East Chestnut Street, Boonville, eleven thousand seven hundred and fifty dollars ($11,750.00). Number 8 is 1002 Mulberry Street, Boonville, nine thousand five hundred dollars ($9,500.00). Number 9 is 1687 Bracher Road, Boonville, ten thousand nine hundred and fifty dollars ($10,950.00). Number 10 is 7755 North State Road 61, nine thousand dollars ($9,000.00). Number 11, 6800 Manchester Boulevard, Chandler, nine thousand one hundred seventy-five dollars ($9,175.00). And, Number 12, the last one, 514 Polk Street, Newburgh, twelve thousand seven hundred and fifty dollars ($12,750.00).

Debbie Bennett-Stearsman: My recommendation that the Commissioners take the bids under advisement for award at the next Commission Meeting.

Marlin Weisheit: I'd entertain a motion.

Dan Saylor: I make a motion to take these bids under advisement.

Marlin Weisheit: Till our next meeting.

Dan Saylor: Till our next meeting.

Bob Johnson: I'll second.

Marlin Weisheit: I 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).

BEP - LAST BID SET - REQUEST APPROVAL OF CHANGE ORDER

Debbie Bennett-Stearsman: Not on the agenda, but if you'll allow me, I have a Change Order from the last bid set. Now that we just completed it that I'd like the Commissioners to approve tonight.

Marlin Weisheit: Okay.

Debbie Bennett-Stearsman: It was the contract with Jerry Aigner Construction for four (4) houses and they completed it just this past, the end of June. There are four (4) items on there, 455 Main Street in Elberfeld, they removed five (5) trees and filled the cistern, seven thousand dollars ($7,000.00). At 911 South Third Street in Boonville, removed two (2) trees, grinded the stumps, three thousand dollars ($3,000.00). 1367 Parklane Drive, Boonville, they removed three (3) large trees and (inaudible) abandonment of septic, twenty-eight hundred dollars ($2,800.00) and the last one, 333 Lovers Lane, removed eight (8) trees, filled a cistern and there was a motorcycle re-salvage for a total of nine thousand

two hundred dollars ($9,200.00). Total Change Orders, twenty-two thousand dollars ($22,000.00), making the revised contract amount sixty-nine thousand five hundred and fifty dollars ($69,550.00).

Marlin Weisheit: Okay, unless anybody's got any questions, I'd entertain a motion to approve. You're asking for a change order of twenty two thousand ($22,000.00)?

Debbie Bennett-Stearsman: Yes, that will complete their contract before we start on to the fifth.

Dan Saylor: I, I have a question.

Debbie Bennett-Stearsman: Um huh.

Dan Saylor: Did they not bid on these and why the change, why the additional money for the change order?

Debbie Bennett-Stearsman: Good question. When they bid the properties, they bid on, they go out and look at it as taking the house down and basement out, etcetera. They only have to remove trees that are 6 inch in diameter or less. They're not certain if there are cisterns or wells, but if they encounter 'em, the State allows them to do a change order for a cistern or well. They will contact us first, see if we have the money. All this comes out of the money that's allocated for that particular house. If there's any funding left for that particular house and the property owner wants larger trees down to make the property more valuable for resale or potentially rebuilding, we get a quote, and we allow it if there's that much money left in their budget to take those down.

Dan Saylor: Okay.

Debbie Bennett-Stearsman: It's a good question.

Marlin Weisheit: And the largest one there, that was just one that we had some issues with the property owner after it had started.

Debbie Bennett-Stearsman: Yeah.

Marlin Weisheit: But the State did allow for the...

Debbie Bennett-Stearsman: Re-salvaging of the motorcycle.

Marlin Weisheit: Motorcycles and things, so they had several. A lot of times, they'll remove 'em, they just chose not to and then later complained about it and that's what happened, so.

Debbie Bennett-Stearsman: Yeah, and we have documentation from the property owners in here where that took place.

Marlin Weisheit: Yeah, we met with each of them too, so.

Bob Johnson: I'll make a motion to approve the four change orders.

Marlin Weisheit: For twenty two thousand ($22,000.00).

Bob Johnson: For twenty-two K ($22,000.00).

Dan Saylor: Second.

Marlin Weisheit: I 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). Thank you so much.

Debbie Bennett-Stearsman: Okay, thank you. I'll leave these with Roger. Thank you.

Marlin Weisheit: Appreciate all you're doing with it.

Several speaking at once: (Inaudible).

Marlin Weisheit: Okay, Roger, is that it for you?

(BEP Change Order is located on Pages 19 through 21 of these Official Minutes)

HEALTH DEPARTMENT
AGREEMENT FOR PROFESSIONAL SERVICES/VECTOR CONTROL CONTRACT

Roger Emmons: I do have one more item. The Health Department Administrator Aaron Franz is unable to attend and I told him I would present the Agreement for Professional Services. It is with Megan Johnson. The Board has approved several of these in the past, various boards. The scope of services is to address public health concerns regarding West Nile and Zika viruses, transmission of same and other vector control issues. They also assist the Health Officer with the sewer inspections, things of that nature, think they may have to do, of course, with the mosquito-spraying program. And, the compensation is two thousand four hundred dollars ($2,400.00) per month. It comes out of the Indiana Local Health Maint...Health Department Trust Account provided by the State. So, we have, Todd, did you get a chance to review that?

Roger Emmons: Yes.

Todd Glass: So, everything's in order.

Marlin Weisheit: And, that is the Vector Control Contract, is that?

Todd Glass: Yes.

Marlin Weisheit: So, you're okay with it, Roger? And, Todd, you've looked it over and you helped with it, so.

Todd Glass: Yes, sir.

Roger Emmons: Yes.

Marlin Weisheit: We just need to approve unless anybody's got any questions.

Dan Saylor: I make a motion to approve the Health Department's Vector Control Contract for twenty-four hundred dollars ($2,400.00) per month.

Marlin Weisheit: Do I have a second?

Bob Johnson: I'll second.

Marlin Weisheit: I have a 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). Thank you.

Roger Emmons: Thank you, gentlemen. That, I believe that's all I have.

Marlin Weisheit: Okay.

(Vector Control Contract is located on Pages 21 through 23 of these Official Minutes)

COUNTY ATTORNEY
MISCONVEYANCE OF ACREAGE FROM CITY OF BOONVILLE TO INDOT

Marlin Weisheit: We'll go over to County Attorney.

Todd Glass: Just a few housekeeping matters, Mr. President. I did mention in the last meeting a matter involving a misconveyance of acreage on the west side of Boonville from the City of Boonville to INDOT. They've discovered that error and instead of about 35 acres, only about 3 acres should have gone to INDOT. I just need your approval by consensus to enter into the Amended Agreed Findings of Fact on behalf of the County. There's no reason why the County would not agree to that, to have that corrected and with your approval, I'll help with that.

Marlin Weisheit: I'm fine with it. It needs to be fixed.

Dan Saylor: I'm good.

Bob Johnson: (Inaudible).

EMPLOYEE HANDBOOK EDITS

Todd Glass: And I would also mention Mr. President, that I've got some Employee Handbook edits that we're working on that I'll be submitting to, to the Board, hopefully before the next meeting for your consideration.

PROPOSED LETTER REGARDING MCCOOL ROAD

Todd Glass: Also, I'll be sending a proposed letter to the Board to send to Chandler regarding McCool Road and we'll get that to you for your review.

CONFLICT OF INTEREST POLICIES

Todd Glass: I did complete the review of the proposed Conflict Of Interest Policies that were submitted to us by the Indiana Association of County Commissioners and our conflict of interest policies actually follow those just perfectly fine. In fact, go a little bit further, so we're in good shape with those and no further additions need to be made to that.

SMALL PURCHASING POLICY

Todd Glass: Lastly, I'll also be working on a Small Purchasing Policy with Purchasing Agent Joe Grassman and we'll see if we can't have those to the Board before the next meeting.

Marlin Weisheit: Sounds good.

Todd Glass: That's all.

Marlin Weisheit: Anybody have any questions for Counsel?

Bob Johnson: No.

Todd Glass: Thank you.

Marlin Weisheit: Thank you.

COUNTY AUDITOR
CERTIFIED CLAIMS

Marlin Weisheit: County Auditor, Claims.

Debbie Stevens: Okay. Claims since the last meeting total six hundred ninety-eight thousand seven hundred twenty-five dollars and seventy-six cents ($698,725.76). Those were all audited and certified.

Marlin Weisheit: Have any questions? If not, I'll entertain a motion to pay the Claims.

Bob Johnson: I make a motion to pay the Claims of six hun…six hundred and ninety-eight thousand seven-twenty-five and seventy-six cents ($698,725.76).

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). Thank you.

(Claims are located on Pages 23 through 25 of these Official Minutes)

NON-CERTIFIED CLAIM

Debbie Stevens: Okay. I have one Non-Certified and it was for credit card payment, personal use items, total of three hundred thirty-five dollars and ninety-eight cents ($335.98) Non-Certified Claim.

Marlin Weisheit: Okay, I'd entertain a motion to that one (1) and then I'd sign off on it.

Dan Saylor: I make a motion to pay the Non-Certified Claim of three hundred thirty-five dollars and ninety-eight cents ($335.98).

Marlin Weisheit: Do I have a second?

Bob Johnson: I'd like to see it first.

Marlin Weisheit: Okay.

Debbie Stevens: Sure.

Dan Saylor: Did she send that to you?

Debbie Stevens: These are for non-certification, (inaudible) it's the Schnuck's tape in there, you can take a look at that.

Bob Johnson: Okay.

Dan Saylor: What is it, Debbie? Schnuck's what?

Debbie Stevens: It's for Schnuck's, there's a Schnuck's tape. Candy, waters, cokes, coffees.

Bob Johnson: I'll second.

Marlin Weisheit: I have a 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).

Debbie Stevens: Thank you.

Marlin Weisheit: Thank you.

Debbie Stevens: I'll just leave that with you…

Debbie Stevens: For your signature.

Marlin Weisheit: I'll sign it here in a few minutes.

Debbie Stevens: Thank you, Marlin.

Marlin Weisheit: Appreciate it.

(Non-Certified Claims are located on Page 25 of these Official Minutes)

COUNTY PURCHASING

Marlin Weisheit: Okay, County Purchasing. Joe, you have anything tonight?

Joe Grassman from audience: No.

Marlin Weisheit: Alright.

COUNTY ENGINEER/HIGHWAY
WARRICK TRAILS

Roger Emmons: Get the Engineer.

Marlin Weisheit: Oh, I...

Bobby Howard: It's okay, it's...

Marlin Weisheit: I was just saving him for later (inaudible).

Roger Emmons: Yeah.

Marlin Weisheit: County Engineer and Highway. Go ahead, Bobby.

Bobby Howard: Alright, I do have two (2) items. One (1) didn't make the agenda, but let's do the agenda one (1) first. It's the Warrick Trails. I believe we have a representative from Warrick Trails here with Morley and Associates. Jeramy, if you want to give your name.

Jeramy Elrod: Jeramy Elrod, 4800 Rosebud Lane, Project Engineer.

Bobby Howard: This is for the section of Warrick Trails. I don't know if it has an exact name, it's just the Victoria's path segment or...

Jeramy Elrod: It's along the Victoria Village frontage.

Bobby Howard: Okay.

Jeramy Elrod: So, that's kind of the best description you can give it.

Bobby Howard: And this is the extension coming from the Friedman Park area to the north and it, I've reviewed the plan and recommend approval.

Bob Johnson: I make a motion to approve the Extension along Victoria Frontage, Anderson Road.

Dan Saylor: Second.

Marlin Weisheit: I 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).

Jeramy Elrod: Thank you.

Marlin Weisheit: Thank you. Appreciate you coming up.

REQUEST APPROVAL OF CHANGE ORDER NUMBER 4 OAK GROVE PHASE II PROJECT

Bobby Howard: Next item I have is Change Order Number 4 for the Oak Grove Phase II Project. Final construction and everything is completed on that. They went through and did final quantity adjustments. This is, this is the last change order for this project. Any underruns and overruns over twenty thousand dollars ($20,000.00) have to be accounted for in the project and we went through and the total change order amount is seventy-three thousand two hundred and ninety-nine dollars and four cents ($73,299.04). I've reviewed it, it needs approval, and I would recommend approval of this Change Order Number 4 to complete the Oak Grove Phase II Project. Total, percentage wise, the change orders for this project, for the entire project was a hundred and four thousand six hundred and twelve dollars and fifteen cents ($104,612.15), which was three point three-five percent (3.35%) of the total contract amount. And, anything less than five percent (5%) is doing very well, so I'd recommend approval.

Dan Saylor: I'll make a motion to approve the Change Order Number 4 for the Oak Grove Phase II Project for seventy three thousand two hundred and ninety nine dollars and four cents ($73,299.04).

Bob Johnson: Second.

Marlin Weisheit: I 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). Thank you.

Bobby Howard: Thank you, that's all I have.

(Change Order IV, Oak Grove, Phase II, is located on Pages 26 through 27 of these Official Minutes)

COUNTY SHERIFF
REQUEST CLOSURE OF JEFFRIES LAND FOR NATIONAL NIGHT OUT

Marlin Weisheit: Okay, does the Sheriff's Department, looks like it's got a couple items. Chief Deputy Wilder.

Mike Wilder: Good afternoon, gentlemen.

Dan Saylor: Good afternoon.

Mike Wilder: First item, there's that request for closure of our National Night Out. We just close a small area there between Nottingham and Marywood for the residents on National Night Out and it's usually just closed for approximately about four (4) or five (5) hours there.

Marlin Weisheit: Been a yearly event for quite a while, hasn't it?

Mike Wilder: Yes, it has.

Marlin Weisheit: Yep. Unless anybody's got any questions, I'll entertain a motion.

Dan Saylor: I'll make a motion for the lane closure on Jeffries Lane for National Night Out.

Bob Johnson: Second.

Marlin Weisheit: I 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). Thank you. Excuse me.

REQUEST LIFTING OF THE EMERGENCY FOR HIRING NEW DEPUTIES

Mike Wilder: Second thing is if we could, asking that the Emergency Hire be lifted. We have weathered that storm, and we have created a new list and the two (2) officers that we did hire under the Emergency Hire have passed through the merit stuff that they had to and have been hired now, as Merit Deputies and we no longer need that Emergency Hire Ordinance in place.

Bob Johnson: I make a motion to lift the Emergency Hiring for the new Deputies.

Dan Saylor: Second.

Marlin Weisheit: I have a motion and a second, all in favor say aye.

Bob Johnson and Dan Saylor: Aye.

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

Mike Wilder: That's all we have.

Marlin Weisheit: Okay. Do we have anything else?

Mike Wilder: Thank you.

COMMISSIONERS ITEMS FOR DISCUSSION
MENTION OF PARKING RESOLUTION

Roger Emmons: Mr. President.

Marlin Weisheit: Yeah.

Roger Emmons: Todd, did, are we gonna say something about the Resolution on the parking?

Todd Glass: That was, that was approved last meeting. It just needs signed, I believe.

Roger Emmons: Okay.

Todd Glass: We are waiting on the map.

Roger Emmons: Gotcha. So, we do have the correct map now of the parking areas available for employees.

Marlin Weisheit: (Inaudible).

Roger Emmons: Very good, I'll have Commissioners sign that and get the Auditor's attestation. Thank you.

Marlin Weisheit: Okay. Anybody else have anything else?

Roger Emmons: Hum uh.

Dan Saylor: Do not.

Bob Johnson: No, sir.

Marlin Weisheit: Entertain one (1) more motion then.

Dan Saylor: Make a…

Bob Johnson: Make a motion to adjourn.

Dan Saylor: Second.

Marlin Weisheit: All in favor say aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye, motion carries (motion carried 3-0). Thank you.

ADJOURNMENT: Meeting adjourned at 4:40 PM.

WARRICK COUNTY BOARD OF COMMISSIONERS

Marlin Weisheit

MARLIN WEISHEIT, PRESIDENT

Dan Saylor

DAN SAYLOR, VICE PRESIDENT

Robert H. Johnson

ROBERT JOHNSON, JR., MEMBER

ATTEST: Deborah K. Stevens

DEBORAH K. STEVENS, AUDITOR
WARRICK COUNTY, INDIANA

Minutes transcribed by Lisa Wheeler

NIC

2017R-005880
PAT BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
07/12/2017 8:32 AM
REC FEE: 0.00
PAGES: 1

WARRICK COUNTY COMMISSIONERS ORDINANCE # 2017-16

PLAN COMMISSION DOCKET # PC-R-17-04

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

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

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

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

Part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 6 South, Rang 9 West, Ohio Township, Warrick County, Indiana, more particularly described as follows: COMMENCING at the Southeast Corner of said Quarter Quarter Section; thence North, along the East line thereof, 16.5 feet; thence West along the North Right-of-Way of Rose Hill Road, 166.5 feet to the POINT OF BEGINNING; thence West, along said Right-of-Way, 101.5 feet; thence North 150 feet; thence East 101.5 feet; thence South 150 feet to the POINT OF BEGINNING and containing 0.35 acres, more or less.

which real estate is now zoned and classified as part of the Agricultural Zoning District, as shown on the aforesaid Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said Agricultural District to said "R-2" Multiple-Family District.

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

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

President

Member

Member
BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

County Auditor

7/10/17
Date Approved

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

Signature

Kenneth H Abel
Printed Name

This document prepared by

X 2014R-005211

PAT BROOKS RECORDER DOCUMENT NUMBER 2017R-005880 PAGE: 1 OF 1

NIC

WARRICK COUNTY COMMISSIONERS ORDINANCE # 2017-17

PLAN COMMISSIONER DOCKET # PC-R-17-05

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

BE IT ORDAINED BY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

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

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

Lot 17 and Lot 18 in Oak Wood Park, as per plat thereof, recorded in Plat File 1, card 110 in the Office of the Recorder of Warrick County, Indiana and being a part of the West Half of the Southwest Quarter of Section 35, Township 6 South, Range 8 West in Anderson Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Northeast Corner of the West Half of the Southwest Quarter of said Section 35; thence along the east line of said Half Quarter Section, South 00 degrees 52 minutes 52 seconds East 714.02 feet to the northeast corner of said Lot 17 and being the point of beginning; thence continue along the east line of said Half Quarter Section, South 00 degrees 52 minutes 52 seconds East 318.55 feet to the southeast corner of said Lot 17; thence along the south line of said Lot 17 and Lot 18 and along the north 25-foot right-of-way of Bethany Church Road, South 72 degrees 43 minutes 00 seconds West 265.76 feet to the southwest corner of said Lot 18; thence along the west line of said Lot 18, North 00 degrees 52 minutes 52 seconds West 293.44 feet to the northwest corner thereof; thence along the north line of said Lot 18 and Lot 17, North 89 degrees 07 minutes 08 seconds East 255.00 feet to the point of beginning and containing a gross area of 3.3 acres, more or less.

Subject to all easements, rights-of-ways, and restrictions of record.

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

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

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

2017R-005881
PAT BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
07/12/2017 8:32 AM
REC FEE: 0.00
PAGES: 1

President

Member

Member
BOARD OF COMMISSIONERS
WARRICK COUNTY INDIANA

County Auditor

Date Approved: 7/10/17

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

Signature

Scott Ruedel
Printed Name

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

PAT BROOKS RECORDER DOCUMENT NUMBER 2017R-005881 PAGE: 1 OF 1

Release

MORLEY
ARCHITECTS | ENGINEERS | SURVEYORS

812.464.9565 office 812.464.2914 FAX
4800 Rosebud Ln., Newburgh, IN 47630
morleycorp.com

6/27/17

June 27, 2017
Warrick County Highway Engineering
Attn: Bobby Howard
107 W Locust Street - Courthouse, Room 208
Boonville, IN 47601

Re: **Warrick Trail Apartments**
Renewal of Commercial Driveway Surety C-16-009 Driveway #9
Morley Project # 8958.4.004B

Bobby,

On behalf of our client BL Bennett and Associates, we are requesting a one year extension for Commercial Driveway #9. The drive has been constructed with the exception of the surface coat. The project anticipates opening this area for business within the next calendar year, which includes finishing the surface coat of asphalt.

The developer will furnish a new surety for the amount of $6,812.60.

Please let me know if you have any questions.

Thank you,

Jeramy Elrod, Civil Staff Engineer

cc: Bruce Bennett, Jay Kivett

BOARD OF COMMISSIONERS:

Merlin Weisheit

Dan Saylor

Bob Johnson

ATTEST:

Auditor
Date: 7/10/17

Gateway Sec. 1 & 2
Release of Surety

MORLEY
ARCHITECTS | ENGINEERS | SURVEYORS

812.464.9585 Office 812.464.2514 Fax
4800 Rosebud Ln., Newburgh, IN 47630
morleycorp.com

June 26, 2017

6/29/17

Warrick County Engineer's Office
107 W. Locust Street, Suite 208
Boonville, IN 47601

Attn: Bobby Howard

RE: Gateway Business Park Section 1
LETTER OF CREDIT REDUCTION
MORLEY PROJECT # 7315.4.002 F

Dear Bobby:

We inspected the roadway as part of Section 1 of the Gateway Business Park Subdivision. The storm drainage for Section 1 has either been installed or included in the Letter of Credit for Gateway Business Park Section 2. The following needs to be completed:

1) Signs and stop bar need to be installed

Stop Sign	1	EA @ $150.00	$150.00
Street Signs	2	EA @ $150.00	$300.00
Speed Limit Sign	1	EA @ $150.00	$150.00
Thermo Plastic Stop Bar	1	EA @ $500.00	$500.00
TOTAL			$1,100.00

I recommend retaining the above-mentioned amount to ensure that all of the signs and stop bar are installed and completed.

Thank you.

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

cc: Warrick APC - Sheryl Baxter
Dan Properties - Evan Bell

BOARD OF COMMISSIONERS:
Marlin Weisheit
Dan Saylor
Bob Johnson

ATTEST:
Auditor
Date: 7/10/17

Release

Replace cashier's check with a Letter of Credit – Gateway Business Park Sec. 2

BOARD OF COMMISSIONERS:
Marlin Weisheit
Dan Saylor
Bob Johnson

ATTEST:
Auditor
Date: 7/10/17

Release of Surety

Replace cashier's check with a Letter of Credit – SEZ Holdings – C-17-026

BOARD OF COMMISSIONERS:
Marlin Weisheit
Dan Saylor
Bob Johnson

ATTEST:
Auditor
Date: 7/10/17

Release

PCL | SKANSKA

FILED
JUN 30 2017
WARRICK COUNTY
AREA PLAN COMMISSION
7-5-17

Skanska USA Civil Midwest, Inc.
P.O. Box 3485
Evansville, IN 47731-3485
Phone 812 425 4264
Fax 812 464 7288
Web www.skanska.com

June 30, 2017

Warrick County Area Plan Commission
107 West Locust Street
Courthouse – Room 201
Boonville, IN 47601

Reference: Irrevocable Letter of Credit 20005604908 – Drainage Construction ($439,477.50) – Epworth Lincoln Subdivision

Dear Ms. Rector,

In response to your June 5, 2017 letter to Mr. Dave Abbott of the Evansville Christian School, in which notified us about the expiring letter of Credits

Please be advised, as of June 28, 2017 100% of the drainage improvements for the above referenced project have been completed. Therefore, Evansville Christian School request a release of surety for the drainage improvements.

I thank you for your attention to this matter and I look forward to hearing from you the release approval.

Sincerely,

Chad Graber

Chad Graber, P.E.
Sr. Civil Engineer

Cc:
Paul Blair, Evansville Christian School

BOARD OF COMMISSIONERS:
Marlin Weisheit
Dan Saylor
Bob Johnson

ATTEST:
Auditor
Date: 7/10/17

Extension of Surety

HAFER
architects • designers • engineers

7/10/17

June 30, 2017

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

Re: Commercial driveway C-16-060 - 8477 Bell Oaks Drive

Attn: Ms. Sherri Rector, Executive director

Dear Ms. Rector:

Please be advised the construction of the commercial driveway entrance at the above-referenced location is complete. To our knowledge, it has been constructed in compliance with local requirements. Please schedule an inspection at your earliest convenience.

Feel free to contact the undersigned if you have any questions.

Sincerely,

Thomas W. Blythe

Thomas W. Blythe, AIA

BOARD OF COMMISSIONERS:
Marlin Weisheit
Dan Saylor
Bob Johnson

ATTEST:
Auditor
Date: 7/10/17

21 SE Third Street, Suite 800, Evansville, IN 47708 • Phone 812.422.4167 • Fax 812.421.6776
101 E Second Street, Suite 101, Owensboro, KY 42303 • Phone 270.926.1331 • Fax 270.684.4456
haferdesign.com

PREVENTATIVE MAINTENANCE AGREEMENT
Semi-Annual Service

EVAPAR, will perform one (1) visit to perform one (1) Full Service. Work to be scheduled and performed during regular business hours. Any change in service request would require a new quote. The charge for this maintenance will be as listed below and remain in effect for one year from date of signing.
*Annual Rate Payable in Advance**

Make	Model No.	Serial No.	Location	Quote
GENERAC 100KW	88A02173-S	886623	WARRICK CO JAIL	$490
GENERAC 35KW	98A02197-S	2041366	JUSTICE CENTER	$430
GENERAC 20KW	GUARDIAN	5684820	COURTHOUSE	$380
			TOTAL =	$1300.00

This agreement does not include expenses to repair damage caused by abuse, accident, theft, acts of a third person, forces of nature, or altering the equipment. EVAPAR, shall not be responsible for failure to render the service for causes beyond its control, including strikes and labor disputes. This agreement is not assignable without the consent of EVAPAR, and will remain in force until cancelled by either party through written notice to the other.

CUSTOMER		EVAPAR, Inc.	
Signature	Marlin Weisheit	Signatue	Sean Mize
Print	Marlin Weisheit	Date	6/30/17
Title	President		Quote Expires Ninety (90) days from this date
Company	Warrick County Commissioners		
Phone #	812-897-6120		
Date	7-10-17		

*This contract is a Pre-Paid agreement. The entire amount of this contract is to be paid in full prior to any services being rendered. Issued Purchase Orders do not constitute payment. Upon receipt of payment, agreed upon services can be scheduled for execution. _____ (Initial)

9000 N Kentucky Ave.
Evansville, IN 47725
Phone: 812-867-9900
Fax: 812-867-2388

11120 Plainside Drive
Louisville, KY 40299
Phone: 502-267-6315
Fax: 502-267-6206

3451 Developers Road
Indianapolis, IN 46227
Phone: 317-783-5434
Fax: 317-783-5870

3810 Concept Court
Ft. Wayne, IN 46808
Phone: 260-497-7406
Fax: 260-497-7483

PREVENTATIVE MAINTENANCE
SCOPE OF WORK

This Preventative Maintenance Agreement is entered into by EVAPAR and the owner to perform preventative maintenance service on the equipment listed on this agreement. Work to be scheduled and performed during regular business hours.

This scope of work to be performed includes labor, parts, travel time, and mileage for the equipment listed on this agreement. Any additional work recommeded or required will be brought to owner's attention, upon approval additional work will be performed for agreed upon charge.

Engine
- **Inspect air filter clean/replace as needed**
- Adjust, clean and/or replace all spark plugs
- Check condition/ tension of belts (adjust as needed)
- Check/clean ignition system,distributor,coils,wires (if applicable)
- Check fuel lines for leaks / damage
- Check flexible fuel line connections
- Lubricate governor and linkage
- Inspect hoses, clamps for any air intake restrictions

Oil System
- **Change oil (annually)**
- **Change oil filters (annually)**
- Oil Sample (optional, + $25.00)
- Inspect for leaks

Cooling System
- Check radiator coolant level
- Test/ record anti freeze temperature
- Test / record anti-freeze nitrites
- Check for leaks
- Check all hoses
- Check operation of engine block heater

Battery
- Inspect / clean terminal on cables
- Clean and grease battery post/ cable
- Check battery fluid level
- Check/ record battery volts/ amps
- Check / record charger volts/ amps
- Check/ record alternator volts/ amps
- Load test or perform specific gravity test

Starting System
- Check start solenoid terminals
- Check starter connections

Electrical
- Inspect control panel: Check gauges, meters and indicator lights
- Visually inspect electrical connections
- Inspect main line circuit breaker
- Check generator output voltage
- Visually inspect generator and exciter windings

Fuel System
- **Change fuel filter(s) annually**
- Check for fuel leaks
- Clean/ inspect fuel bowl or water separator (if applicable)
- Check injection pump lines
- Check nozzle supply and return lines and fittings
- Check day tank operation and record level
- Check fuel transfer pump
- Check fuel solenoid
- Check fuel pressure regulator
- Inspect fuel tank and rupture basin for leaks

Exhaust System
- Visually inspect for leaks / damage
- Visually inspect flexible exhaust
- Drain condensation trap

Operating Check
- Run and inspect for proper: oil pressure, coolant/ oil temperature, alternator charger rate, generator voltage and frequency
- Record all gauge and meter readings
- Check for leaks and excessive vibration
- Test all safety shutdown devices
- Check operation of louvers (if applicable)

Automatic Transfer Switch
- Inspect ATS & enclosure for corrosion, moisture
- Inspect controls and calibrate as needed
- Exercise clock-check and verify operation
- Record normal and emergency frequency/voltage at ATS connection
- Perform power failure or building load test (with approval), check/ record amperage/voltage on each leg
- Check transfer switch contacts for voltage drop(normal and emergency)
- Retrun all switches into proper operating mode

Reports and Instruction
- Submit inspection/ test report to owner, with any recommendations of future work/ parts required
- **Instruct owner personnel in operating or upkeep procedure**

COPY

CHANGE ORDER No. 1

Project Address: 455 Main Street, Elberfeld
911 S. Third Street, Boonville
1367 Parklane Drive, Boonville
1333 Lovers Lane, Boonville

Date 7-10-17
Contractor: Jerry Aigner Construction Inc.
Owner: Warrick County Commissioners

1.	Remove 5 trees and fill cistern	7000.00
2.	Remove 2 trees, grind stumps	3000.00
3.	Remove 3 large trees, septic abandonment	2800.00
4	Remove 8 trees, fill cistern, motorcycle resalvage	9200.00

Original Contract Amount: $ 47,550.00
Amount of this Change Order: $ 22,000.00
Revised Contract Amount: $ 69,550.00

We hereby agree to the above as an additional/reduced project cost(s) to be added/deleted to the original scope of work:

Marlin Weisheit — 7-10-17
Commission President — Date:

ATTEST: Deborah L. Stevens — 7/10/17
Auditor — Date

JERRY AIGNER CONSTRUCTION

Office: 812-897-5815

COMPLETE EXCAVATING SERVICE • COMMERCIAL-RESIDENTIAL-FARM

January 5, 2017

Debra Bennett-Stearsman
Director of Special Projects
Economic Development Coalition of Southwest Indiana
dbennett@southwestindiana.org

RE: **Blight Property Change Order – 455 Main Street, Elberfeld**

- Remove 5 trees and fill cistern $7,000.00

Should you have any questions, please contact me at 812-305-3886.

Sincerely,

Darren McClellan
Project Manager

944 North Baker Rd., Boonville, IN 47601

JERRY AIGNER CONSTRUCTION

Office: 812-897-5815

COMPLETE EXCAVATING SERVICE • COMMERCIAL-RESIDENTIAL-FARM

January 10, 2017

Debra Bennett-Stearsman
Director of Special Projects
Economic Development Coalition of Southwest Indiana
dbennett@southwestindiana.org

RE: **Blight Property Change Order – 911 S. Third Street**

- Remove 2 trees and grind stumps $3,000.00

Should you have any questions, please contact me at 812-305-3886.

Sincerely,

Darren McClellan
Project Manager

944 North Baker Rd., Boonville, IN 47601

JERRY AIGNER CONSTRUCTION

Office: 812-897-5815

COMPLETE EXCAVATING SERVICE • COMMERCIAL-RESIDENTIAL-FARM

February 1, 2017

Debra Bennett-Stearsman
Director of Special Projects
Economic Development Coalition of Southwest Indiana
dbennett@southwestindiana.org

RE: **Blight Property Change Order – 1367 Parklane Drive**

- Septic Abandonment and removal of three large trees $2,800.00

Should you have any questions, please contact me at 812-305-3886.

Sincerely,

Darren McClellan
Project Manager

944 North Baker Rd., Boonville, IN 47601

JERRY AIGNER CONSTRUCTION, INC.
944 BAKER ROAD
BOONVILLE, INDIANA 47601
(812) 897-5815
FAX (812) 897-4562

Warrick County Commissioners
107 W Locust Street, Suite 301
Boonville, IN 47601

INVOICE NO. 10775
INVOICE DATE: 2/22/17
PURCHASE ORDER#

INVOICE

DATE	DESCRIPTION	RATE	AMOUNT
	Blight Demolition Project, Phase III 1333 Lovers Lane, Boonville, IN Change Order Remove 8 trees and fill in existing cistern		8,000.00
		SUBTOTAL	8,000.00
		SALES TAX	0.00
		TOTAL	8,000.00

JERRY AIGNER CONSTRUCTION, INC.
944 BAKER ROAD
BOONVILLE, INDIANA 47601
(812) 897-5815
FAX (812) 897-4562

Warrick County Commissioners
107 W Locust Street, Suite 301
Boonville, IN 47601

INVOICE NO. 10781
INVOICE DATE: 2/22/17
PURCHASE ORDER#

INVOICE

DATE	DESCRIPTION	RATE	AMOUNT
	Blight Demolition Project, Phase III 1333 Lovers Lane, Boonville, IN Change Order Motorcycle resalvage		1,200.00
		SUBTOTAL	1,200.00
		SALES TAX	0.00
		TOTAL	1,200.00

AGREEMENT

This AGREEMENT authorizes Thomas Key to contact Jerry Aigner of Jerry Aigner Constr. to arrange for the pick-up up of two (2) Harley Davidson motorcycles that were formerly located on 1333 Lovers Lane. Brief descriptions of the motorcycles' are as follows:

1984 Harley Davidson (red)
~~2002~~ ~~1981~~ Harley Davidson (black)

The exchanged will occur in the parking lot of Jerry Aigner Const., 944 North Baker Road, Boonville, Indiana between the hours of 8:00 AM and 4:00 PM (local time) on Wednesday, February 22, 2017; Thursday, February 23, 2017; Friday, February 24, 2017; Monday, February 27, 2017; or Tuesday, February 28, 2017. Arrangements for pick up can be made by calling Jerry Aigner at 812-305-3884. If the transaction is not completed by 4:00 PM on Tuesday, February 28, 2017 the motorcycles will remain in the possession of Jerry Aigner Const.

The relinquishment of the motorcycles to Thomas Key by Jerry Aigner Const. is voluntary and for its action Jerry Aigner Const. shall receive compensation from the BEP Program for the resale or salvage value of the motorcycles relinquished.

Dated: 02/22/17

Thomas K Key
Thomas Key

David Steen
Roger E. Emmons

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made, by and between Meagan Johnson (hereinafter called "Contractor"), and the WARRICK COUNTY BOARD OF Health and WARRICK COUNTY, INDIANA, BY AND THROUGH THE WARRICK COUNTY BOARD OF COMMISSIONERS (collectively referred to as the "County").

WITNESSETH, THAT

FOR AND IN CONSIDERATION of the mutual promises, covenants, & agreements herein contained and the performance thereof of the respective parties hereto, it is hereby mutually agreed by & between the Contractor & County as follows:

1. Relationship of the Parties. The relationship of Contractor to the County shall at all times herein be that of an independent contractor, and not as employee. Contractor acknowledges and agrees that it will perform its obligations hereunder solely as an independent contractor, and will not represent itself in any manner to any third party as a representative or authorized agent of the County, or to make any representations, warranties or commitments on behalf of the County. Contractor further acknowledges that the County will not withhold from Contractor's compensation any amounts for local, state, or federal income taxes, social security taxes, unemployment compensation contributions, or similar withholdings, nor will County report the same, and that Contractor shall be solely and exclusively liable for payment of all such taxes. County agrees that it will issue, no later than January 31st of the year immediately following a year in which Contractor has received compensation hereunder, a Form 1099 for the purposes of reporting said compensation to the appropriate taxing authorities.

Scope of Services. Contractor shall perform all services required to develop, direct, and operate a public health awareness program for Warrick County, to assist the BOARD in addressing public health concerns regarding the West Nile and Zika viruses, the transmission of West Nile and Zika Viruses, and other vector control issues. Contractor's duties shall include, but not be limited to the following.

1. Advising and assisting the Warrick County Health Officer and the Warrick County Health Department in maintaining the West Nile and Zika Virus surveillance program. Continue to aggressive elimination program to combat West Nile and Zika Viruses during mosquito season;
2. Cooperating with local & state agencies responsible for responding to & documenting outbreaks & concerns of the transmission of the West Nile & Zika Viruses;
3. Functioning as the representative for the Department in county-wide vector control and West Nile and Zika virus transmission awareness events;
4. Undertaking all other duties and responsibilities related to the functions of the Department that may, from time to time, be requested by the BOARD.

In addition to duties related to West Nile Virus, Zika Virus and vector control, Contractor will be responsible for assisting Health Department Administrator in duties including but not limited to the following:

a) Performing initial and follow-up dye test for existing septic systems;
b) Assessing the conditions of Home and properties upon which complaints have been submitted;
c) Periodic inspections of newly installed or repaired septic system;
d) Obtaining and submitting water samples from poorly draining areas (e.g.: surface water, ditches, etc.) to have tested if improper waste removal is suspected.

2. Term of Contract. This Agreement shall be effective as of July 10, 2017 and terminate on December 31, 2017, unless terminated sooner.

3. Hours; Office; Supplies. Contractor covenants to devote necessary time to fulfilling responsibilities to the performance of the duties under this Agreement. Any and all supplies needed for the position (including an e-mail account to field and address public concerns) will be supplied by the County, after approved by the County.

4. Compensation. As compensation for services, Contractor shall be paid $ 2400.00 per month out of the Indiana Local Health Department Trust Account provided by the State, after submission of claims to the Warrick County Auditor, consistent with the auditing practices required by the State of Indiana.

5. Audit Records. Contractor shall keep daily time records identifying the various duties performed by Contractor. In addition, Contractor shall maintain accurate record of general account showing all charges and expenses incurred by Contractor in the performance of the services herein.

6. Liability for Injuries or Damages to Person or Property. Contractor understands and agrees that due to his status as Contractor, he is not covered as an employee under any worker compensation insurance policy, and the COUNTY shall not be responsible for any injuries to Contractor or liabilities which may arise as the result of Contractor's performance of his duties under this Agreement.

7. Subcontracting/Assignment. Contractor agrees that he will not subcontract or assign any part of his duties under this Agreement to any organization or individual without approval from the COUNTY.

8. Termination. Either party shall have the right to terminate this Agreement without cause upon the giving of Sixty (60) days written notice to the other party, and the County shall have the right to terminate this contract on Thirty (30) days notice if notified by the county council or state of Indiana that the Indiana Local Health Department Trust Account funds are unavailable.

9. Remedies. In the event either party fails to perform pursuant to the terms of this Agreement, the non-breaching party may immediately terminate the Agreement, and in addition, seek all legal and equitable remedies available to it under law, including injunctive relief and specific performance.

10. Monitoring of Contracted Work. The Warrick County Health Department shall be responsible for monitoring the work of Contractor to ensure that the services detailed in this agreement are fulfilled. Notice and contact shall be through Aaron Franz, Warrick County Health Department Administrator, 107 West Locust Street, Suite 204, Boonville, Indiana, 47601; phone: 812-897-6105, extension 4; fax: 812-897-6104.

11. Indemnification. Contractor covenants and agrees to indemnify, hold harmless, and defend (at the election of the aggrieved party), the County, its officers, agents and employees, from and against all claims, demands, causes of action, damages, losses, costs and expenses (including, without limitation, reasonable attorneys' and consultants' fees and litigation costs) and all other liabilities whatsoever cause by any act or omission of the Contractor and/or its subcontractos, if any, in the performance of this Agreement, except to the extent such claims arise from the gross negligence of the County. Contractor further understands that the County is providing no indemnification to the Contractor.

12. Conditions precedent. As a condition precedent to the County's obligations hereinafter set forth, the County must receive applicable authorization and appropriation of funds to fund its portion of the Project in the amounts hereinafter set forth. If the County does not receive such authorization and appropriation, the contract is void pursuant to Indiana Code 36-2-6-12(d).

13. Antidiscrimination. Pursuant to IC 22-9-1-10, the Contractor shall not discriminate against any employee or applicant for employment, to be employed in the performance of work hereunder, with respect to the hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, disability, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the agreement. Acceptance of this agreement also signifies compliance with applicable federal laws, regulations and executive orders prohibiting discrimination in the provision of services based upon race, color, national origin or ancestry, age, sex, or disability.

14. Compliance with Laws. The Contractor shall comply with all applicable federal, state and local laws, rules, regulations and ordinances, and all provisions required thereby to be included herein are hereby incorporated by reference.

15. Warranty. Contractor acknowledges and agrees that the services he/she provides is not intrinsically dangerous, and that Contractor possesses adequate training and expertise to complete the services in a safe workmanlike manner. Contractor warrants that it shall obtain and maintain all required permits, licenses, registrations, and approvals, and shall comply with all health, safety, and environmental statutes, rules, or regulations in the performance of work activities for the County. Failure to do so may be deemed a material breach of this Contract and grounds for immediate termination of this Agreement.

16. Taxes. The County will not be responsible for any taxes levied on the Contractor as a result of this Agreement.

17. Entire Agreement. This Contract sets forth the entire agreement and understanding of the parties with respect to the subject matter and supersedes all prior oral and written agreements and understanding between the County, and the Contractor. No representation, promise, inducement, or statement of intention has been made by either party which is not set forth in this Contract, and neither party shall be bound by or liable for any alleged representation, promise, inducement or statement of intention not so set forth.

18. Waiver of Rights. No right conferred on either party under this Contract shall be deemed waived, and no breach of this Contract excused, unless such waiver is in writing and signed by the party claimed to have waived such right. Neither the County's review, approval or acceptance of, nor payment for, there services required under this Contract shall be construed to operate as a waiver of any rights under this Contract or of any cause of action arising out of the performance of this Contract, and the Contractor shall be and remain liable to the County and the Department in accordance with applicable law for all damages to the County or the Department caused by the Contractor's negligent performance of any of the services furnished under this Contract.

19. Severability. In the event that one or more of the provisions contained in this Contract shall for any reason be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions contained in this Contract. If any provisions contained in this Contract shall for any reason be held to be excessively broad as to duration, geographical scope, activity or subject, it shall be construed by limiting and reducing it, so as to be enforceable to the extent compatible with the applicable law as it then shall appear.

20. Amendment. No supplement, modification or amendment of this Contract will be binding unless in writing an executed by all of the parties that are signatories to the Contract.

21. Headings. The headings of sections and subsections of this Agreement are for the convenience of reference only and shall not affect the meaning or construction of any provision hereof.

22. Governing Law and Jurisdiction. This Agreement shall be governed and interpreted under the laws of the State of Indiana. The venue for any legal action necessary to enforce this Agreement shall be the Warrick County Circuit or Superior Court.

SIGNATURE PAGE TO FOLLOW

In WITNESS WHEREOF, the parties have executed this Agreement this 10TH day of JULY ~~2016~~ 2017. R.E.

WARRICK COUNTY COMMISSIONERS

By Marlin Weisheit
Marlin Weisheit, President

By Dan Saylor
Dan Saylor, Vice President

By Robert H. Johnson, Jr.
Robert H. Johnson, Jr., Member

Meagan Johnson
Contractor Signature

WARRICK COUNTY BOARD OF HEALTH

By

Printed Name Jeffery Mauck, DVM

Its President

COPY

Warrick County Claims for Payment

ACKERMAN OIL CO INC	$	783.73
AIGNER HARDWARE	$	882.18
AIRGAS USA, LLC	$	575.67
ALEXANDER NEWBURGH CHAPEL	$	100.00
ALL AMERICAN LOCKSMITH & ALARM SERVICE	$	180.00
ALPHA LASER SERVICES	$	133.71
ALTSTADT'S	$	159.41
AMERICAN STAMP & MARKING PRODUCTS	$	16.15
ARAB	$	90.00
AT&T - RISK MANAGEMENT SERVICES	$	514.03
AUTO WHEEL AND RIM SERVICE	$	224.81
B-HIVE PRINTING	$	270.88
BEST ONE TIRE & SERVICE	$	7,251.36
BOB BARKER COMPANY INC.	$	620.25
BOONE FUNERAL HOME	$	100.00
BOONVILLE LAWN AND GARDEN INC.	$	525.16
BRITE	$	195.00
BUMPER TO BUMPER / BTB CHANDLER	$	33.40
CARDINAL SIGN SERVICES	$	33.00
CARTER LUMBER	$	154.95
CDW GOVERNMENT, INC.	$	35.88
CHIEF SUPPLY CORP	$	546.05
COMPLETELY WIRED	$	225.00
DELL MARKETING L.P.	$	2,616.60
EBN CONSTRUCTION & INDUSTRIAL SUPPLIES	$	132.80
EMERGENCY PROF OF INDIANA PC	$	57.96
ERB EQUIPMENT COMPANY	$	2,720.48
EROSION RESOURCES & SUPPLY	$	1,965.00
ERS WIRELESS COMMUNICATIONS	$	328.05
FORTERRA PIPE & PRECAST-MIDWEST REG US	$	13,537.12
GEM CHEMICAL COMPANY, INC.	$	2,367.29
GENERAL RUBBER AND PLASTIC INC	$	7.63
GRAINGER	$	15.57
GRIFFIN NANCE	$	50.00
GUARDIAN ASSET PROTECTION, INC	$	75.00
GUY GENTRY	$	50.00
HAMLIN EQUIPMENT RENTAL	$	60.00
HARSHAW TRANE SERVICE INC.	$	1,760.26
HERITAGE-CRYSTAL CLEAN LLC	$	315.69
HOOSIER BUSINESS MACHINES INC.	$	105.37
IMPCO	$	289.25
INTERSTATE BATTERIES OF WABASH VALLEY	$	218.00
J & J SUPPLY, INC.	$	4,764.59
JEFF WILLIS	$	50.00
JEFFREY L VALIANT	$	50.00
JLEWIS SMALL CO INC	$	157.00
JOSEPH SCHITTER	$	50.00
KEEFE GROUP ACCESS CATALOG	$	153.90
KENWAY DISTRIBUTORS INC	$	513.95
KIESEL - WAGNER SURVEYOR LLC	$	720.00
LACAL EQUIPMENT, INC.	$	424.68
LAW CHEVROLET BUICK PONTIAC	$	93.66
LONG & MATHIES LAW FIRM, P.C.	$	50.00
METZGER CONSTRUCTION CO INC.	$	5,408.27
MEYER TRUCK EQUIPMENT	$	320.40

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MULZER CRUSHED STONE, INC.	$	12,403.82
NEWBURGH P.A.T.	$	100.00
NIX SANITARY SERVICE	$	280.00
O'REILLY AUTO PARTS	$	222.01
OFFICE DEPOT, INCORPORATED	$	223.21
PERFECTION HYDRAULICS, INC.	$	48.33
PHILLIPS SIGNS & GRAPHICS	$	95.00
PLUMBERS SUPPLY CO INC	$	410.40
QUILL CORPORATION	$	310.91
REXING FARMS	$	750.00
RICOH USA INC	$	91.86
ROADSAFE TRAFFIC SYSTEMS	$	4,500.00
ROADSAFE TRAFFIC SYSTEMS INC	$	4,535.57
RUDOLPH BROTHERS	$	1,531.99
RUXER TRUCK CENTER	$	28.68
SIEGELS	$	233.95
STERNBERG INTERNATIONAL INC	$	519.31
T.K.O. GRAPHIX	$	1,434.37
THE LANG COMPANY	$	69.29
THE MURPHY ELEVATOR CO INC	$	275.91
TOWN & COUNTRY POOLS, INC.	$	487.15
TRI-STATE REPORTING, INC.	$	155.90
TRIO VISION, LLC	$	697.08
TYLER TECHNOLOGIES, INC	$	15,690.00
UNIFIRST CORPORATION	$	194.52
WABASH VALLEY SERVICE CO	$	89.69
WARRICK AUTOMOTIVE SUPPLY	$	1,092.91
WARRICK CO. SOLID WASTE MGMT DISTRICT	$	15.00
WARRICK COUNTY TREASURER	$	649.06
WARRICK PUBLISHING CO	$	80.32
WARRICK SOLID WASTE MGT DIST	$	740.85
WEX BANK	$	53.61
WILSON, MIKE	$	50.00
YESTERDAZE, INC.	$	135.70
ALPHA LASER SERVICES	$	680.50
AMERICAN SCREENING CORPORATION	$	102.50
AMERICAN STRUCTUREPOINT INC	$	13,389.43
ARAB	$	70.00
AT&T	$	140.51
CDW GOVERNMENT, INC.	$	794.47
COOLEY, CAROL E	$	456.00
DAVID MATTHEWS ASSOCIATES	$	300.00
DAVIDSON, KEVIN	$	287.06
EARL VANWINKLE	$	60.00
EMPIRE CONTRACTORS, INC	$	575.77
FAYETTE REGIONAL CARE PAVILLION	$	50.00
FIRST BANKCARD	$	1,247.59
FREEDOM MEDICAL	$	39.20
GARCIA LAB	$	44.00
GREG RICHMOND	$	35.00
IHCDA BEP PROGRAM	$	1,325.00
INDIANA DEPARTMENT OF CORRECTIONS	$	4,328.48
JERRY AIGNER CONSTRUCTION,INC.	$	7,500.00
LOCHMUELLER GROUP	$	6,753.19
MANATRON INCORPORATED	$	44,881.72
MEDICAL BENEFITS ADMINISTRATORS, INC.	$	176,323.00
MELODY NELSON	$	132.00
MILLER, AARON & KATHRYN	$	1,848.05
MORLEY & ASSOCIATES INC.	$	4,469.10

MUTUAL OF OMAHA	$	7,368.49
OFFICE DEPOT, INCORPORATED	$	85.06
OLD NATIONAL BANK - BONDS	$	94,346.25
PATRIOT ENGINEERING & ENVIRONMENTAL INC	$	2,169.70
PEOPLES TRUST & SAVINGS BANK	$	65,494.23
REDMON, THOMAS	$	103.48
SANOFI PASTEUR INC	$	1,242.08
SPRINT	$	2,789.39
ST. VINCENT OCCUPATIONAL	$	120.00
TERRELL, BAUGH, SALMON & BORN, LLP	$	1,300.00
THOMSON REUTERS	$	882.88
TIME WARNER CABLE	$	178.34
U.S. BANK	$	125.25
VAXCARE CORPORATION	$	132.00
VECTREN ENERGY DELIVERY	$	14,993.60
VEI COMMUNICATIONS	$	3,730.20
VERIZON WIRELESS	$	180.06
WARRICK COUNTY COURT SERVICES	$	125.00
WARRICK COUNTY TREASURER	$	3,953.58
WILLIAM BYERS	$	50.00
WIRA, LARRY	$	60.00
WOWI BUSINESS	$	101.10
XEROGRAPHIC BUSINESS SYSTEM	$	44.53
ALSSALEH, KHALID OMAR	$	823.36
ASSOCIATION / INDIANA COUNTIES	$	20.00
BRETT M ROY	$	4,381.25
CLERK - WARRICK COUNTY SUPERIOR COURT	$	280.00
TEAMSTERS LOCAL #215	$	2.00
DENNIS LOCKHART	$	14.99
DIVISION OF CHILD SUPPORT	$	104.00
EVANS, DAVID AND LESLIE	$	1,210.29
EVER-CLEAN SERVICES, INC.	$	195.00
FIFTH THIRD BANK	$	335.98
HAFER ASSOCIATES INC.	$	1,252.50
JOHNSTON, JAMES & JACQUELINE	$	444.85
LAKERIDGE CROSSING HOMEOWNERS	$	6.28
LAW OFFICE OF JONATHAN M YOUNG	$	2,656.25
LONG & MATHIES LAW FIRM, P.C.	$	4,427.08
MARK K. PHILLIPS, PC	$	2,656.25
MARTIN & MARTIN, INC.	$	5,312.50
MATTHEW BENDER & CO INC	$	1,284.77
METZGER CONSTRUCTION CO INC.	$	58,489.60
MORRIE DOLL	$	4,459.62
OAK PARK DEVELOPMENT LLC	$	197.27
PADGETT, MEFORD L. & NANCY E.	$	10.00
PAYNE, RACHEL	$	658.35
ROBIN GREENLEE (CDFC)	$	405.00
SHERRY SMITH	$	2,653.25
SPENCER COUNTY CLERK	$	30.00
SPRINT	$	374.07
STAPLES CREDIT PLAN	$	144.77
THE LANG COMPANY	$	224.23
TOMCHICK, ROSEANN B.	$	40.00
UNIFIRST CORPORATION	$	32.23
VAUGHN, JUANITA	$	40.00
VECTREN ENERGY DELIVERY	$	483.44
VERIZON WIRELESS	$	30.05
WADE, CHALMA JUNIOR	$	6.78
WARREN MATHIES	$	882.42

WARRICK COUNTY 4-H CENTER BRD. $ 37,500.00
Grand Total: $ 698,725.76

I hereby certify that each of the above listed vouchers and the invoices, or the bills attached thereto, are true and correct and I have audited same in accordance with IC 5-11-10-1.6, JULY 10th, 2017. IC 5-11-10-2 permits the governing body to sign the accounts Payable Voucher Register in lieu of signing each claim the governing body is allowing. We have examined the vouchers listed on the foregoing Accounts Payable Voucher Register, in the total amount of: $698,725.76 Dated this 10th day of JULY, 2017. Debbie Stevens, Auditor of Warrick County

Marlin Weisheit, President

Dan Saylor, Vice President

Bob Johnson, Member

Debbie Stevens, Auditor

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Warrick County Claims for Payment

Fifth Third Bank $ 335.98
Grand Total: $ 335.98

Marlin Weisheit, President

Dan Saylor, Vice President

Bob Johnson, Member

Debbie Stevens, Auditor

Contract No:R -36004 Change Order No.: 004

INDIANA Department of Transportation Page: 1

Construction Change Order and Time Extension Summary

Contract Information
District:VINCENNES DISTRICT
Contract No.: R -36004 Letting Date:09/02/2015
AE:Schum, Curtis PE/S:Price, Tyler Status:Draft

Change Order Information
Date Generated: 07/03/2017 Change Order No.: 004 EWA: N or Force Acct: N
Date Approved: 00/00/0000
Reason Code: FINAL QUANTITY ADJUSTMENT
Description: Final Overrun and Underrun

Original Contract Amount	$ 3,123,143.57	
Current Change Order Amount	$ 73,299.04	Percent: 2.347 %
Total Previous Approved Changes	$ 31,313.11	Percent: 1.003 %
Total Change To-Date	$ 104,612.15	Percent: 3.350 %
Modified Contract Amount	$ 3,227,755.72	

Time Extension Information
Date Initiated 00/00/0000 Date Completed 00/00/0000

Original Contract Time SS Completion Date 00/00/0000 or SS Calendar/Work Days 0
SP Date 00/00/0000 or SP Days
(SS = Standard Specification, SP = Special Provision)

Time Element Description:
Current Time Extension SS Days 0 SP Days 0 SP Days Value $ 0.00

Previous Time Approved SS Days by AE:_____ DCE:_____ SCE:_____ DDCM:_____
SS Days_____ SP Days Value $ _____

Revised Contract Time SS Completion Date 00/00/0000 or SS Calendar/Work Days 0
SS Date 00/00/0000 or SP Days 0

Contract No:R -36004 Change Order No.: 004

INDIANA Department of Transportation Page: 2

Construction Change Order and Time Extension Summary

Review and Approval Information

Required Approval Authority AE:_____ DCE:_____ SCE:_____* DDCM:_____*
($ per Change Order) (- LE $ 250K-) (- LE $ 750K -) (-- LE $ 2 M --) (-- GT $ 2 M --)
(Days per Contract) (50 SS days) (100 SS days) (200 SS Days) (GT 200 SS days)

Verbal Approval Required? Y / N If Y, by_____ Date Issued_____

Total Change To-Date>5%? Y / N If Y , Copy to Program Budget Manager_____

Scope/Design Recommendation Required? Y / N If Y, Referred to Project Manager(PM) _____
Date to PM_____ Date Returned_____

Approval Authority Concurs with PM? Y / N If Y, Concurrence by_____ Date_____
If N,Resolution: Approved _____ Disapproved _____
Resolved by_____ Date_____

LPA Signatures Required? Y / N If Y, Date to LPA _____ Date Returned _____

FHWA Signatures Required? Y / N If Y, Date to FHWA_____ Date Returned_____

* Field Engineer Recommendation (Required for SCE or DDCM Approval)

Field Engineer _____ Date _____

Comments: _____

Contract No:R -36004 INDIANA Date:07/05/2017
Change Order No:004 Department of Transportation Page: 3

Contract: R -36004
Project: 0500640 - State:0500640
Change Order Nbr: 004
Change Order Description: Final Overrun and Underrun
Reason Code: FINAL QUANTITY ADJUSTMENT

CLN	PCN	PLN	Item Code	Unit	Unit Price	CO Qty	Comment		Amount Change
0000	0500640	0000	109-08444	DOL	1.000	-37472.620	C	Amount:$	-37,472.62
Item Description: QUALITY ADJUSTMENTS, FAILED MATERIALS									
Supplemental Description1:									
Supplemental Description2:									
0015	0500640	0015	203-02000	CYS	25.000	1350.340	C	Amount:$	33,758.50
Item Description: EXCAVATION, COMMON									
Supplemental Description1:									
Supplemental Description2:									
0016	0500640	0016	203-02070	CYS	10.000	-2905.200	C	Amount:$	-29,052.00
Item Description: BORROW									
Supplemental Description1:									
Supplemental Description2:									
0025	0500640	0025	205-11585	LFT	33.500	-774.000	C	Amount:$	-25,929.00
Item Description: TEMPORARY FILTER BERM									
Supplemental Description1:									
Supplemental Description2:									
0032	0500640	0032	211-02050	CYS	40.500	830.350	C	Amount:$	33,872.17
Item Description: B BORROW									
Supplemental Description1:									
Supplemental Description2:									
0033	0500640	0033	211-09204	CYS	26.000	-1128.350	C	Amount:$	-29,337.10
Item Description: STRUCTURAL BACKFILL, TYPE 1									
Supplemental Description1:									
Supplemental Description2:									
0036	0500640	0036	301-07448	TON	30.000	764.800	C	Amount:$	23,844.00
Item Description: COMPACTED AGGREGATE, NO. 53, BASE									
Supplemental Description1:									
Supplemental Description2:									
0038	0500640	0038	303-08210	TON	35.000	629.330	C	Amount:$	22,026.55
Item Description: COMPACTED AGGREGATE NO. 53, TEMPORARY FOR DRIVEWAYS									
Supplemental Description1:									
Supplemental Description2:									
0054	0500640	0054	605-08155	LFT	18.000	2150.200	C	Amount:$	38,695.60
Item Description: CURB AND GUTTER, CONCRETE, MODIFIED									
Supplemental Description1:									
Supplemental Description2:									
0068	0500640	0068	621-00575	SYS	6.500	6711.220	C	Amount:$	43,622.93
Item Description: SODDING, NURSERY									
Supplemental Description1:									

Contract No:R -36004
Change Order No:004

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Supplemental Description2:

Total Value for Change Order 004 = $ 73,200.03

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended.
General or Standard Change Order Explanation

In accordance with INDOT Construction Memorandum 14-05, this Change Order will adjust final pay quantities to the following items which overran or underran planned quantity by $20,000. Item 0000, Quality Adjustments, Failed Material/ik - Underrun due to Material Failures of HMA. Surface and Yellow Thermoplastic Pavement Markings. Item 0015, Excavation, Common - Overrun due to undercuts to repair soft subgrade. Item 0016, Borrow - Underrun due to apparent error in plan quantity. Item 0020, Temporary Filter Dam - Underrun due to contractors preference to utilize different Erosion Control measures. Item 0032, B Borrow - Overrun due to removing soft material in the existing ditches along Oak Grove. Item 0033, Structural Backfill, Type - Underrun due to apparent error in plan quantity. Storm sewer outside of the pavement section did not require Structural Backfill per INDOT specs. Item 0036, Compacted Aggregate, No. 53, Base - Overrun due to undercuts to repair soft subgrade. Item 0038, Compacted Aggregate, No. 53, Temporary for Driveways - Overrun to keep homeowners access to their property daily. Item 0054, Curb and Gutter, Concrete, Modified - Overrun due to low designer calculated plan quantity. Designer assumed the curb and gutter across the concrete driveways would be paid for PCCP Driveway, 6 inch but the contractor slipped the curb and gutter through the driveways. Items were paid per INDOT spec. Item 0068, Sodding, Nursey - Overrun due to additional restoration required. The INDOT Project Manager was informed of Change Order 4.

Change Order Explanation for Specific Line Item

It is the intent of the parties that this change order is full and complete compensation for the work describe above.
Notification and consent to this change order is hereby acknowledged.

Contractor: Ragle, Inc. Signed By:

Date: 7/6/17

NOTE: Other required State and FHWA signatures will be obtained electronically through the SiteManager system.

Contract No:R -36004
Change Order No:004

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APPROVED FOR LOCAL PUBLIC AGENCY

(SIGNATURE) (TITLE) Commissioner (DATE) 7-10-2017

(SIGNATURE) (TITLE) Commissioner (DATE)

SUBMITTED FOR CONSIDERATION

PE/S

APPROVED FOR INDIANA DEPARTMENT OF TRANSPORATION

Approval Level	Name of Approver	Date	Status

Price, Tyler

From: Will, Shawn <ShWill@indot.IN.gov>
Sent: Wednesday, July 05, 2017 11:51 AM
To: Price, Tyler
Subject: RE: R-36004 Change Order #4

Looks good. Thanks, Tyler.

Shawn A. Will, P.E.
Consultant Services Manager
3650 South U.S. Highway 41
Vincennes, IN 47591
Office: (812) 895-7358
Cell: (812) 681-0700
Email: shwill@indot.in.gov

From: Price, Tyler [mailto:tprice@structurepoint.com]
Sent: Wednesday, July 05, 2017 12:05 PM
To: Will, Shawn <ShWill@indot.IN.gov>
Cc: Schum, Curt <CSCHUM@indot.IN.gov>; bhoward@warrickcounty.gov; Steve Sherwood (ssherwood@warrickcounty.gov) <ssherwood@warrickcounty.gov>; Baehl, Jamie <jbaehl@structurepoint.com>
Subject: R-36004 Change Order #4

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Shawn,

Attached is Change Order #4 for R-36004 Oak Grove Road Phase II. This is the $20,000 overrun/underrun change order. I sent it to Curt previously and he said to make sure you were notified and had a chance to review as well.

Please let me know your thoughts.

Tyler

Tyler Price, PE
Area Supervisor