WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
November 27, 2017
12:00 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 12:00 PM.

PLEDGE OF ALLEGIANCE

Marlin Weisheit: Thank you. Okay, we've got a Public Hearing, I guess, the first thing on the order today? Do we need to vacate the County Commissioners' Meeting for that?

Roger Emmons: Typically you'd recess, I think.

Marlin Weisheit: Okay.

Todd Glass: Recess.

Marlin Weisheit: Need a motion to recess then.

Bob Johnson: Make a motion to recess for the Public Hearing.

Dan Saylor: Second.

Marlin Weisheit: All in favor say, aye.

Dan Saylor: Aye.

Bob Johnson: Aye.

Marlin Weisheit: Aye. (Motion carried 3-0). We're in recess.

PUBLIC HEARING
IN THE MATTER OF THE VACATION OF A LAKE MAINTENANCE AND STORM DRAINAGE EASEMENTS GRANTED IN THE PLAT OF GRIMM ROAD COMMERCIAL

Marlin Weisheit: So, we'll go ahead for the Public Hearing In the Matter of Lake Maintenance and Storm Drainage Easements Granted for the Plat at Grimm Road Commercial in Warrick County. Who has that? Here we go. State your name please.

Bret Sermersheim: Bret Sermersheim with Morley representing the petitioner. The easement that we're wanting to vacate is a part of what is known as Grimm Road or Grimm Road Subdivision. And that lot where we have the easement has been absorbed into another subdivision known as Gateway Business Park, Section 2. The drainage that was here was also absorbed into a couple other lake maintenance and storm drainage easements inside Gateway Business Park. So this drainage, drainage easement is no longer needed in this location.

Marlin Weisheit: Bobby, you familiar with that one (1)?

Bobby Howard: Yes, I am. And what he stated is true. This is no longer necessary at this area due to the re-platting of the subs adjacent to each other.

Marlin Weisheit: Alright. Does anybody else here have anything to say as far as the Public Hearing before we close the Public Hearing and go back into regular session? Do we, we'd have to make a motion to close the Hearing? I don't think so, do we?

Roger Emmons: We never have.

Marlin Weisheit: Just close the hearing and go back into the regular session?

Roger Emmons: It was always the President just said, "I now declare it closed." And declare the meeting back open.

Marlin Weisheit: Okay, I'll declare the Public Hearing closed and go back into the regular session then.

ACTION ON PUBLIC HEARING
ORDINANCE 2017-32 PASSAGE

Marlin Weisheit: Action on Public Hearing, so at this time I guess we'd have an Ordinance number to act on, wouldn't we?

Kristine Georges: 2017-32.

Roger Emmons: '32, thank you.

Marlin Weisheit: Does anybody have any more questions in reference to this before we...? If not, I think we've heard the County Engineer's statements, so I'd entertain a motion on this Ordinance.

Dan Saylor: I make a motion to approve the Ordinance 2017-32 for the lake maintenance and storm drainage easements.

Bob Johnson: 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).

Brent Sermersheim: Thank you.

Marlin Weisheit: Thank you.

(Ordinance 2017-32 is located on Page 18 of these Official Minutes)

AREA PLAN COMMISSION
REZONING PETITIONS
PETITION OF MAKEN CORPORATION PC-R-17-11

Marlin Weisheit: Move on to Area Plan.

Sheila Lacer: First on our agenda is a rezoning petition. It's PC-R-17-11. We do have a request for this to be continued once again to the December 11th meeting.

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

Bob Johnson: Make a motion to continue to the December 11th meeting.

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).

REQUEST FOR EXTENSION OF SURETY
LEXINGTON SUBDIVISION

Sheila Lacer: Next up is Lexington Subdivision by First Federal Bank. Kirby King is the Executive VP. This is the street, sidewalk, and drainage construction. They have had eleven (11) years. They are requesting a one (1) year extension with an increase from a hundred and thirty-eight thousand six hundred and forty-'o-nine ($138,640.09) to one hundred fifty-six thousand five hundred twenty-eight-eleven ($156,528.11). A decrease from ninety-six-one-sixty-nine-ninety-two ($96,169.92) to thirty-seven two hundred ninety-six ($37,296.00) for the sidewalks. And a decrease from one-sixty-two-six-twenty-four-seven-one ($162,624.71) to one thousand seven hundred twenty-five ($1,725.00) for drainage. The reason the numbers are so different, a portion of this subdivision is being re-platted, and part of the existing amounts will be covered in a new letter of credit for the new subdivisions. I believe they're going to be called Lexington Estates. So they're switching dollar amounts around and streets and drainage. The Ordinance allows for a maximum period of seven (7) years, so, and nine (9) for streets, nine (9) for sidewalks. And they are asking for a modification of the Subdivision Control Ordinance for streets and sidewalks to be allowed to have another letter of credit. And if you all are familiar this, this is, this was a project by Barrington Homes and it, they went bankrupt and the bank has taken it over. They, they're trying to recoup. So that's one (1) of the reasons the letters of credit have been in place for so long.

Marlin Weisheit: Mr. Howard, are you okay with the numbers?

Bobby Howard: Yeah, the dollar amounts are sufficient.

Marlin Weisheit: Unless anybody else has any questions?

Bob Johnson: Make a motion to request the, or the extension of the surety for Lexington Subdivision.

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.

Unknown Representative for Lexington Estates Project: Thanks.

(Extension of Surety, Lexington Subdivision, is located on Pages 18 through 20 of these Official Minutes)

HUNTINGTON CREEK SUBDIVISION SECTION B

Sheila Lacer: Next up is Huntington Creek Subdivision Section B. It's Newburgh Development Group, Aaron Miller as President. This is the sidewalk construction and they have had surety for thirteen (13) years. Again, the Ordinance allows for a maximum time period of nine (9) for sidewalks, so they are asking for a modification from the Subdivision Ordinance to be allowed additional time. They are asking for a one (1) year extension and a decrease from eighteen thousand one hundred thirty-three dollars and twenty cents ($18,133.20) to eleven thousand one hundred and ninety-three-sixty ($11,193.60). We are currently holding a cashier's check from this.

Dan Saylor: Why, why the decrease?

Bobby Howard: They have constructed some of the sidewalks from last time. So the decrease is accounting for that construction.

Marlin Weisheit: So you're okay with the numbers then, Mr. Howard?

Bobby Howard: Yes, they are sufficient.

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

Bob Johnson: Make a motion to approve the one (1) year extension and the decrease from eighteen-one-thirty-three-twenty ($18,133.20) to eleven-one-ninety-three-sixty ($11,193.60).

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).

(Extension, Huntington Creek Subdivision, is located on Page 20 of these Official Minutes)

REQUEST FOR MODIFICATION
COYOTE HILLS SUBDIVISION BY ARNOLD J. MULZER

Sheila Lacer: Okay, and the last thing we have on the agenda is, Mr. Biggerstaff and Mr. Mulzer. This is for the proposed Coyote Hills Subdivision. They are requesting a reduction in pavement width including the curb and gutter, be twenty-five (25) feet back, to back of curb. I believe it's normally thirty (30)? Is that correct Mr. Howard?

Bobby Howard: Yes. And, Jim, can you state the reason for this request?

Jim Biggerstaff: Yeah, originally all this property I had purchased years ago and we had an exempt division which was two (2) lots, well Arnie Mulzer's here. He's the one (1) that bought it and he's breaking it into another lot for his family. And this is all zoned agricultural and we got horse farms all the way around it so he wanted to maintain the agricultural. But under the terms of the Ordinance, when we go to the third lot, then we've got to dedicate the right-of-way. So he's going to build a new right-of-way, but the roadway's here now. But it's rock, but he's willing to put a new concrete approach in and, you know, follow the Ordinance in regards to the thickness and the rock and the pavement and everything else is just at the present width that runs between twenty-four (24) and twenty-five (25). And it has a valid gutter on it. So we want to continue on with that width. We're only talking about three (3) lots for approximately a thousand (1,000), eight (800), nine hundred (900) foot of pavement, which will be family.

Marlin Weisheit: How many acres is in that little development there?

Jim Biggerstaff: Uh, there's fourteen (14) plus two and a half (2 ½). So it's about sixteen (16) acres in there. And there's no sewers, it has, you know, it has to all be field systems. And Arnie lives there himself. Arnie, you got anything you want to add to that or anything?

Arnold Mulzer: No, I think you covered it.

Roger Emmons: If you do, please come to the podium for the record.

Jim Biggerstaff: Huh?

Roger Emmons: He needs to come to the podium if he has comments.

Jim Biggerstaff: You have to come up here, Arnie.

Arnold Mulzer: Huh?

Jim Biggerstaff: You've got to come up here.

Sheila Lacer: And this will be a major subdivision, just for the Commissioners (inaudible).

Jim Biggerstaff: Yeah, that third lot made it a subdivision. They've been maintaining the roads out there.

Sheila Lacer: Well, because there's not enough frontage, it can't be a minor. It would be a major subdivision and they, the County would have to take these streets over for maintenance. So anything that you agree to, the County will maintain. Just for your info.

Bobby Howard: And there's no way to move forward without having to maintain road bill, the County maintain road bill.

Sheila Lacer: Now in an Ag zoning they would have to go, to have, to have a private road that the County wouldn't maintain. They would have to rezone it to PUD and have a, because PUD zoning's the only thing that would allow for a private street. So it would have to be County maintained.

Jim Biggerstaff: Is Agricultural allowed in a PUD, though?

Sheila Lacer: No.

Jim Biggerstaff: See, that's where we're hung up. Cause everybody's got horses there and that's the idea to maintain horses there. And it's going to be maintained by Arnie and his family. And Vann Road's only twenty-six (26). But when we add the curb and gutter, that's the difference. We've got to add the curb and gutter and when we add the curb and gutter then your Ordinance says thirty (30) feet. Well, for three (3) lots...

Arnold Mulzer: Part of the curb and gutter is already there.

Jim Biggerstaff: Yeah. And that was done under the exempt division, which was allowed back then. And I don't think, they don't have any trouble maintaining that do you? But...

Bobby Howard: How old is the curb and gutter?

Jim Biggerstaff: It's probably about ten (10) years.

Arnold Mulzer: What?

Jim Biggerstaff: Curb and gutter, ten (10) to twelve (12) years.

Arnold Mulzer: Naw, it, it was there when I moved.

Jim Biggerstaff: Okay.

Arnold Mulzer: And that was '92.

Jim Biggerstaff: Alright, so that's how old it is.

Bobby Howard: And it's eighteen (18) inches wide curb, instead of twenty-four (24)?

Jim Biggerstaff: Well, it measures twenty-four and a half (24 ½) to twenty-five (25) right now.

Bobby Howard: No, no, no. The width of the actual curb itself.

Jim Biggerstaff: Oh, sixteen (16) inches, I'd say fifteen (15) to sixteen (16). Probably close to two (2) foot. And to make it public, he's gonna have to spend probably a hundred twenty-five ($125,000.00), hundred and thirty ($130,000.00) extra anyways, see.

Marlin Weisheit: Have a recommendation from County Engineer, Mr. Howard?

Bobby Howard: My recommendation would be to deny the request based on the age and the current geometry of the existing concrete. I just wouldn't want to use those current curbs and have to maintain that curb. I'm not opposed to if they'd like to look at a way to possibly narrow the roadway, but with all new curb and gutter.

Jim Biggerstaff: You want curb and gutter in there, or you want put side ditches?

Bobby Howard: Well, because of the location, this Board also can require curb and gutter.

Jim Biggerstaff: Yeah, I understand. But we've got horse farms all the way around us. It's all agricultural. And there's no possibility of getting sewer there. So...

Bobby Howard: Well, in the past, Ohio Township's always had curb and gutter. It's been a requirement of the past Boards.

Jim Biggerstaff: We're open to suggestions on it. It's just...

Arnold Mulzer: None of it's flat though. It, as you drive in you go up then you go down then you go up. There's really no flat area.

Marlin Weisheit: Any other questions or ideas?

Jim Biggerstaff: But you don't allow an agricultural zoning in a PUD? See that don't make sense to me, you know, cause...?

Sheila Lacer: It's a Planned Unit Development, normally it's commercial or...

Jim Biggerstaff: But if they want to maintain it, you know, as a, as a roadway, but the third lot's what makes a difference.

Marlin Weisheit: Um hum.

Sheila Lacer: Well, there's only, what, a hundred (100), you only have a hundred (100) foot of frontage on Vann Road. Is that right

Jim Biggerstaff: Yeah.

Sheila Lacer: And see each lot requires fifty (50) foot frontage.

Jim Biggerstaff: Right.

Sheila Lacer: So you couldn't do (inaudible), you'd have to build a street.

Jim Biggerstaff: Right, I understand that. Yeah, and this is all family anyways, so the questions is how we handle it.

Sheila Lacer: And you can't do access by easement.

Jim Biggerstaff: Your only alternative would be thirty (30) foot back to back. You'd build a thirty (30) foot roadway back to back all the way back there.

Arnold Mulzer: Where would it go to?

Jim Biggerstaff: It would have to go to a cul-de-sac.

Arnold Mulzer: Yeah, to the cul-de-sac.

Jim Biggerstaff: But you're talking about, well, I think, eight (800), nine (900), eight hundred feet (800) I believe (inaudible) exactly. Unless the cul-de-sac, see, if you want to dedicate it then.

Arnold Mulzer: (Inaudible) go back to the drawing board. See what we come up with.

Jim Biggerstaff: Well, that's what it would be, thirty (30) back to back. But it's got to do with the age, according to Bobby, you know, the concrete curb that's in there.

Arnold Mulzer: Um.

Jim Biggerstaff: I mean we could put side ditches in there. But you're saying, I don't understand...

Bobby Howard: That's up to the Board. If they want to accept it with side ditches.

Jim Biggerstaff: Yeah, okay.

Marlin Weisheit: You guys got any ideas? If not, do you want to table it, do some further research on it? I mean if we approve it today, I think we just don't want any liability with the County later on. I know it's a family issue now, but ten (10) years down the road, it might not be.

Jim Biggerstaff: Sure, I understand. Yeah, this is something that was done years ago and accepted at that time.

Marlin Weisheit: Yeah.

Jim Biggerstaff: But you've got family so that one (1) lot divided into two (2) instead of, well, it'd be, but Arnie lives in an existing house. So he's already there. So it'd be two (2) additional lots. And that's where the hang ups coming in. But it makes it a subdivision with three (3) lots instead of two.

Sheila Lacer: Well, it makes it a subdivision because you have to build a street.

Jim Biggerstaff: I know, I understand that.

Sheila Lacer: It has to have a fifty (50) foot frontage.

Jim Biggerstaff: There's no, there's no provision for a rural development like this with horse farms, see.

Sheila Lacer: Well, there is.

Jim Biggerstaff: It was allowed under an exempt division.

Sheila Lacer: It could have been a minor subdivision. The only thing is that you only have a fifty (50) or a hundred (100) foot frontage. Each lot has to have fifty (50) feet.

Jim Biggerstaff: I understand that.

Sheila Lacer: And then a hundred (100) at the building line.

Jim Biggerstaff: Right. Now we've got a hundred feet to work with.

Sheila Lacer: Yeah, if it had a hundred and fifty, then it would be a minor subdivision.

Jim Biggerstaff: Sure. Well, Bobby, you want to come out here and take a look at it? Have you seen it? Take a look at it and see what's out there.

Bobby Howard: I've seen what was there.

Jim Biggerstaff: Oh, okay. See you go at twenty-six (26) and go with side ditches, but that's not allowed in this area. See, that'd be like Vann Road then.

Arnold Mulzer: And how big would, how wide would the ditches have to be?

Jim Biggerstaff: Well, they're saying you can't put ditches in cause it's classified as residential. And to me it's all agricultural with the horse farms. So, I think it's a bad classification for that area. Cause everybody out there's got horse farms.

Marlin Weisheit: I don't see a motion here to approve anything today. So, I think we might as well move on unless anybody's got anything further. We'll take another look at it.

Jim Biggerstaff: Table it and come back with something else. Okay.

Marlin Weisheit: Okay.

Sheila Lacer: Table it for two (2) weeks? Or table it for…?

Jim Biggerstaff: It's up to you, Arnie, I don't care. Yeah, two (2) weeks.

Arnold Mulzer: We're not in any big hurry. Just trying to get…

Marlin Weisheit: Let's just take it off the agenda is what I'd recommend until you get another proposal together. That way we won't bring it up 'til you're ready to come back with something.

Jim Biggerstaff: Yeah, okay. Alright. I think that's the best way.

Marlin Weisheit: Alrighty.

Jim Biggerstaff: Thank you.

Todd Glass: By motion.

Dan Saylor: I make a motion to remove the request for modification from the agenda.

Bob Johnson: 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.

APPROVAL OF MINUTES
NOVEMBER 13, 2017

Marlin Weisheit: Move on to Approval of Minutes from November 13th.

Dan Saylor: I make a motion to approve the Minutes for Commissioners' Meeting from November 13, 2017, Regular Session.

Bob Johnson: I second.

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

Dan Saylor: Aye.

Bob Johnson: Aye.

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

ITEMS FOR DISCUSSION
DEPARTMENTAL REPORTS
COUNTY ADMINISTRATOR
NEW WATS SERVICE BUS STOP

Marlin Weisheit: Items for Discussion, County Administrator.

Roger Emmons: Thank you, Mr. President. First item is to discuss the new WATS service bus stop to replace the current stop on Stahl Road, Stahl Business Court. This is tabled from your November 13th meeting, and once again I will defer to Commissioner Dan Saylor to see if he's heard anything more.

Dan Saylor: I have not. Can we, can we just set that out for our next meeting which would be...

Roger Emmons: December 11th.

Dan Saylor: December 11th.

Roger Emmons: Okay.

Dan Saylor: And I'll try to make contact with them.

Roger Emmons: We need a motion to table it to that date.

Bob Johnson: Make a motion to table the new WATS bus service, bus service stop until December 11th.

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).

Roger Emmons: Thank you.

SELECT BANK TO ADMINISTER HEALTH SAVINGS ACCOUNTS FOR HIGH DEDUCTIBLE HEALTH PLAN PARTICIPANTS

Roger Emmons: Next, Select Bank to Administer our Health Savings Accounts for the High Deductible Health Plan Participants. This is also tabled at your November 13th meeting. We did, and Judy can, can have this checked, but I know the Commissioners were hesitant to switch since we've had First Federal since 2010. And had Travis Genet, who's our account manager at First Federal, compare the interest rates between the two (2) banks, United Fidelity's and we have seventy-seven (77) percent of our accounts are average balances, just under five hundred ninety-nine dollars ($599.00). And the difference in the interest earned with the United Fidelity would be a matter of fifty-eight cents ($0.58) over the course of the year for seventy-seven (77) percent of our accounts. Then you've also got, you're going to have to redo everything as far as new enrollments. So the two dollar ($2.00) a month paper statement, the members can avoid that by getting it online. And I would think something related to work, if they don't have a computer at home, perhaps the Board would be will to let them use the County computers to get those and avoid the two dollar ($2.00) per month paper statements.

Marlin Weisheit: Anybody have any other questions?

Dan Saylor: I just think with the switching of the, our health care carrier, that this would just be an additional burden on the participants with little to gain. I just don't think it's a significant enough to make the changes in my opinion.

Marlin Weisheit: I feel the same way.

Bob Johnson: Mrs. Beem's holding her hand up.

Marlin Weisheit: Yeah. Do you want to, Mrs...?

Judy Beem: If we could look at this a little further.

Bob Johnson: Judy, can you come up, please?

Roger Emmons: Can you come to the podium?

Marlin Weisheit: Just state your name, both of you.

Judy Beem: Judy Beem, Warrick County Treasurer.

Chris Rhodaback: And I'm Chris Rhodaback with United Fidelity Bank.

Judy Beem: The reason this issue first came up, because it was brought up by employees asking for higher rates of interest. Which there are considerable, there is a considerable difference between the, there's three (3) levels that United Fidelity is proposing verses only two (2) from First Security. First is there would be no two dollar ($2.00) statement fees. So people can get paper fees and/or online fees from United Fidelity without any charge. And then the first level of balances up to two thousand ($2,000.00) is point three-five (.35) percent. It bumps up to point five-'o (.50) after twenty-five hundred ($2,500.00). And then point seven-five (.75). Anybody that has an account will see some savings. There, as far as input from the employees or activities that they would have to do to switch it over, United Fidelity is willing to come to each and every location where County employees are and sign them up. They would do everything electronically.

Chris Rhodaback: Yeah, how it would work is, we would get the employee's information and we would have everything ready for them prior to us even coming up. When we set some dates and sometimes when all they have to do is come in and sign. It's not a long process as far as getting everything switched over. It's not a process that's going to take a long time. We have all the paperwork that they will sign. Account information will be switched over. The balances will be switched over. They do not have to do anything. Really the only thing that they do have to do is sign. So it's not a burden on any employee.

Dan Saylor: And you're Chris, right?

Chris Rhodaback: I am.

Dan Saylor: Chris, if interest rates tick up, do these adjust? Or are these held firm for the life of our agreement?

Chris Rhodaback: These can, these can adjust. This is...

Dan Saylor: When do they adjust? How often?

Chris Rhodaback: I can't say. I mean, because they could go up in a year. They can stay the same in a year. It all depends on what the market's going to do.

Dan Saylor: Well, let's say interest rate are most likely gonna tick up verses going down.

Chris Rhodaback: Um hum.

Dan Saylor: So, is it, what's the verbiage, I mean, is it, do you guys take a look at it every six (6) months? Every three (3) months?

Chris Rhodaback: We normally take a look at it every year, we'll look at it.

Judy Beem: There has been no increase from FFS since the time that, as far as I know.

Dan Saylor: Well, interest rates have been historically low and they'll only adjust it about a percent here in the last year or so.

Marlin Weisheit: Okay, anybody have any other questions or comments?

Judy Beem: You know, it's for the benefit of the employees that we're looking at this. I understand that there is perhaps some change for the health insurance, but this will be something, we don't know what that's going to look like. But we can say for sure that this proposal for the employees, personally I would like to see it. I understand that I can probably, I can switch my account, but I would personally like to see it to get some additional interest on the money that's in the HSA. And I can't imagine that anyone that has money in the HSA would not want to see that increased interest rate.

Dan Saylor: Judy, I just, I mean, I have a problem with it. It's just not a significant amount of money to, I understand if you're paying, what, two dollars ($2.00) a month for paper statement. You know that's, but it, it's, these are, each person, that's only going to have an effect on, what, fifty-eight cents ($0.58) Is that, is that right, Roger?

Roger Emmons: Yeah, that was a hundred and twenty-two (122) of the, what, one hundred fifty-eight accounts (158), which I said was seventy-seven (77) percent. Now there are thirty (30) accounts just under the fifty-five hundred ($5,500.00). Those would receive an extra thirteen dollars and forty-nine cents ($13.49) on the year. And there are six (6) accounts that averages just under fourteen thousand ($14,000.00). Those would see an additional thirty-four dollars and thirty-eight cents ($34.38) over the course of the year. A little under three dollars ($3.00) a month.

Judy Beem: People may stick more money in it if they realize it is more competitive. Again, it's just that I would hate to see the County turn away from something that does offer a better, a better deal for the employee. And you know, when we get the questions, the questions have, you know, the employees have said why can't we seek something that has a better interest rate? So we did, but it, because it's employee related, it falls upon the Commissioners to make the decision.

Bob Johnson: Chris, how long would it take you to implement this?

Chris Rhodaback: All we would have to do is, is I would work with Debbie and Judy and we would work on the logistics as far as what time it's going to be set up. I would send information out to them. They just send it to their employees, I mean, realistically...

Bob Johnson: Less than two (2) weeks?

Chris Rhodaback: We can have it done next week. Realistically.

Bob Johnson: Okay.

Dan Saylor: Let me ask this question, can, I mean, can employees have a choice? Or is it all or none? That's a question.

Debbie Stevens: Debbie Stevens, Warrick County Auditor. From a logistics standpoint, and payroll, it would be, it would simplify things of course to have one (1) vendor for HSA.

Bob Johnson: Is this something that we might reach out to our employees, see what they would like to do? Get their input? And maybe table it until December 11th and take what the employee wants?

Marlin Weisheit: We tabled this two (2) weeks ago and I haven't had one (1) employee, have you had an employee call you?

Dan Saylor: That, that's (inaudible).

Marlin Weisheit: I mean they've had two (2) weeks to reach, I haven't had one (1) employee contact me on this issue. So, I mean that's how I feel. I think they've had two (2) weeks. It's totally up to you guys.

Judy Beem: I don't know that they knew that this was up for discussion.

Marlin Weisheit: I just, you know.

Dan Saylor: It just seems like a lot of...

Marlin Weisheit: I'd rather monitor it for another year and see what happens, maybe next year? Things don't change, maybe we need to take a real serious look at it. But I just hate to pull the rug out from underneath First Federal at this point.

Bob Johnson: Okay.

Marlin Weisheit: That's my opinion.

Pat Brooks: May I interject?

Marlin Weisheit: State your name, talk, yeah.

Pat Brooks: Pat Brooks, Warrick County Recorder. And I really don't have a dog in this fight at all. Because I had worked and I don't have an HSA and it doesn't matter. But I can tell you as Treasurer, previously, I had a great deal of difficulty with, and I like Travis, the, Travis and First Federal at one (1) time asked us to get our money out of the bank and that was about a year and a half ago, when the new bank regulations came in. I had to scurry and I got called to get the money out. Service since then has not been good. I cannot get responses. They were supposed to set up different things for us on transfers. Did not happen. We had appointments. They did not show up. I will say this, when I was doing bids, my goal was to make the most money as possible for the County. And it was because of United Fidelity, who I had not done business with in the past, they are responsible for getting our interest rates up. Because on some of the other, and I want to keep the bank, the money in the County as the Commissioners had requested. But by using First Security and United Fidelity, we were able to get the other banks activated to even want to get our money and give us interest. So what I'm saying to you is United Fidelity, and I really, I only met Chris during the bidding process when I was bidding. They have been there. They have worked with the County. They got our interest rates up. And I genuinely believe they want the business. Now this two dollar ($2.00) a month fee and it's like Newburgh Sewer's now charging money to get a statement, if you can get that for free, I know it's not a lot, but when you look at the overall history, I think it would be an excellent move. And again I don't have a dog in the fight, cause I don't have HSA, but I just know past history. And also when First Federal was charging sixty-eight ($0.68), let me think back, sixty-eight cents ($0.68) per scan. When I took bids out I took it away from First Federal because I could get it at Old National for thirty-six cents ($0.36) on our lock box. It's just a matter of overall. I think it might be really worth considering. And thank you for your time, and that's not why I was here.

Marlin Weisheit: Thank you. And you know, I want to brag on all of our banking institutions in Warrick County. I'm proud of all of them. You know, they, they're all very competitive. But we're very fortunate to have so many. But on the other hand, I want to brag on First Federal, when we were seeking loans for our Solid Waste project, they was the ones that stepped up to the plate and got us the best deal on a loan by far. So I mean everybody has their pros and cons. But you know, I just, my personal opinion right now, I just hate to make a switch right now because I've had a good relationship with them in that regard.

Judy Beem: I will also say that they are not as responsive as the other banks. Perhaps they feel that because they did fund the loan that was requested for that, which I was unaware of. Maybe that's why they, you know, aren't as responsive as the other banks that this office deals with. They, it requires a couple of phone calls, a couple of emails to get a response from them.

Chris Rhodaback: If I could say one (1) more thing. I know that you guys have mentioned that it's going to be a huge ordeal. It, it's really not for the employees. It, it's a bigger ordeal for us, because we're doing everything back office. As far as the employees go, it's not, it's not a huge ordeal for them. They come in. They sign, they literally sign a scanner I set up. That's all the time that it take for them. We don't have to set up two (2) or three (3) hour meetings where everybody has to come in. We can set up in a, in an office or something on the side where we'll be there for a few hours, but they come and go as they please. So it's not, it's really not as big of an ordeal as, I don't want you guys to feel that it's going to be a huge undertaking for the employees. Cause it's really not.

Marlin Weisheit: I know it is when you have two hundred seventy-five (275) employees and they've all got to sign a document. I mean like Bobby's department, they all have to allow time for that. It does shut down different departments every time we schedule these meetings. That's why I'm kind of reluctant about scheduling meetings, because it does stop the workforce. Maybe they're in the middle of a project and there's guys off and then you have to come back. I mean it is, it is kind of an inconvenience for...

Judy Beem: And it would be, it could be over a period of...

Chris Rhodaback: Right, it's going to be over a period of time. It's not a, like, it's not like we're going to be there 8:00 (AM) to 10:00 (AM) on Monday. If you're not there then you don't get it. It's not, it's not along those lines.

Marlin Weisheit: Okay.

Chris Rhodaback: Basically we're here to help you in any way that you can.

Marlin Weisheit: And I appreciate that. Yeah, I can understand that. So it's kind of up to you guys what you want to do. I'd just as soon monitor it another year and see where we're at and maybe reach out and give everybody a chance to bid it out. Cause it is our thing to bid out. And we haven't took it. Judy, she's been working on it. I think if we're going to make the decision, we need to bid it out to all banks and give everybody an opportunity.

Judy Beem: We did. I did (inaudible).

Marlin Weisheit: Okay, but I do think that's on us to do. And like I said, I haven't had one (1) employee contact me. And they should have been contacting me instead of you.

Judy Beem: And I'm not sure why that was.

Marlin Weisheit: Yeah.

Judy Beem: I mean, between, it was really the Auditor's Office they were contacting.

Marlin Weisheit: Yeah.

Judy Beem: And then the Auditor's Office made my office aware that employees were concerned about the interest rates. So I picked it up and ran with it.

Marlin Weisheit: Yeah, you probably should have just had us run with it to be honest. When you look back.

Judy Beem: No, generally the funding things would fall to the Treasurer. And the only reason it falls to you, the Commissioners, is it's related to an employee issue.

Marlin Weisheit: Right.

Judy Beem: On funding. Otherwise, funding would be, investments would be the Treasurer's Office.

Debbie Stevens: And I will say too, Commissioners, is there, there was nothing on our part to circumvent something that's of the responsibility of the Commissioners. But because the Treasurer seeks interest rates and better interest rates for every other public fund, is really was a matter of clarification far into the process that, oh, that this is employee related, it's the Commissioners. It was just on, on Judy's part and my part, employees coming to our office because we manage payroll. I believe it was the employee's impression that we were responsible for seeking better interest rates. Because quite frankly, what they were bringing into the Auditor's Office to the Payroll Deputy, was ads from their own bank advertising higher interest rates for their HSA. And so they were saying, why can't we have this rate? And they were bringing them to the Payroll Deputy. I gave them to Judy. And so, you know, she really did the legwork, which was quite a bit of work, but it was certainly not until we got closer to the decision time, realizing, oh, this is a, this is employee related. It's on the Commissioners. So she just presented all of the, the background work and everything to you all at that point and turned it over to you to make the decision.

Dan Saylor: You know, I...

Roger Emmons: Debbie, do you remember how many employees contacted you? Or how many contacted Heather?

Debbie Stevens: I would say it's probably been at least a half a dozen who've, who've actually come into the office with rates from their own banks asking, why can't we have that? But I know there are more than just those half dozen employees who have discussed it.

Roger Emmons: Okay. Alright. Thank you.

Marlin Weisheit: And the lack of time here, I mean we're on a tight schedule today. We probably need to move on unless anybody's got any other questions. You guys have any other concerns or any questions?

Dan Saylor: I just think, you know I apply some business principles to this. I wouldn't want to put my employees and my business under this, you know, with getting signed up and all this for this little of difference. So I'm, I'm, at this point I would like to say, we're going to sit on it for a while.

Marlin Weisheit: Monitor it?

Dan Saylor: And monitor it.

Marlin Weisheit: Okay. Thank you. Okay move...Roger, do you have anything else?

FIXED ASSET NOTIFICATION FORMS
HEAT PUMPS AT JUDICIAL CENTER

Roger Emmons: I have one (1), one (1) more.

Marlin Weisheit: Okay.

Roger Emmons: I have two (2) Fixed Asset Notification Forms for the two (2), the first two (2) water source heat pumps of the fourteen (14) replacing in the Judicial Center. One (1) is a high efficiency two (2) stage, four (4) ton heat pump. The other is a seven point five (7.5) ton standard efficiency and I just need a motion to approve those two (2) Fixed Asset Forms.

Marlin Weisheit: I'd entertain a motion.

Dan Saylor: I'll make a motion to approve the Fixed Asset Forms.

Marlin Weisheit: For the two (2) new heat pumps for the Judicial Center?

Dan Saylor: For the heat pumps.

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, Gentlemen, that's all I have.

(Fixed Asset Notifications for Judicial Center are located on Pages 30 through 31 of these Official Minutes)

COUNTY ATTORNEY
ORDINANCE 2017-30 PASSAGE
PROCUREMENT POLICY UPDATE

Marlin Weisheit: Okay, County Attorney.

Todd Glass: Ah, yes, Sir, Mr. President. I might need some help from Roger and Kristine on some Ordinance numbers here, make sure we're correct on them. You have two (2) Ordinance proposals, Second and Third Reading today. The first I believe is Ordinance 2017-26 which is an Ordinance amending a prior Ordinance approved by the Commissioners adopting the Procurement Policies. So this is Ordinance 2017-26, and the only amendment...

Kristine Georges: Um...I have down that this, this up, this is the updated one (1), correct?

Todd Glass: Correct.

Kristine Georges: Then that is Ordinance 2017-30.

Todd Glass: '30?

Kristine Georges: Yes.

Todd Glass: That's what we needed, and thank you, Kristine. So this would be Ordinance 2017-30, which is an Ordinance of the Board of Commissioners amending the Purchasing Policy for the procurement of equipment, goods, materials, and services that was previously approved. And, Mr. President, just as a reminder, this inserts under the provision of procuring services, just an exemption for the Department of Economic Development allowing the Department of Economic Development to enter into professional service agreements which they have to do from time to time during the interim so they can get engineering and other services moving along on their Economic Development Projects. This has been approved at First Reading already...?

Kristine Georges: Yes.

Todd Glass: And by motion would be to approve Ordinance 2017-30 on Second and Third Readings today.

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

Bob Johnson: I make a motion to approve Ordinance 2017-30 adopting the Purchasing Policy for the procurement of goods, equipment, goods, materials, services Second and Third Reading.

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).

Todd Glass: Thank you.

(Ordinance 2017-30, Procurement Policy Update, is located on Pages 20 through 25 of these Official Minutes)

MEDICAL INSURANCE FOR RETIRED WARRICK COUNTY EMPLOYEES
ORDINANCE 2017-31 PASSAGE

Todd Glass: Then we move on to the Ordinance 2017...?

Kristine Georges: '31.

Todd Glass: '31, thank you.

Kristine Georges: Um hum.

Todd Glass: An Ordinance amending Section 31.07 of the Code of Ordinances of Warrick County. And this, Mr. President, you'll remember, was an amendment to the medical insurance for retired County employees, chapter of the Code of Ordinances. I believe all Commissioners have reviewed this. It was approved on First Reading at the last meeting and specifically provides for penalties for late payment of retiree health insurance premiums and the ability to

section, Subsection 4, of Chapter 31.07 and we reorganized the entire chapter so it read better for the employees of Warrick County. That'd be Ordinance 2017-31 an Ordinance amending Section 31.07 of the Code of Ordinances, providing for the non-payment provisions to be added to the retiree health insurance and that's been approved by the Commissioners already on First Reading.

Marlin Weisheit: So, we need a motion for Second and Third Readings?

Todd Glass: Correct.

Dan Saylor: I make a motion for the providing the medical insurance for retirees, Second and Third Readings, amending the late payment structure.

Todd Glass: Ordinance 2017-31.

Dan Saylor: Thank you.

Bob Johnson: 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).

Todd Glass: Thank you.

(Ordinance 2017-31 is located on Pages 26 through 27 of these Official Minutes)

ORDINANCE CREATING WARRICK COUNTY TOURISM COMMISSION ORDINANCE 2017-33 FIRST READING

Todd Glass: Then, Mr. President, we go on to considering on First Reading, an Ordinance amending the Code of Ordinances and establishing a Warrick County Board of Tourism, somewhere. There it is. Ordinance, proposed Ordinance 2017 dash '30…?

Roger Emmons: '33.

Kristine Georges: '33

Todd Glass: '33, we skipped '32. And, Mr. President, the, the version of it submitted to you prior to the holiday, had a few changes from your prior, in fact I have updated versions, of course. This establishes the Warrick County Tourism Commission. This is still subject to your ultimate approval. Of course, Commissioners, but after further thought, we felt that the nomination process was a bit problematic. This proposal for your consideration allows the Board of Commissioners four (4) appointees. The County Council three (3) appointees. The City of Boonville, one (1) and the Town of Newburgh, one (1). It provides for the nominations be submitted to the Commissioners by January 1st of each year. After compliance approval, the Commissioners appoint the Board by the 15th of January of each year. We have various requirements for membership that the Board of Commissioners is responsible to see that those are followed. Terms are two (2) years by Statute. So the first Board would have five (5) members on two (2) year terms and four (4) members at one (1) year terms so we can alternate them. We upped the limit of terms to four (4) so they could serve eight (8) years like we had originally had planned. Various powers of the Commission to enter into contracts for professional services, promotion, and marketing services and being able to work with their tourism fund that the Council has created. We have reports, quarterly reports that they would bring to the Board of Commissioners every quarter. And the awarding of grants to help area non-profits. Everything's in here, I believe, Mr. President, that we were looking for based upon our prior meetings. Except we had some changes in the number of appointees to the Commissioners and two (2) year terms since your last huddle on the topic.

Marlin Weisheit: Looks good.

Todd Glass: I think I told Sherry Sherman with the Chamber that this very likely is not perfect inclusion of everything needed for the Tourism Commission, but it's very close. We can certainly, after the Commission starts meeting next year, probably identify fixes or improvements to the Ordinances, which the Board can certainly do. But if you believe this is a, a good start, then you may approve by motion Ordinance 2017-33, an Ordinance establishing the Warrick County Tourism Commission upon First Reading.

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

Bob Johnson: I make a motion to approve Ordinance 2017-33, Ordinance creating the Warrick County Tourism Commission on First Reading.

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).

Todd Glass: What's, thank you, Mr. President.

ADDITIONAL UPDATES AND AMENDMENTS TO EMPLOYEE HANDBOOK

Todd Glass: What's your favor regarding Employee Handbook updates? Do you think the Board is had a time to, a chance to look through those yet?

Roger Emmons: I would say the ones you did on vacation where you took out that added language, it looks good. It's back to the way it was.

Todd Glass: We did correct some amendments.

Roger Emmons: Bobby had some of the other issues, I believe.

Todd Glass: Um hum.

Bobby Howard: Yeah, you corrected those as well.

Todd Glass: Overtime.

Marlin Weisheit: You okay with it now, Bobby. You think everything works?

Todd Glass: Not, not to be secretive about it, it's just that there's a large number of small edits and improvements to the Employee Handbook throughout the policy. A variety of things including overtime and comp time policies to make them compliant with actual practice. And various other improvements that have been identified by Roger and myself and the Board in the course of the last several months. If you want to approve those by motion, then certainly Roger, I'll help Roger get the word out to the employees what those changes are.

Roger Emmons: Thanks, Todd.

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

Dan Saylor: I make a motion to approve the additional updates and amendments to the Employee Handbook tabled from 11-13 (2017) meeting.

Bob Johnson: 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).

Todd Glass: Thank you.

BULK FORM ACCESS FOR WARRICK COUNTY RECORDER DOCUMENTS ORDINANCE 2017-34 FIRST READING.

Todd Glass: One (1) more thing, Mr. President, and, and I don't know if County Recorder, Pat Brooks, would wanna come forward and talk about the Bulk Form Access Ordinance. This is a proposed Ordinance amending the Code of Ordinances of Warrick County to add a new section to the Code of Ordinances for Bulk Form Access to County Recorder Documents. And I appreciate Recorder Brooks bringing this to our attention. It is something that the County does need in its Code of Ordinances. I remember a few years ago we were embroiled in a large lawsuit, class action lawsuit involving this sort of thing and I'll hand it over to Pat to explain where this is coming from. Cause she did a lot of the legwork.

Pat Brooks: Pat Brooks, Warrick County Recorder. This is something that we need to have in place for protection of the County. Now we're getting requests from other title companies and plants. Now what we have to be careful with is, I was asked to serve as a State Officer for the Recorder's Association, and in doing research on this, we wanted to come up with something that was Statewide where all the Recorders are using basically the same document. And that's what, this proposal came down from the President, from an Indianapolis attorney that he used and a couple of things they corrected. I like what they did with the watermark. This is bulk mailing. Now we're allowed to charge according to state law ten cents ($0.10) per page to a maximum of twenty cents ($0.20) per page. What has happened is there have been different companies come in, and I feel they're taking advantage of the taxpayers in the County. They come in, they have been taking documents, and then they turn around and put them online and resell them at more money than the County does cause they have bigger commercials and promotions. This simply says that they cannot resell any of our documents. If they do it in any other County and they're caught reselling our documents, then we can cut them off, even though they haven't done it to us. This is State-wide and all the Recorders were going forward with this to get it signed and in place. I'm getting requests from my other companies that want our information. Well, as long as they want to use it for their private business, they cannot turn around and sell it or do something of that nature. Because it costs the taxpayer money. Now I would like to, I have to do a study, a five (5) year study, to determine, what's the maximum amount we can charge. I do not have that completed yet. So we will have to charge the State minimum which is ten cents ($0.10) a page and I would, most of the other Counties, well, some of the other Counties are charging fifteen cent ($0.15) per page. And we can do that, if I substantiate with the cost. And that's quite a research project. A couple of them have professional companies come in and it cost them several thousand dollars to do it. I can get it done, but it won't be immediately. But anyway, this I'd like to see and have in place to protect the County from anybody trying to sell our information out.

Todd Glass: I would mention, Mr. President, we worked on a proposed bulk form contract that would be used in each of these circumstances.

Pat Brooks: That's correct.

Todd Glass: The only thing I draw your attention to is whether or not under Subsection F, you want to authorize the Recorder to enter into these contracts or you want to authorize the Recorder to recommend these contracts and bring them to you for entering into. That's one (1) thing, Pat, that we didn't get to talk about a lot.

Pat Brooks: Yeah, that's true.

Todd Glass: But one (1) thing the Commissioners might want to do is actually approve the contracts. But if the Recorder is recommending the contract, that means the Recorder is vetted and prepared the contract for that particular vendor in that he or she is recommending the Board approve the contract.

Pat Brooks: Yeah, several different companies use them for their own, private, and they're not reselling them. I wish we didn't have to sell our documents out on bulk at all. I'd like them to go through the office and where they pay in order to keep the Perpetuation Fund at a good level. But it says, shall, so we must, and we do need the Resolution in place so that, and usually it's like signing up people who use Laredo and I'll do whatever the Commissioners want. But as the requests come in, if I don't hear anything from any of the other Counties, I would sign them up for the bulk issuance.

Todd Glass: And they way I have the, the, the proposed contract that we'll be using, is that the County Recorder also signs a contract but she brings it to the Board of Commissioners for approval.

Pat Brooks: And that's fine with me.

Marlin Weisheit: I like that.

Bob Johnson: Yep.

Marlin Weisheit: Alrighty.

Todd Glass: If, I do need to fix this version right here with the actual section numbers but it would be proposed Ordinance 2017-34...?

Kristine Georges: '34, yes.

Todd Glass: An Ordinance amending the Code of Ordinances of Warrick County to provide for a bulk form access to Recorder documents available to be approved by motion on First Reading.

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

Bob Johnson: Make a motion to approve Ordinance 2017-34, Ordinance amending the Code of Ordinances for Warrick County, Indiana bulk form access to County Recorder documents on First Reading.

Dan Saylor: Second.

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

Dan Saylor: Aye.

Bob Johnson: Aye.

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

Pat Brooks: Thank you very much.

Marlin Weisheit: Thank you.

Pat Brooks: Appreciate it.

Todd Glass: Mr. President, did I mention I have versions of all these Ordinances available for anybody that would like to have a copy of them. I can certainly provide them.

Marlin Weisheit: Thank you.

Todd Glass: And I'll make sure Roger has all the correct versions.

Roger Emmons: Do you have originals on all the ones they approved Second and Third today for their signatures?

Todd Glass: Yes.

Roger Emmons: Okay, thank you.

DISPUTE WITH TOWN OF NEWBURGH OVER OAK GROVE ROAD

Todd Glass: Lastly, one (1) thing that has just come up since the agenda finalized, was a pending dispute with the Town of Newburgh regarding Oak Grove, is that Phase III, Bobby?

Bobby Howard: Yes.

Todd Glass: And I know the Commissioners are familiar with it. I've been communicating with the legal Counsel for the Town of Newburgh regarding this dispute, Mr. President, submitted it to them a proposed offer of settlement as authorized by the Board last week. They met on Wednesday, I believe. And tentatively agreed and signed the work plan conditioned upon reaching an agreement with the County on a few remaining issues. That would be the amount the County would reimburse the Town of Newburgh for some of these conflict areas on the relocation of the utility easement. They also have a couple other issues regarding 7722 Oak Grove Road's lateral. And, and we have a few things to investigate a little farther, Mr. President. I believe Mr. Howard could provide some input also but I believe the Town is looking for the Board of Commissioners to authorize perhaps myself and Mr. Howard to finalize that agreement post haste, as soon as possible.

Marlin Weisheit: Does anybody have any questions? If not, I think that a right answer there. We're getting close. We don't want to jeopardize the Federal Aid Project down there, but we do need to settle that conflict. So if we could just authorize, I guess we'd make a motion to authorize our Counsel and County Engineer to resolve that with Newburgh, not to exceed a certain amount. Would that work? Or do you want to put a dollar on it, Bobby? Would it make it easier for you if we say not to exceed the three hundred thousand dollars ($300,000.00)?

Bobby Howard: That's what they're requesting.

Marlin Weisheit: That's what they're requesting?

Bobby Howard: Yeah.

Dan Saylor: Is that going to include the 7722 Oak Grove Road?

Bobby Howard: No, that's a separate item. I believe that's the...

Roger Emmons: Northcraft home.

Bobby Howard: The Northcraft home that will be demolished.

Roger Emmons: Will be demolished. That's what we've heard.

Bobby Howard: And I believe we have asked, they didn't show putting a new sewer tap back to the residence and I think that we asked that the sewer tap be included in the relocated cost.

Marlin Weisheit: Yeah. Probably should be if that's a usable lot.

Bobby Howard: It will be.

Marlin Weisheit: I'd entertain that motion. That would allow them to go ahead if you guys are okay with it.

Todd Glass: Mr., Mr. President, I would mention that the motion would be to perhaps authorize Counsel and Mr. Howard to finalize the discussion with Newburgh as to the final terms of the agreement. And as so, notify the Board.

Marlin Weisheit: Sounds good. Is everybody okay with that?

Dan Saylor: I'm okay.

Bob Johnson: Yeah.

Marlin Weisheit: I'd entertain that motion myself then. I make a motion for Legal Counsel and Mr. Howard to work with Newburgh and come to an agreement and let us know.

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.

Todd Glass: Nothing further.

COUNTY AUDITOR CERTIFIED CLAIMS

Marlin Weisheit: Okay, County Auditor, Claims.

Debbie Stevens: Alright. I have Certified Claims in the total amount of six million six thousand nine hundred twenty-five dollars and sixty-three cents ($6,006,925.63) and that does include two (2) advance draws for settlement. One (1) for the School Corporation and one (1) for Ohio Township Library.

Bob Johnson: 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 Claims are on Pages 27 through 28 of these Official Minutes)

NON-CERTIFIED CLAIMS

Debbie Stevens: Okay, just a few Non-Certifieds that you're aware of. We have Centric Technologies for two hundred and fifty-five dollars ($255.00). There's no contract or quotes for that particular Claim. That's for the Sheriff's Department. And then we have a First Bankcard, credit card purchases. There is a seventeen dollars and twenty-one cent ($17.21) interest charge and Brita water filters. There's a credit card purchase for Brita water filters of, I had it here, it looks like nineteen dollars ($19.00). And then there's another we may need to have a little discussion on. This is, this is vector control contract. Contracted services for the Health Department. There was a Claim submitted to our department on November 13th. It was for five (5) days service. We do have a contract that has a clause for termination of contract. And no clause for a pro-rated, for pro-rated services. However the Claim is for a pro-rated five (5) days, but at the rate of twelve hundred dollars ($1,200.00). I made a recommendation for a very simplistic way to pro-rate if you choose to approve that.

Marlin Weisheit: Anybody have any other questions or concerns about that one (1)? That was the Health Department, the last one (1)?

Debbie Stevens: Yes.

Dan Saylor: So, Debbie, I guess I'm not understanding this. You've made the recommendation to pay six hundred dollars ($600.00) and not the twelve hundred dollars ($1,200.00)? Is that…?

Debbie Stevens: Rather than the twelve hundred dollars ($1,200.00), only if you approve. This of course would be outside the realms of the contract because there's no contractual agreement…

Roger Emmons: Other than the twenty-four hundred ($2,400.00) a month.

Debbie Stevens: Correct.

Roger Emmons: But she's not worked but only five (5) days.

Debbie Stevens: Five (5) days, so a very simple calculation might be to say, if you choose to approve a pro-rated. That would be up to you. It would be outside of contractual agreement. Use a pro-rated formula of twenty (20) work days per month and that calculates to a hundred and twenty…twenty dollars ($120.00) a day.

Marlin Weisheit: I know Aaron came up and explained it to me, because he said that there was, there's really no set days on it. It's just an amount of work they do. If, he calculated it to twelve hundred dollars ($1,200.00) because they, they got that much work done. So, I mean, that, that was his call on it. That's why he put in the Claim for twelve hundred dollars ($1,200.00) to finish out her contract. Is that the way you understood it, Roger?

Roger Emmons: Yes.

Marlin Weisheit: So.

Bob Johnson: So, it really doesn't matter how many days the work in a given month, it's a monthly contract for whatever, just for their services.

Marlin Weisheit: Yeah. They was finishing it out he said. That was his call.

Bob Johnson: I don't know.

Dan Saylor: So, if we only approve the, I mean what happens if we don't certify this?

Debbie Stevens: You could approve each Claim individually.

Marlin Weisheit: Yep.

Debbie Stevens: Or disapprove. Whatever you choose.

Marlin Weisheit: It will come back of course. I mean I just feel like that's Aaron's budget, that's what he put in for. So, he's finishing out a contract there for mosquito control. I know he gets a lot of State funding for it through that. They purchased a truck this year. So I don't…

Roger Emmons: Well, the, her contract also covered septic issues as well.

Marlin Weisheit: Okay.

Dan Saylor: So you guys feel, you guys, I've not been privy to this. So you've been, you feel comfortable with this.

Marlin Weisheit: I do. I do. I mean I think we're going to have to pay it. It, it's the agreement had with the contractor.

Roger Emmons: It would be good if Aaron could document the fact that in five (5) days she was able to do half a month's work. But I understand with, it depends on how many septic permits they have to go and inspect. You know, field beds and all that. Not to mention the vector control issues, which is their main contractual service. But, I agree with Marlin (inaudible).

Marlin Weisheit: You know, Aaron works for the Health Board, that is his, you know, government body over him. I mean we make appointments there, but we don't have direct control over him. I keep having to stress that to folks. He actually has a Health Board he has to be responsible to, you know, and maintain his budget.

Roger Emmons: Debbie, is this out of that Local Health Maintenance?

Debbie Stevens: It is 1206 and it is, yeah, Local Health, Health Department.

Roger Emmons: Okay.

Bob Johnson: We need a motion?

Marlin Weisheit: Um hum. Motion to pay the Claims.

Bob Johnson: 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 (3-0).

Debbie Stevens: Thank you. That's all I have.

Marlin Weisheit: Thank you.

(Non-Certified Claims are located on Page 29 of these Official Minutes)

COUNTY ENGINEER/HIGHWAY

Marlin Weisheit: County Highway and Engineer.

Bobby Howard: I have nothing today.

Marlin Weisheit: Okay.

COUNTY PURCHASING

Marlin Weisheit: And I don't see our Purchasing Director, I think he's on vacation.

COUNTY SHERIFF

Marlin Weisheit: I don't see the Sheriff.

COMMISSIONER ITEMS FOR DISCUSSION

Marlin Weisheit: Commissioner Johnson, do you have anything?

Bob Johnson: Nothing, Sir.

Marlin Weisheit: Commissioner Saylor?

Dan Saylor: No, Sir.

Marlin Weisheit: And I do not either. Ask for one (1) more motion.

Dan Saylor: I make a motion to adjourn.

Bob Johnson: Second.

Marlin Weisheit: All in favor?

Dan Saylor: Aye.

Marlin Weisheit: Aye.

Bob Johnson: Aye. (Motion carried 3-0).

Marlin Weisheit: Meeting adjourned.

ADJOURNMENT: Meeting adjourned at 1:07 PM.

WARRICK COUNTY BOARD OF COMMISSIONERS

MARLIN WEISHEIT, PRESIDENT

DAN SAYLOR, VICE PRESIDENT

ROBERT JOHNSON, JR., MEMBER

ATTEST:

DEBORAH K. STEVENS, AUDITOR
WARRICK COUNTY, INDIANA

Minutes transcribed by Kristine Georges

Ordinance No. 2017-32

AN ORDINANCE TO VACATE PUBLIC WAYS WITHIN WARRICK COUNTY, INDIANA:

BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana, as follows, to-wit:

Section I. A verified petition was presented to the Board of Commissioners of Warrick County requesting that the aforesaid Public Way be vacated.

Section II. That after due and proper notice a timely public hearing was convened by the Board of Commissioners, at which time all interested persons were permitted to address regarding said vacation.

Section III. That the Board of Commissioners of Warrick County, after due investigation and consideration has determined that the nature and extent of public use and the public interest to be observed is such as to warrant the vacation of that part of the public ways or public places described as follows, and further described with the drawing hereto attached, which is made a part of this Ordinance

All of the Lake Maintenance and Storm Drainage Easement (LMSDE) platted on Lot 2 of Grimm Road Commercial, as per plat thereof, recorded as Doc. No. 2000R-007044 in the office of the Recorder of Warrick County, Indiana now being part of Lot 18 and the public right of way in Gateway Business Park Section 1, as per plat thereof, recorded in Doc. No. 2012R-003643 in said office of the Recorder and also being part of Lot 1 in Gateway Business Park Section 2, as per plat thereof, recorded in Doc. No. 2017R-005370 in said office of the Recorder, lying in Ohio Township, Warrick County, Indiana, being more particularly described as follows:

Commencing at a corner of said Lot 18, said corner also being the Northeast corner of Lot 1 in Grimm Road Commercial, as per plat thereof, recorded in Doc. No. 2000R-007044 in said office of the Recorder; thence along the north line of said Lot 1, also being a line of said Lot 18, North 89 degress 28 minutes 56 seconds West 12.00 feet to a point on the west line of an existing 12 foot R.P.U.E.; thence along said west line, North 00 degrees 31 minutes 49 seconds East 30.00 feet to the point of beginning; thence North 89 degrees 28 minutes 56 seconds West 46.75 feet; thence North 00 degrees 31 minutes 49 seconds East 267.00 feet; thence South 89 degrees 28 minutes 56 seconds East 59.75 feet to a point on the former east line of said Lot 2, now being a point on the west line of Eastgate Court; thence along the west line thereof, South 00 degrees 31 minutes 49 seconds West 30.00 feet; thence North 89 degrees 28 minutes 56 seconds West 12.00 feet to a point on the west line of an existing platted 12 foot R.P.U.E.; thence along said west line, South 00 degrees 31 minutes 49 seconds West 237.00 feet to the point of beginning containing 0.29 acres (12,842 sq.ft.).

See Exhibit "A" for Exhibit of Areas being vacated.

Therefore, the Board of Commissioners of Warrick County, Indiana, does hereby find that the portions of the above described Public Ways are no longer required for public use and the public interest will be served by such vacation, and the Board of Commissioners of Warrick County does hereby vacate the Public Ways described in Section III above subject to the terms and conditions as stated in this Ordinance.

Board of Commissioners for Warrick County

President

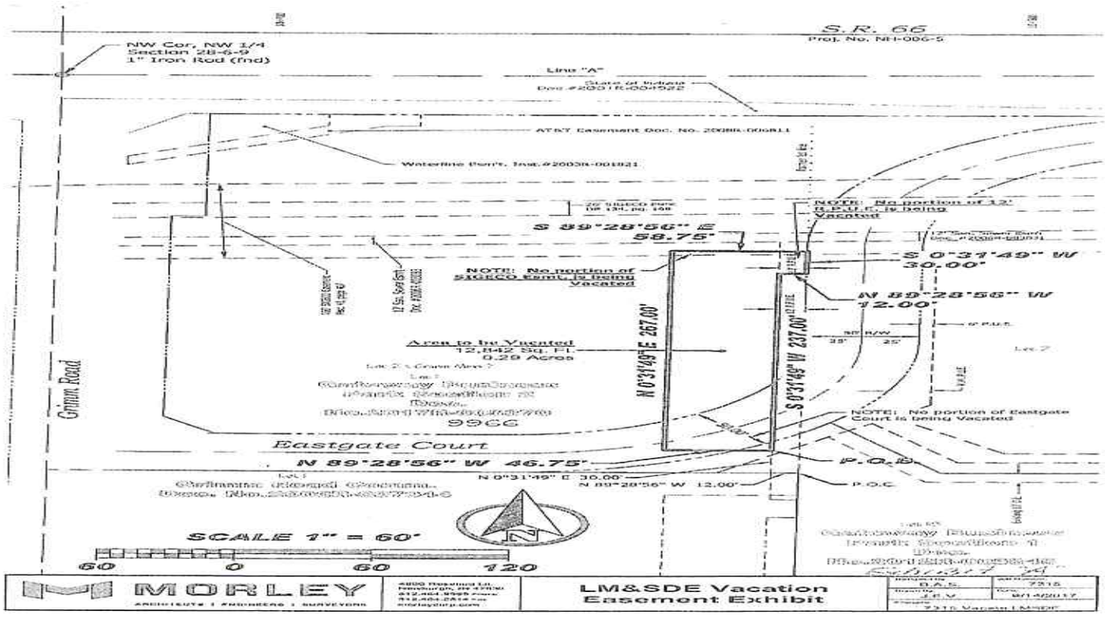
Vice-President

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.

Bob Zimmerstein



Lexington Subdivision

BOARD OF COMMISSIONERS:

Merlin Weisheit

Dan Seyler

Bob Johnson

ATTEST:

Auditor

Date: 11/27/17

FILED
NOV 07 2017
SURVEYOR, WARRICK COUNTY IN.

ANDY EASLEY ENGINEERING, INC.
1133 WEST HILL ROAD
EVANSVILLE, INDIANA 47710
TELEPHONE (812) 428-2461
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E-MAIL: easley@evansville.net
www.easleyengineering.com

CIVIL ENGINEERS
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INDIANA • KENTUCKY • ILLINOIS

FILED
NOV 07 2017
WARRICK COUNTY
AREA PLAN COMMISSION

November 6, 2017

CERTIFICATE OF COMPLETION STREETS

Lexington Subdivision Planned Residential Unit Development – revised quantities to reflect new subdivisions with the original.

Ohio Township, Warrick County, Indiana

This is to certify that all basic street improvements have been installed in subject subdivision with the exception of cleaning the road, applying tack coat and the final 1-1/2" surface course of asphalt and any required binder repair for that portion of the roadways listed below. The square footage or linear footage and the associated dollar value for these items are as follow:

NO.	DESCRIPTION	QUANTITY	UNIT PRICE	EXT.
1.	Sable Ridge -northern portion	1143.62 L.F.	$20.00/LF.	$22,872.40
2.	Ashford Drive	1009.33 L.F.	$20.00/L.F.	$20,186.60
3.	Lenox Drive	400.06 L.F.	$20.00/S.F.	$8,001.20
4.	Essex Drive	434.60 L.F.	$20.00/L.F.	$8,692.00
5.	Ashley Drive	434.21 L.F.	$20.00/L.F.	$8,684.20
6.	Thornbury Circle	65.0 L.F.	$20.00/L.F.	$1,300.00
6.	Ashford Circle (formerly eastern portion of Thornbury Circle)	69.5 L.F.	$20.00/L.F.	$1,390.00
8.	St. Clare	602.00 L.F.	$20.00/L.F.	$12,040.00

In addition the following linear feet of roadway have had NO construction and require a total installation for completion:

9.	Tapers	667.7 L.F.	$50.00/L.F.	$33,385.00
10.	Sable Ridge	33.5 L.F.	$100.00/L.F.	$3,350.00
11.	Thornbury Circle	49.02 L.F.	$100.00/L.F.	$4,902.00
12.	Ashford Circle (formerly eastern portion of Thornbury Circle)	76.08 L.F.	$100.00/L.F.	$7,608.00
14.	Striping and Signs (this includes stop and street signs for Lexington Estates, but not Lexington Village II)		Lump Sum	$3,700.00
15.	Contingency	15%	$20,416.71	$20,416.71

156,528.11

Total $156,528.11

FILED
NOV 07 2017
WARRICK COUNTY
AREA PLAN COMMISSION

First Federal Savings Bank requests to establish a letter of credit to complete the above listed items.

ANTHONY DEAN WILSON
REGISTERED
No. 21442
STATE OF INDIANA
PROFESSIONAL ENGINEER

Anthony D. Wilson, P.E.
Indiana Registration No. 21442

ANDY EASLEY ENGINEERING, INC.
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FILED
NOV 07 2017
WARRICK COUNTY
AREA PLAN COMMISSION

November 6, 2017

CERTIFICATE OF COMPLETION
STORM DRAINAGE SYSTEM

Lexington Subdivision Planned Residential Unit Development – revised quantities to reflect new subdivisions with the original.

Ohio Township, Warrick County, Indiana

This is to certify that all basic storm drainage system improvements have been installed in subject subdivision with the exception of those items listed below. The associated items, linear footage and dollar value for said items are as follow:

NO.	DESCRIPTION	QUANTITY	UNIT PRICE	EXT.
1.	Erosion Control L.S.	L.S.	$1,500.00	$1,500.00
2.	Contingency	15 %	$225.00	$225.00
			TOTAL	$1725.00

First Federal Savings Bank requests to establish a letter of credit to complete the above listed items.

ANTHONY DEAN WILSON
REGISTERED
No. 21442
STATE OF INDIANA
PROFESSIONAL ENGINEER

Anthony D. Wilson, P.E.
Indiana Registration No. 21442

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FILED
NOV 07 2017
WARRICK COUNTY
AREA PLAN COMMISSION

November 6, 2017

CERTIFICATE OF COMPLETION
SIDEWALKS

Lexington Subdivision Planned Residential Unit Development – revised quantities
Ohio Township, Warrick County, Indiana

This is to certify that the following amount of sidewalk remains to be installed.

DESCRIPTION	QUANTITY	UNIT PRICE	EXT.
4" x 4' Conc. Walks	3,100.08 L.F.	$12.00	$37,200.96

First Federal Savings Bank requests to establish a letter of credit to complete the above listed items.

ANTHONY DEAN WILSON
REGISTERED
No. 21442
STATE OF INDIANA
PROFESSIONAL ENGINEER

Anthony D. Wilson, P.E.
Indiana Registration No. 21442

F:\PROJECTS\WPDOCS\10076-LEXINGTON SUB REVISED LOC.odt

CASH WAGGNER & ASSOCIATES, PC
CONSULTING ENGINEERS • LAND SURVEYORS

FILED
NOV 13 2017
WARRICK COUNTY
AREA PLAN COMMISSION

November 10, 2017

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

RE: Huntington Creek – Section "B"
Sidewalk Certification
Project No.: 17-3136

A portion of the sidewalks within Huntington Creek – Section "B" have been constructed.

Sidewalks remaining to be completed are located on Lots 17, 35, 36, 47, 48, 49, 50 and 51:

1. 848-LF of 4' Concrete Sidewalk @ $12/LF - $10,176.00

10% Contingency - $1,017.60

Total Cost to Complete Sidewalk Construction = $11,193.60

We ask that the letter of credit be reduced to the amount listed above and an extension granted to extend the letter of credit for one year to complete the above listed items.

If you have any questions or require additional information, please contact our office.

Sincerely,

Glen Meritt, Jr.
Project Engineer

cc: File

T:\3136\SIDEWALK CERT Ltr Huntington.docx

BOARD OF COMMISSIONERS:

Marlin Weisheit

Dan Saylor

Bob Johnson

ATTEST:

Auditor
Date: 11/27/17

414 STAGEL CIRCLE, SUITE B
EVANSVILLE, IN 47715

PH: 812.401.5561
FAX: 812.401.5563

ORDINANCE 2017-30

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, AMENDING THE PURCHASING POLICY FOR THE PROCUREMENT OF EQUIPMENT, GOODS, MATERIALS AND SERVICES

WHEREAS, Warrick County and its various offices and departments from time to time accept funding from various sources, including the Federal Government; and

WHEREAS, certain entities, including Warrick County, that accept funding from the Federal Government must adopt a purchasing policy regarding the procurement of goods, materials and services in accordance with Title 2, Part 200 of the Code of Federal Regulations; and

WHEREAS, Warrick County desires to adopt a such a purchasing and procurement policy in accordance with the Code of Federal Regulations to govern Warrick County's procurement of goods, materials and services; and

WHEREAS, the Warrick County Board of Commissioners find that it is in the best interest of the residents of Warrick County to establish a purchasing policy to comply with Federal regulations and to promote economic efficiency and continuity in purchasing; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, THAT:

Section 31.08 of the Code of Ordinances of Warrick County, Indiana, is hereby amended in its entirety as follows:

§ 31.08 PURCHASING POLICY FOR THE PROCUREMENT OF EQUIPMENT, GOODS, MATERIALS AND SERVICES.

(A) *Introduction.*

This chapter outlines the Warrick County purchasing policy for the procurement of equipment, goods, materials and services. This chapter does not apply to public works as defined in IC 36-1-12 *et seq.* It follows state purchasing laws but may be stricter than the state law at the discretion of the Warrick County Board of Commissioners. IC 5-22-3-3 states: "The purchasing agency of a governmental body may establish written policies for purchases made by the purchasing agency. The written policies may apply to all purchases generally or to a specific purchase as stated in the solicitation for the purchase." A written policy may supplement this article or a rule adopted by the purchasing agency's governmental body and not be inconsistent with this article or a rule adopted by the purchasing agency's governmental body. The

purchasing agent as herein defined shall purchase the equipment, goods, materials and services for all Warrick County departments and offices.

(B) *Authority and Definitions.*

(1) The provisions herein are to be construed consistent with the provisions of IC 5-22.

(2) The definitions in IC 5-22 shall apply herein unless the context clearly indicates otherwise. Below are some definitions found within this policy.

(i) **EQUIPMENT** shall mean any articles or physical resources needed by employees of Warrick County to equip them to perform their job requirements, such as implements, motorized vehicles and tools, and electronic and computerized devices.

(ii) **GOODS and MATERIALS** shall both mean any tangible item not otherwise equipment that are needed by employees of Warrick County to perform their job requirements.

(iii) **MBE** shall mean a minority business enterprise.

(iv) **WBE** shall mean a woman business enterprise.

(v) **PURCHASE** shall mean to buy, procure, rent, lease, or otherwise acquire. The term includes the following activities: description of requirements; solicitation or selection of sources; preparation; and award of contracts.

(vi) **PURCHASING AGENCY** shall mean a governmental body that is authorized to enter into contracts by this article, rules adopted under this article, or by another law. This shall mean the Warrick County Board of Commissioners.

(vii) **EMERGENCY** shall mean a situation, which threatens injury or death to any person, damage to property or disruption of governmental services.

(viii) **PURCHASING AGENT** shall mean the Warrick County Purchasing Department.

(ix) **SUPPLIES** shall include equipment, goods and materials.

(x) **SERVICES** shall mean the furnishing of labor, time, or effort by a person, not involving the delivery of specific supplies, other than printed documents or other items that are merely incidental to the required performance.

(xi) **SOLICITATION** shall mean the procedure by which Warrick County invites persons to submit an offer to enter into a contract with Warrick County for the purchase or sale

of supplies by Warrick County, including invitation for bids, a request for proposals and request for quotes.

(xii) **SPECIFICATIONS** shall mean a description of the physical characteristics, functional characteristics, or nature of materials, and may include a description of a requirement for inspecting, testing, or preparing materials for delivery.

(xiii) **POLICY** shall mean the Purchasing Agency's or Purchasing Agent's written statement of: (a) purchasing procedure; or (b) substantive purchasing purposes; that does not have the force and effect of law.

(xiv) **OFFER** shall mean a response to a solicitation.

(xv) **OFFEROR** shall mean a person that submits an offer.

(3) This document is not intended to be a complete listing of authority and procedure under IC 5-22. Any power or authority delineated in IC 5-22 is hereby incorporated herein as a discretionary power of the Purchasing Agency or Purchasing Agent.

(C) *Competitive Bids, Quotes and Price Checks.*

(1) Purchases less than Fifty Thousand Dollars ($50,0000) [IC 5-22-8-2]:

(a) Purchases less than Fifty Thousand Dollars ($50,000.00) require at least three (3) informal verbal or written quotes, including those written quotes received via email and fax, to be submitted directly to the Purchasing Agent. Quotes may be opened at the Warrick County Board of Commissioners' meeting or may be opened by the Purchasing Agent in the discretion of the Purchasing Agent.

(b) In conjunction with the quote, the Purchasing Agency may require a vendor to provide the following documentation: non-collusion affidavit; equal employment opportunity statement; form of proposal; E-verification documentation; and an acceptance and agreement of terms. The person obtaining the quotes shall record the item quoted, date, vendor, price and name of the person giving the quote. IC 5-22-7-9. A bid register may be used to record such information. The information required above shall be attached to the requisition. The Purchasing Agent shall keep a copy of the requisition and attachments for no less than two (2) years.

(c) The invitation to quote may provide for the recurring purchase of goods, materials, equipment and other supplies governed by IC 5-22.

(d) The Purchasing Agency, in its discretion, may award a quote that is not the lowest amount, taking into consideration what is advantageous to Warrick County, by taking into consideration factors such as: price, quality of service, vendor's

qualifications and reputation and any other factors it wishes to consider. The Warrick County Board of Commissioners will select the quote it feels will best serve and be in the best interest of Warrick County.

(e) The Purchasing Agency may cancel an invitation to quote and may reject all bids for any reason. If there are no responsive or responsible offerors, the Purchasing Agent may purchase the items without further bidding under IC 5-22-10-10.

(2) Purchases equal to or more than Fifty Thousand Dollars ($50,000.00) and equal to or less than One Hundred Fifty Thousand Dollars ($150,000.00) [IC 5-22-8-3]:

(a) Purchases ranging from Fifty Thousand Dollars ($50,000.00) to One Hundred Fifty Thousand Dollars ($150,000.00) will be procured through an informal quote method. Quotes shall be solicited from at least three (3) suppliers known to deal in the lines or classes of supplies to be purchased. In conjunction with the quote, the Purchasing Agency may require a vendor to provide the following documentation: non-collusion affidavit; equal employment opportunity statement; form of proposal; E-verification documentation; and an acceptance and agreement of terms. The person obtaining the quotes shall record the item quoted, date, vendor, price and name of the person giving the quote. A bid register may be used to record such information. The information required above shall be attached to the requisition. The Purchasing Agent shall keep a copy of the requisition and attachments for no less than two (2) years.

(b) The Purchasing Agent shall mail an invitation to quote at least seven (7) days before the time fixed for receiving quotes [IC 5-22-8-3]. The lowest responsible and responsive offeror shall be awarded the contract for supplies. The Purchasing Agent may reject all quotes. If there are no responsive or responsible offerors, the Purchasing Agent may purchase the items without further bidding under IC 5-22-10-10.

(3) Purchases more than One Hundred Fifty Thousand Dollars ($150,000.00) [IC 5-22-7]:

(a) Formal competitive bidding is required.

(b) Legal Advertising is required. The notice shall be published two (2) times, at least one (1) week apart, with the second publication made at least seven (7) days before the date the bids will be opened [IC 5-3-1].

(c) Bids are to be opened at the Warrick County Board of Commissioners' meeting or at another authorized public forum.

(D) *Miscellaneous Provisions.*

(1) State bid:

Departments must refer to the State Bid List when applicable on all items exceeding One Thousand Dollars ($1,000.00). Purchases do not have to be made from the State Bid List if better pricing can be obtained or if the State does not offer the product needed.

(2) Supplies manufactured in the United States:

(a) Pursuant to IC 5-22-15-21, supplies manufactured in the United States shall be specified and purchased unless the Purchasing Agent determines that any of the following apply:

(i) The supplies are not manufactured in the United States in reasonable available quantities;

(ii) The price of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured outside the United States;

(iii) The quality of the supplies is substantially less than the quality of comparably priced available supplies manufactured outside the United States;

(iv) The purchase of supplies manufactured in the United States is not in the public's best interest; or

(v) The Purchasing Agent decides to cancel the solicitation for any reason.

(3) Faxed quotes, price checks, and bids:

(a) Faxed or E-MAILED offers may be considered for price checks or informal quotes. Fax or E-MAIL documents must contain all the requested forms and information set forth by the Purchasing Agent. The Offeror assumes the risk of malfunctioning equipment, or equipment which does not deliver the fax or E-MAIL for any reason. An Offeror shall follow-up the faxed or E-MAILED information by mailing an original document by United States mail on the same date, postage prepaid, as it is faxed or E-MAILED.

(4) All purchasing contracts furnished by the seller shall be submitted to the Warrick County Attorney for review prior to final approval by the Warrick County Board of Commissioners.

(5) Purchasing sources:

(a) The following sources should be contacted before all other sources for purchases of all supplies.

(i) Purchases from the Department of Correction [IC 5-22-11]: A Purchasing Agent shall purchase from the Department of Correction supplies as listed in the department's printed catalog unless the supplies cannot be furnished in a timely manner [IC 5-22-11-1-3]. Supplies and services purchased under this chapter must meet the specifications and needs of the Warrick County and be purchased at a fair market value [IC 5-22-11-2].

(ii) Purchases of rehabilitation center products [IC 5-22-12]: A Purchasing Agent shall comply with the provisions of IC 5-22-12 for purchases of supplies from the rehabilitation center established under IC 5-22-12-1-3. These provisions are the same as the above provisions cited for the Department of Correction.

(iii) Purchases from qualified nonprofit agencies for persons with severe disabilities [IC 5-22-13]: These provisions are the same as the above provisions cited for the Department of Correction.

(iv) Purchases from MBE and WBE vendors. It is the policy of Warrick County to utilize and give equal opportunity to MBE/WBE vendors. Discrimination against any MBE/WBE shall not be tolerated.

(E) *Services.* [IC 5-22-6]

(1) The Purchasing Agent may contract for services to be provided to a department head or office holder using any procedure deemed appropriate [IC 5-22-6-1]. Competitive bidding is not required unless mandated by state or federal law.

(2) Warrick County may advertise and/or solicit competitive quotes for any service at the discretion of the office holder or Purchasing Agent. All contracts for professional services costing One Thousand Five Hundred Dollars ($1,500.00) or more must be in written form and reviewed by the Warrick County Attorney before being brought to the Warrick County Board of Commissioners for approval. A Warrick County office holder or department head shall not sign a professional service agreement without the Warrick County Board of Commissioners' approval, unless otherwise noted below.

(3) Pursuant to IC 5-22-6, the Purchasing Agent may recommend to the Warrick County Board of Commissioners to award a service agreement using any procedure the Board deems appropriate. The quotes will be reviewed and evaluated by the Warrick County Board of Commissioners by taking into consideration factors such as: price, quality of service, vendor's qualification and reputation and any other factor(s) the Warrick County Board of Commissioners wish to consider. The Warrick County Board of Commissioners will select the quote it feels will best serve and be in the best interest of Warrick County.

(4) Economic development projects pursued by the Warrick County Department of Economic Development are exempt from this subsection (E), and are not required to obtain the approval of the Warrick County Board of Commissioners before signing a professional service agreement.

(F) *Lease of Equipment.*

No lease for equipment shall be effective or signed by any office holder or department head without prior approval of the Warrick County Board of Commissioners.

(G) *Specifications of Supplies.* [IC 5-22-5]

(1) Specifications shall be required for every item over Twenty-Five Thousand Dollars ($25,000.00) to be procured hereunder. Specifications for items less than Twenty-Five Thousand Dollars ($25,000.00) may be satisfied by including on the requisition the make, model, serial number, name of the product or a detailed description of the service.

(2) The Purchasing Agency shall maintain an indexed file of specifications prepared by or under the authority of its Purchasing Agent [IC 5-22-5-4].

(3) The Purchasing Agent may proceed under IC 5-22-5-5 for request for specifications when the Purchasing Agent makes a written determination that the development of specifications by Warrick County is not possible, and the Warrick County Board of Commissioners approve the use of IC 5-22-5-5.

(4) All items to be procured shall be F.O.B. Boonville, Indiana, at the location designated in the specifications. Prices must include delivery. No additional monies will be paid for delivery.

(5) All insurance requirements shall be stated in the specifications in addition to whether time of delivery is a consideration of the award.

(6) Specifications must indicate whether the products are manufactured in the United States.

(7) The Specifications shall contain the minimum warranty period required.

(H) *Competitive Bidding – Solicitations.* [IC 5-22-7]

Invitation for bids, request for proposals, and request for quotes.

(1) A solicitation may provide that offers will be received and contracts awarded separately for any combination of lines or classes of supplies.

(2) A solicitation may provide that the Purchasing Agency will award a contract for supplies for an unspecified or estimated number of items at a fixed price per unit and that the contract may contain a formula or method for the escalation of the unit price.

(3) Price. No Offeror or bidder shall be allowed to alter or change his/her quote or bid prior to award to the lowest responsible and responsive bidder. After the award, the lowest responsible and responsive bidder may negotiate terms and conditions, except the bid price, more favorable to Warrick County [IC 5-22-7-11].

(4) Prohibited additions. The Purchasing Agent may not accept additions to the contract that are prejudicial to Warrick County or fair competition [IC 5-22-7-13].

(5) Approved equals. If the specifications so provide, a bidder or quoter may submit a request for an approved equal before the deadline for approved equal submittal as stated in the specifications.

(6) Discrepancies. If there are errors in the bid or quote, the written words shall control over numbers. Errors may be corrected by the Offeror as long the Purchasing Agent determines that such errors were unintentional, do not affect fair competition, and are corrected to the advantage of Warrick County. Unit prices shall prevail over extended prices.

(7) Confidentiality. Offerors may request that certain confidential financial information or proprietary information be kept confidential. The product bid and the price shall in all events be subject to the open record law. If such confidentiality is brought into question in any Court or agency, the Offeror shall defend, indemnify and hold harmless Warrick County in any such proceeding if requested by the Warrick County Attorney and the Purchasing Agent.

(8) Withdrawal of Offers. An Offeror may withdraw his Offer at any time prior to the opening of the Offer. After an Offer is opened at the date and time specified, the Offer may be withdrawn only upon the consent of the Purchasing Agent. The following criteria shall be used to determine whether the Offeror should be allowed to withdraw its offer:

(a) Financial hardship on the Offeror if it is not withdrawn;

(b) Financial hardship on Warrick County if withdrawn;

(c) Availability of the product from another Offeror; and

(d) What is the best interest of Warrick County.

(9) Bid documents. The specifications shall state the documents to be submitted with the Offer. The Purchasing Agent may not allow the Offeror to submit a bid bond or certified check after the Offers are open. Other documents may be supplemented or submitted if the

omission is unintentional, does not affect the price, does not substantially affect the fairness in the bidding process and is approved by the Purchasing Agent.

(10) Cancellation or rejection [IC 5-22-18-2]. The Purchasing Agent may cancel a solicitation or reject all offers, in whole or in part, if the Purchasing Agent determines it is in the best interest(s) of Warrick County. The reason for cancellation or rejection of all offers must be a part of the contract file. Warrick County may temporarily discontinue services, stop work or alter the scope of services required.

(11) Non-collusion form. The Offeror must file an affirmation form pursuant to IC 5-22-16-6.

(12) Offers opened after time stated in solicitation [IC 5-22-18-3]. Offers may be opened after the time stated in the solicitation if both of the following apply:

(a) The Purchasing Agency makes a written determination that it is in the best interest of Warrick County to delay the opening; and

(b) The day, time and place of the rescheduled opening are announced at the date, time and place of the originally scheduled opening.

(13) Solicitation not required (non-profit agency) [IC 5-22-13-2]. A Purchasing Agent may purchase supplies and services without advertising or calling for bids from a "qualified" non-profit agency for persons with severe disabilities unless the supplies cannot be furnished in a timely manner.

(14) Invitation for Bids. [IC 5-22-7-2]

(a) An invitation for bids must include:

(i) A purchase description describing the supplies or services to be purchased. This includes specifications attached to, or made a part of, the solicitation.

(ii) All contractual terms and conditions.

(iii) A statement of the evaluation criteria that will be used, including any of the following: inspection; testing; quality; workmanship; delivery; and suitability for a particular purpose.

(iv) Time, date and place for opening bids.

(v) Whether or not a certified check, bond, or other evidence of financial responsibility is required. A Purchasing Agent may provide that a certified check, bond or other evidence of financial responsibility is required to be submitted with

the Offer. If faxing is permitted, it shall be sufficient if a copy of such check, bond or evidence of financial responsibility is included in the fax and the original is placed in the United States mail, postage prepaid, addressed to the Purchasing Agent before the date Offers are to be opened. Checks, bonds and other evidence of financial responsibility shall be required only when required by the invitation for bids at the discretion of the Purchasing Agent.

(vi) A statement concerning the conditions under which a bid may be canceled or rejected in whole or in part as specified in IC 5-22-8-2.

(b) Maintenance of bid information. [IC 5-22-7-9]. The Purchasing Agency shall maintain the following information:

(i) The name of each bidder;

(ii) Amount of each bid; and

(iii) Other information required by state law.

All information is subject to public inspection after each contract award [IC 5-22-7-9].

(c) Acceptance and evaluation of bids. [IC 5-22-7-7].

(i) Bids must be unconditionally accepted without alteration or correction, except as provided in IC 5-22-7-11 through IC 5-22-7-13 and evaluated based on the requirements provided in the invitation for bids [IC 5-22-7-7].

(ii) A Purchasing Agency may not permit changes in bid prices or other provisions of bids prejudicial to the interest of Warrick County or fair competition after bid opening [IC 5-22-7-11].

(iii) If a bidder inserts contract terms or bids on items not specified in the invitation for bids, the Purchasing Agent, pursuant to IC 5-22-7-12, shall treat the additional material as a proposal for addition to the contract and may do any of the following:

(A) Declare the bidder non-responsive.

(B) Permit the bidder to withdraw the proposed additions to the contract in order to meet the requirements and criteria provided in the invitation for bids.

(C) Accept the proposed additions to the contract, subject to IC 5-22-7-13.

(D) Contract additions may not be accepted if they are prejudicial to the interest of Warrick County or fair competition [IC 5-22-7-3].

(d) A contract must be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder [IC 5-22-7-8].

(e) Except as provided in rule or policy, a Purchasing Agency must make a written decision to permit the correction or withdrawal of a bid or cancel awards or contracts based on bid mistakes [IC 5-22-7-10].

(15) Request for Proposals. [IC 5-22-9].

(a) When a Purchasing Agent makes a written determination that the use of competitive sealed bidding is either not practicable or not advantageous to Warrick County, the Purchasing Agent may award a contract using the request for proposal process under IC 5-22-9.

(b) The Purchasing Agency shall give public notice of the request for proposals in the manner required by IC 5-3-1.

(c) Request for proposals must include the following:

(i) The factors or criteria that will be used in evaluation. The only factors that may be used in the evaluation of proposals are those specified in the request for proposals [IC 5-22-9-10].

(ii) A statement concerning the relative importance of price and the other evaluation factors.

(iii) A statement concerning whether the proposal must be accompanied by a certified check or other evidence of financial responsibility.

(iv) A statement concerning whether discussions may be conducted with responsible Offerors, who submit proposals determined to be reasonably susceptible of being selected for award [IC 5-22-9-6]

(v) All other evaluation criteria.

(d) An award shall be made to the responsible Offeror whose proposal is determined in writing to be the most advantageous to the Warrick County, taking into consideration price and the other evaluation factors set forth in the request for proposals [IC 5-22-9-7].

(e) If provided in the request for proposals, award may be made to more than one (1) Offeror whose proposals are determined in writing to be advantageous to Warrick County, taking into consideration price and other evaluation factors set forth in the request for proposals [IC 5-22-9-7].

(I) *Special Purchases.* [IC 5-22-10]

(1) Special Purchases must be made with competition as is practicable under the circumstances. The Warrick County Attorney shall be consulted prior to bringing a special purchase request to the Warrick County Board of Commissioners. A Purchasing Agent may make a purchase without soliciting bids or proposals as follows:

(a) Emergencies [IC 5-22-10-4]. A Purchasing Agent may make a special purchase when there exists, under emergency conditions, a threat to the public health, welfare or safety.

(b) Substantial savings [IC 5-22-10-5]. A Purchasing Agent may make a special purchase when there exists a unique opportunity to obtain supplies or services at a substantial savings.

(c) Auction [IC 5-22-10-6]. A Purchasing Agent may make a special purchase at an auction.

(d) Data processing contracts or license agreements [IC 5-22-10-7]. A Purchasing Agent may make a special purchase of data processing contracts or licensing agreements for:

(i) software programs, or

(ii) supplies or services, when only One (1) source meets the using agency's reasonable requirements.

(e) Compatibility of equipment, accessories or replacement parts [IC 5-22-10-8]. A Purchasing Agent may make a special purchase when:

(i) the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase; and

(ii) only one (1) source meets the using agency's reasonable requirements.

(f) Other situations. The Purchasing Agent may make a special purchase under the following:

(i) Threatened impairment of functioning of a Warrick County Department [IC 5-22-10-9].

(ii) Failure to receive a responsive offer through approved purchasing methods [IC 5-22-10-10].

(iii) For the evaluation of supplies or a system containing supplies. This would be to obtain functional information or comparative data [IC 5-22-10-11].

(iv) When the market structure is based on price but Warrick County is able to receive a dollar or percentage discount of the established price [IC 5-22-10-12].

(v) Single or sole source supply [IC 5-22-10-13]. A Purchasing Agent must determine in writing that there is only one (1) source for the supply.

(vi) Price equal to or less than Federal Supply Services established by the Federal General Services Administration [IC 5-22-10-14].

(vii) Purchase is made from a person who has a contract with a Federal Agency or State Agency and the person's contract with the Federal Agency or State Agency requires the person to make the supplies available to the state or political subdivisions [IC 5-22-10-15].

(viii) Transfer of supplies from Federal Government under [IC 5-22-10-16].

(ix) By accepting a gift [IC 5-22-10-17].

(g) Contract files. A Purchasing Agent shall maintain the contract records for a special purchase in a separate file for a minimum of Five (5) years. The file must include a written determination of the basis for the special purchase and the selection of a particular contractor. These records are subject to annual audit by the State Board of Accounts [IC 5-22-10-3].

(J) *Contracts.* [IC 5-22-17]

(1) This Section does not apply to a discounted contractual arrangement for services or supplies funded through a designated leasing entity.

(2) A contract for supplies may be entered into for a period not to exceed Four (4) years.

(3) The contract must specify that payment and performance obligations are subject to the appropriation and availability of funds.

(4) Subject to limitations found in IC 5-22-17-4, a contract may be renewed any number of times, for terms not longer than the original contract, so long as the contract does not contain any provisions for escalation of the price.

(5) Petroleum products. Pursuant to IC 5-22-17-10, a Purchasing Agent may award a contract for petroleum product to the lowest responsible and responsive offeror or all responsive and responsible Offerors. Contracts entered into under this Section may allow for the escalation or de-escalation of price.

(6) A cost plus a percentage of cost contracts are prohibited [IC 5-22-17-1].

(7) A cost reimbursement contract is allowed if the Purchasing Agent determines in writing that the contract is likely to be less costly than any other contract type or it is impracticable to obtain the supplies required except under such a contract [IC 5-22-17-2].

(8) Late performance clauses are encouraged in all appropriate situations so as to protect Warrick County's interest. Notice of inclusion of this contract provision must be stated in the solicitation [IC 5-22-17-6].

(K) *Warrick County Department Responsibilities.*

(1) It is the responsibility of each elected office holder and/or department head to ensure full compliance with purchasing policies and procedures.

(a) Each office holder or department head shall:

(i) Utilize the Purchasing Agent for all purchases of equipment, goods, materials and services for Warrick County offices and departments;

(ii) Plan purchasing needs on the basis of time and quantity to enhance cost savings;

(iii) Verify that sufficient funds are budgeted or make arrangements for funding prior to initiating a purchase request; and

(iv) Be available to participate in evaluating bids and request for proposals when submitted by prospective bidders.

(L) *Role of the Warrick County Purchasing Department.*

The Warrick County Purchasing Department will facilitate efficient and legal purchasing practices within Warrick County. The Warrick County Purchasing Department will ensure that the purchasing policy and procedures of Warrick County are followed in the procurement of

equipment, goods, materials and services and administers an effective program that encourages free and open competition and bidding.

(M) *Appendix A: Bid Register.*

WARRICK COUNTY PURCHASING DEPARTMENT
BID REGISTER

Item Bid:
Department:
Request Sent or Given:

NAME	ADDRESS	CONTACT	PHONE NO.

Bids and Bonds Received:

NAME	AMOUNT	CASHIERS CHECK	BID DEPOSIT BOND	PERFORMANCE BOND	PAYMENT BOND	RETAINAGE

The above establishment of a purchasing policy for the procurement of equipment, goods, materials, and services is passed, adopted and put into effect by the Warrick County Board of Commissioners this 27th day of November, 2017.

WARRICK COUNTY
BOARD OF COMMISSIONERS

Marlin Weisheit, President

Dan Saylor, Vice President

Robert H. Johnson, Jr., Member

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

Todd I. Glass, Esq. #13982-18
FINE & HATFIELD, A Professional Corporation
520 N.W. Second Street, P.O. Box 779
Evansville, Indiana 47705-0779
Telephone: (812) 425-3592
Warrick County Attorney

ORDINANCE 2017-31

AN ORDINANCE AMENDING SECTION 31.07 OF THE CODE OF ORDINANCES OF WARRICK COUNTY, INDIANA

WHEREAS, Warrick County, Indiana, provides extended medical insurance benefits to eligible Warrick County employees after retirement; and

WHEREAS, Section 31.07 of the Code of Ordinances of Warrick County, Indiana, governs the eligibility of a Warrick County employee for extended medical insurance after retirement; and

WHEREAS, the Board of Commissioners of Warrick County, Indiana, wish to amend Section 31.07 of the Code of Ordinances of Warrick County to provide that the Board of Commissioners, in its sole discretion, may terminate a retiree's medical insurance coverage for nonpayment of the required premium under Section 31.07.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, THAT:

The Code of Ordinances of Warrick County, Indiana, specifically Section 31.07 entitled "Medical Insurance for Retired County Employees", is hereby amended in its entirety and replaced as follows:

§ 31.07 MEDICAL INSURANCE FOR RETIRED WARRICK COUNTY EMPLOYEES

(1) *Eligibility.*

(A) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of fifteen (15) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay fifty percent (50%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(B) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of twenty (20) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay twenty-five percent (25%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(C) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of twenty-five (25) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long

as the retiree or spouse shall pay fifteen percent (15%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(D) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of thirty (30) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay ten percent (10%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(E) The phrase ***COBRA PREMIUMS*** shall be defined as the COBRA premium established by the third-party administrator or Warrick County's insurance agent as they may determine from time to time. For example, if the total cost or COBRA premium for Warrick County to provide insurance to a retiree and/or his or her spouse is five hundred and 00/100 dollars ($500.00) per month following the retiree's retirement, the retiree shall pay an amount equal to $500.00 multiplied by the applicable percentage above.

(2) *Qualifying For & Obtaining Retirement Status.*

(A) A person is qualified for retirement status under subsection (1) of this Section if, on the date of retirement:

(i) Such person is at least fifty-five (55) years of age, is not eligible for Medicare, and is an active, full-time employee of Warrick County as of the date of the retirement; or

(ii) Such person is at least fifty (50) years of age, is not eligible for Medicare, and is an active, full-time law enforcement merit employee of Warrick County as of the date of retirement.

(B) To obtain retirement status under this Section, a person who is qualified for retirement status under subsection (2)(A) shall notify the Warrick County Auditor of his or her intent to retire sixty (60) days prior to retirement from Warrick County.

(C) Within fifteen (15) days of receipt of notice under subsection (2)(B), the Warrick County Auditor shall notify the prospective retiree as to whether he or she is qualified for retirement status as defined herein, and, if such person is qualified for retirement status, shall notify that person of his or her rights relating to such coverage.

(D) Within thirty (30) days of receipt of notice under subsection (2)(C), the prospective retiree shall make application for such coverage.

(3) *Events Affecting Coverage.*

(A) In the event that a retiree from Warrick County is divorced, then the spouse is no longer eligible for any benefits pursuant to this Section.

(B) In the event that a retiree from Warrick County marries after retirement, the spouse shall not be eligible for any benefits pursuant to this Section.

(C) A spouse of a retiree who is otherwise qualified for, and has obtained, retirement status, shall be ineligible for continued coverage under this Section if, after the retiree's retirement from Warrick County, said spouse of a retiree obtains employment through an employer that provides group medical insurance.

(D) Any retiree who shall hereafter terminate his or her insurance coverage with Warrick County for whatever reason, including nonpayment of premiums as described in subsection four (4), below, shall thereafter be forever ineligible to return to Warrick County's medical insurance program as provided in this Section. Additionally, any spouse of a retiree who shall hereafter terminate his or her insurance coverage with Warrick County for whatever reason including, but not limited to, obtaining group medical insurance with a subsequent employer, shall thereafter be forever ineligible to return to Warrick County's medical insurance program as provided in this Section.

(E) In the event that the retiree dies, the surviving spouse who otherwise qualifies to receive insurance coverage with Warrick County shall be eligible to retain medical insurance benefits pursuant to this Section so long as the surviving spouse does not remarry or obtain employment through an employer that provides group medical insurance.

(4) *Premium Contributions and Payment.*

(A) The retiree and his or her spouse, if applicable, shall contribute a portion of the monthly COBRA premiums in accordance with the percentage schedule referenced in subsection one (1) of this Section. Such premium contributions shall be altered in accordance with defined calculations when the total cost of insurance to Warrick County changes based on policy renewal or applicable changes to the Plan.

(B) Payment of premium contributions shall be due the first of each month and delivered to the Warrick County Auditor. Payment shall be made by check or money order payable only to the Warrick County Treasurer. Payments shall be late if received after the tenth day of the month when payment is due, in which event the retiree shall be assessed a late fee of twenty-five and 00/100 dollars ($25.00).

(C) If payments of a premium contribution go two (2) months in arrears, the retiree, and if applicable, the spouse's medical insurance premium account shall be placed on probationary status until premium contributions and late fees are paid in full. If payments of a premium contribution go three (3) months in arrears, the Warrick County Auditor shall notify the retiree, and if applicable, the spouse, in writing that the retirement medical benefit shall be terminated in thirty (30) days if premium contributions and late fees are not paid in full. If payments of a premium contribution become four (4) months in arrears, the medical insurance for that retiree, and if applicable, the spouse and any dependents shall be terminated and the Warrick County Auditor shall notify the retiree and spouse in writing.

(5) *Conversion to Medicare Supplement Plan.* When the retiree attains the age of sixty-five (65) years or the spouse, if applicable, attains the age of sixty-five (65) years, the medical insurance coverage shall be converted to a Medicare supplement plan which is in effect between Warrick County and a private insurer. The portion of the premium contribution paid by the retiree,

Commissioners' Ordinance 2017-31

spouse, and the Warrick County shall remain the same as provided in subsection (1) of this Section.

(6) The term ***WARRICK COUNTY ADUTIOR*** as identified in this Section shall mean the Warrick County Human Resources Director so long as the position is in existence at the time of the prospective retiree's retirement date.

The above ordinance is passed and adopted by the Warrick County Board of Commissioners this 27th day of November, 2017.

WARRICK COUNTY
BOARD OF COMMISSIONERS

Marlin Weisheit, President

Dan Saylor, Vice President

Robert H. Johnson, Jr., Member

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

Todd I. Gliss, Esq. #13982-18
FINE & HATFIELD, A Professional Corporation
520 N.W. Second Street, P.O. Box 779
Evansville, Indiana 47705-0779
Telephone: (812) 425-3592
Warrick County Attorney

WARRICK COUNTY CLAIMS FOR PAYMENT

AIGNER HARDWARE	$	224.57
ALEXANDER NEWBURGH CHAPEL	$	200.00
ALTSTADT'S	$	62.07
AMERICAN LEGAL PUBLISHING CORP	$	23.40
AMERICAN SCREENING CORPORATION	$	396.50
AT&T - RISK MANAGEMENT SERVICES	$	1,621.97
B-HIVE PRINTING	$	1,193.30
BOB BARKER COMPANY INC.	$	102.43
BOONVILLE LAWN AND GARDEN INC.	$	8.37
BUMPER TO BUMPER / BTB CHANDLER	$	99.99
BUSINESS EQUIPMENT	$	25.40
CDW GOVERNMENT, INC.	$	1,782.98
COCA COLA BOTTLING CO	$	149.75
COURTNEY PERSOHN	$	400.00
DELL MARKETING L.P.	$	3,311.70
EMERGENCY PROF OF INDIANA PC	$	105.55
ERS WIRELESS COMMUNICATIONS	$	252.29
FARRIS REPORTING	$	138.95
FERGUSON, KELLY	$	109.56
FIRST BANKCARD	$	1,236.34
FORTERRA PIPE & PRECAST-MIDWEST REG US	$	3,815.02
GARY GARDNER	$	1,000.00
GEM CHEMICAL COMPANY, INC.	$	1,017.42
GOOD SOURCE SOLUTIONS	$	475.20
GRAINGER	$	13.71
HUTCH & SON INDUSTRIAL ELECTRONICS	$	4.55
IEDC	$	420.00
INDIANA OFFICE OF TOURISM DEVELOPMENT	$	2,500.00
INDOFF, INC.	$	186.37
INTERSTATE BATTERIES OF WABASH VALLEY	$	120.00
J & J SUPPLY, INC.	$	10,288.19
KENWAY DISTRIBUTORS INC	$	312.77
KEPPLER, MATT	$	478.03
KIM PEMBERTON	$	400.00
LAW CHEVROLET BUICK PONTIAC	$	1,142.42
LEWIS BROS BAKERIES, INC	$	113.75
MOBILEX	$	60.00
NATIONAL TEST SYSTEMS	$	371.25
NEWBURGH POLICE DEPARTMENT	$	942.50
O'REILLY AUTO PARTS	$	15.28
OFFICE DEPOT, INCORPORATED	$	233.23
PIONEER BAKERY	$	401.40
PIRANHA SHREDDING/RECYCLING INC.	$	360.00
POSEY'S SUPERMARKET INC	$	74.85
QUILL CORPORATION	$	1,602.14
RABEN TIRE COMPANY INC.	$	664.63
REDWOOD TOXICOLOGY LABORATORY INC.	$	247.25
RICK MARTIN	$	1,000.00
SIEGELS	$	1,317.95
SOUTHERN IN IMAGING CONSULTING	$	36.42
THE MOWER MEDIC	$	350.00
STEWART RICHARDSON DEPOSITION SERVICES	$	170.60
THE CHANGE COMPANIES	$	201.56
THE HOME CITY ICE COMPANY	$	63.00
TITZER FAMILY FUNERAL HOMES	$	200.00
TRANE U. S. INC.	$	3,878.09
TRI-STATE LIGHTING & SUPPLY CO INC	$	171.96
TRI-STATE REPORTING, INC.	$	166.80
WABASH VALLEY SERVICE CO	$	533.81
WARRICK SOLID WASTE MGT DIST	$	222.00
ALL LINES LEASING	$	6,987.48
ALPHA LASER SERVICES	$	128.00
APPLIED LAND SOLUTIONS	$	2,812.50
ASSOCIATION / INDIANA COUNTIES	$	5,170.94
AT&T	$	82.29
CARD SERVICE CENTER	$	429.20
CDW GOVERNMENT, INC.	$	154.04
CNA SURETY DIRECT BILL	$	1,912.50
CORBETT, FREDERICK L. & PATTY L.	$	35,966.68
CORRISOFT, LLC	$	226.60
CULLIGAN OF EVANSVILLE	$	52.50
DATASPEC INC.	$	399.00
ELECTION SOURCE	$	313.90
FIDLAR TECHNOLOGIES INC	$	1,359.96
FIRST BANKCARD	$	1,179.72
GUY HALL	$	20.00
HARSHAW TRANE SERVICE INC.	$	11,253.00
JERRY AIGNER	$	1,070.26
MEDICAL BENEFITS ADMINISTRATORS, INC.	$	192,329.46
MELODY NELSON	$	66.00
MICHAEL LAND	$	218.82
MILLER, DEREK	$	39.90
MORRIE DOLL	$	100.00
MOUNTAIN VALLEY OF EVANSVILLE	$	39.00
MULZER CRUSHED STONE, INC.	$	4,057.20

NEWBURGH POLICE DEPARTMENT	$	1,800.00
NEWBURGH-OHIO TOWNSHIP LIBRARY	$	630,901.71
PAXTON MEDIA GROUP, LLC	$	133.80
PC QUEST	$	812.99
PURDUE CES FUND-WARRICK COUNTY	$	500.00
QUALITY CORRECTIONAL CARE, LLC	$	13,973.33
SCHENK SOD FARM	$	2,030.80
SPENCE RESTORATION NURSERY, INC.	$	750.00
THE MURPHY ELEVATOR CO INC	$	275.91
THE TOWN OF NEWBURGH	$	53.68
TIME WARNER CABLE	$	446.99
TRACTOR SUPPLY CO	$	164.58
TRI-STATE REPORTING, INC.	$	430.10
U.S. BANK	$	870.80
VECTREN ENERGY DELIVERY	$	500.87
WARRICK CO DEPT OF PARKS & REC	$	875.08
WARRICK COUNTY DRUNK DRIVING COURT	$	375.00
WARRICK COUNTY SCHOOL CORP.	$	4,765,078.03
WARRICK COUNTY TREASURER	$	1,455.76
WOW! BUSINESS	$	291.19
ANTHONY LONG	$	2,656.25
AT&T MOBILITY	$	193.06
B & B MOWING LLC	$	1,450.00
B-HIVE PRINTING	$	50.00
BENISTAR/HARTFORD-6795	$	20,350.81
BLACK, ALLEN	$	350.00
BOONVILLE NATURAL GAS CORP.	$	166.49
BOONVILLE UTILITIES	$	2,569.23
BRETT M ROY	$	2,656.25
CHANDLER UTILITIES	$	145.81
CLARK DIETZ, INC.	$	29,859.00
CLERK - WARRICK COUNTY SUPERIOR COURT	$	62.50
CNA SURETY DIRECT BILL	$	1,756.00
CONNECTIONS SIGN LANGUAGE INTPRTG INC.	$	50.00
COURTNEY PERSOHN	$	200.00
TEAMSTERS LOCAL #215	$	2.00
DANIEL ROACH	$	450.00
DAVID HEAL	$	223.52
DIANE ALEXANDER	$	1,372.56
DIVISION OF CHILD SUPPORT	$	104.00
DOSSETT CONSULTING	$	500.00
DUKE ENERGY	$	165.95
EVANSVILLE COURIER	$	102.92
FIRST BANKCARD	$	115.06

GENE WEISHEIT	$	400.00
HASENOUR, LAURA	$	148.72
INDIANA OFFICE OF COURT SERVICES	$	50.00
JACY L GOWEN	$	899.30
JILL M ROBINSON	$	400.00
JOHNSON, MEAGAN	$	2,400.00
KATIE GENTRY	$	843.98
KELLER SHROEDER	$	685.00
KELLEY, KYLE	$	60.00
MARK K. PHILLIPS, PC	$	2,656.25
MARTIN & MARTIN, INC.	$	7,321.89
MERCEDES MEDICAL	$	24.00
METZGER CONSTRUCTION CO INC.	$	143,524.65
MICHAEL J PERRY	$	200.00
MULZER CRUSHED STONE, INC.	$	2,260.15
NATIONAL TEST SYSTEMS	$	371.25
PHILLIPS, BRENNAN	$	2,656.25
RENEWABLE RESOURCES	$	110.00
RITA BRADSHAW	$	450.00
SATELLITE TRACKING OF PEOPLE LLC	$	1,802.25
SHERRY SMITH	$	2,656.26
SPENCER COUNTY CLERK	$	30.00
ST. VINCENT WARRICK-E.M.S.	$	120.00
STOLL KEENON OGDEN PLLC	$	8,580.70
TEAMSTERS LOCAL # 215	$	755.00
TYLER NEFF	$	450.00
U.S. BANK	$	450.31
UNIFIRST CORPORATION	$	110.49
VECTREN ENERGY DELIVERY	$	4,166.25
WABASH VALLEY SERVICE CO	$	488.70
WAGNER, CHRIS	$	200.00
WARREN MATHIES	$	2,656.26
WOW! BUSINESS	$	153.07
FINE & HATFIELD, PC	$	10,100.50
HARSHAW TRANE SERVICE INC.	$	2,390.50
INDIANA OFFICE OF TECHNOLOGY	$	104.57
MORRIE DOLL	$	600.00
PURDUE UNIVERSITY COOPERATIVE EXT. SERV.	$	260.04
ROBIN GREENLEE (CDFC)	$	416.89
TIME WARNER CABLE	$	618.50
WOW! BUSINESS	$	3,635.22
Grand Total:	**$**	**6,006,925.63**

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, NOVEMBER 27th, 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: $6,006,925.63 Dated this 27th day of NOVEMBER, 2017. Debbie Stevens, Auditor of Warrick County

Marlin Weisheit, President

Dan Saylor, Vice President

Bob Johnson, Member

Debbie Stevens, Auditor

Warrick County Claims for Payment

FIRST BANKCARD	$203.55
MEAGAN JOHNSON	$1,200.00
CENTRIC TECHNOLOGIES	$ 255.00
Grand Total:	$1,658.55

Marlin Welsheit, President

Dan Saylor, Vice President

Bob Johnson, Member

Debbie Stevens, Auditor

FIXED ASSET NOTIFICATION FORM

COPY

DEPARTMENT: CUMULATIVE CAPITAL

THIS NOTIFICATION IS FOR: ADDITION UPDATE TRANSFER DISPOSAL

ACQUISITION IS BY: PURCHASE DONATION LEASE TRANSFER (ATTACH COPY)

DATE OF TRANSACTION: 11/13/17

ACCOUNT NO: 2609771 P.O. NO: 21739

ESTIMATED LIFE EXPECTANCY: 20 years MILEAGE OR HOURS:

CIP NUMBER: LOCATION: Judicial Center HVAC

SERIAL OR VIN NUMBER: W17L28766

TOTAL/PARTIAL VALUE OF ASSET: $6,614.28

(PLEASE ATTACH OR FORWARD COPY OF CHECK(S) TO DOCUMENT COST. IF DONATED FAIR MARKET VALUE, HOW DETERMINED, AND DATE BOARD APPROVED)

DESCRIPTION: (1) 7.5 ton Standard Efficiency Water Source Heat Pump

X1379095S050 Trane Air-Fi, & Refrigerant (2716-1350-40-90)

(BUILDING DESCRIPTION MUST INCLUDE SQUARE FOOTAGE, BUILDING MATERIAL, ROOF TYPE, AND IF EQUIPPED WITH SPRINKLER SYSTEM OR BOILER)

BRAND OR MAKE: TRANE MODEL NO: W17L28766

YEAR: 2017 LICENSE NO: *ATTACH COPY OF REGISTRATION*

GROSS VEHICLE WEIGHT: *TRUCKS ONLY* TYPE OF FUEL:

IF DISPOSED - METHOD: SOLD $ TRADED JUNKED SCRAPPED

STOLEN/WRECKED END-OF-LEASE TRANSFERRED TO:
(ATTACH POLICE REPORT)

DATE BOARD APPROVED: 11/27/2017 DATE COUNCIL APPROVED:
(ATTACH COPY OF MINUTES) *(REAL PROPERTY VALUE > $9,999)*

DATE BOARD APPROVED: SIGNATURE: x Marlin Welsheit, President Warrick County Commissioners
(REAL PROPERTY ONLY)

PERSON RESPONSIBLE: Roger E. Emmons
SIGNATURE *PRINTED NAME*

RESPONSIBLE DEPARTMENT HEAD'S SIGNATURE: Roger E. Emmons, Warrick County Administrator

IF TRANSFERRED RECEIVING PERSON'S SIGNATURE:

PRINTED NAME:

AUDITOR'S USE ONLY

RECEIVED: ENTERED FIXED ASSET:

INSURED: AUDITOR'S INITIAL:

TRANE

Trane U.S. Inc.
3600 PAMMEL CREEK ROAD
LA CROSSE, WI 54601-7599

For questions concerning this invoice, please call 888-832-8200

SOLD TO:
WARRICK COUNTY COMMISSIONERS
ATTN: ACCOUNTS PAYABLE
COURTHOUSE 307 WEST LOCUST ST
BOONVILLE, IN 47601

REMIT TO:
Trane U.S. Inc.
PO BOX 98167
CHICAGO, IL 60693

SHIP TO/SERVICE LOCATION:
WARRICK COUNTY COMMISSIONERS
Hi-Tech Sheet Metal
attn: Bill Jackson
116 W Jefferson Ave.
CHANDLER, IN 47610

TYPE	INVOICE
NUMBER	38613787
DATE	11/13/2017
PAGE	1 of 1
PURCHASE ORDER NUMBER	21739
PRESUMTOUS NAME	Warrick County Judicial - Repla
ORIGINAL SYSTEM NUMBER	3233860_KOO
CUSTOMER ACCOUNTS	2609771
PREVIOUS #	
SALES ORDER # / CALLS / CONTRACT #	P814274

ORDERING LOCATION: P817273 DIRECT JOBPING/SECT#

PAYMENT TERMS	DUE DATE	FOB	FREIGHT TERMS	SHIP / CLOSE DATE	SHIP VIA	SHIPPING REFERENCE
N30	12/13/2017	SHIP POINT	FA-PPD	11/13/2017	YRC	7357915912

ITEM	DESCRIPTION	UOM	MULT	QUANTITY	UNIT PRICE	EXTENDED AMOUNT
1	GEHE000081*03B0LRG011000300000 0000000:7.5 Ton Standard Efficiency WSHP Model Number: GEHE000081*03B0LRG011000300000000000 Serial Number: W17L28766 Model Number: HP-3JV			1.00		
2	X1379095S050:Trane Air-Fi - WCS-SD (display) Model Number: X1379095S050			1.00		
3	2716-1350-40-90:Refrigerant circuit warranty 2-5th year Model Number: 2716-1350-40-90			1.00		

RECEIVED NOV 27 2017

PLEASE REFERENCE NUMBER 38613787 WITH YOUR PAYMENT **PAY IN 10 DAYS FOR 0.50% DISCOUNT; ACCOUNT MUST BE CURRENT

SPECIAL INSTRUCTIONS:

To view or pay your invoice online, Visit www.comfortelle.com
New users sign up at www.trane.com/invoices

SUBTOTAL	TAX	FREIGHT	TOTAL
6,614.28	0.00	0.00	6,614.28

Currency: USD

*.50% DISCOUNT; *PAYMENT WITHIN 10 DAYS OF INVOICE DATE. *ACCOUNT MUST BE CURRENT TO QUALIFY.

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FIXED ASSET NOTIFICATION FORM

DEPARTMENT: CUMULATIVE CAPITAL

THIS NOTIFICATION IS FOR: ADDITION UPDATE TRANSFER DISPOSAL

ACQUISITION IS BY: PURCHASE DONATION LEASE TRANSFER

(ATTACH COPY)

DATE OF TRANSACTION: 11/07/17

ACCOUNT NO: 2609771 P.O. NO: 21739

ESTIMATED LIFE EXPECTANCY: 20 years MILEAGE OR HOURS:

CIP NUMBER: LOCATION: Judicial Center HVAC

SERIAL OR VIN NUMBER: W17K28143

TOTAL/PARTIAL VALUE OF ASSET: $3,878.09

(PLEASE ATTACH OR FORWARD COPY OF CHECK(S) TO DOCUMENT COST. IF DONATED FAIR MARKET VALUE, HOW DETERMINED, AND DATE BOARD APPROVED)

DESCRIPTION: (1) High efficiency 2-stage 4-ton Water Source Heat Pump

X13790955050 Trane Air-Fi, & Refrigerant (2716-1350-40-48)

(BUILDING DESCRIPTION MUST INCLUDE SQUARE FOOTAGE, BUILDING MATERIAL, ROOF TYPE, AND IF EQUIPPED WITH SPRINKLER SYSTEM OR BOILER)

BRAND OR MAKE: TRANE MODEL NO: DXHF04821

YEAR: 2017 LICENSE NO:

ATTACH COPY OF REGISTRATION

GROSS VEHICLE WEIGHT: TYPE OF FUEL:

TRUCKS ONLY

IF DISPOSED - METHOD: SOLD $ TRADED JUNKED SCRAPPED

STOLEN/WRECKED END-OF-LEASE TRANSFERRED TO:

(ATTACH POLICE REPORT)

DATE BOARD APPROVED: 11/27/2017 DATE COUNCIL APPROVED:

(ATTACH COPY OF MINUTES) ✓ *(REAL PROPERTY VALUE > $9,999)*

DATE BOARD APPROVED: SIGNATURE: Martin Weinhart, President, Warrick County Commissioners

(REAL PROPERTY ONLY)

PERSON RESPONSIBLE: Roger E. Emmons

SIGNATURE *PRINTED NAME*

RESPONSIBLE DEPARTMENT HEAD'S SIGNATURE: Roger E. Emmons, Warrick County Administrator

IF TRANSFERRED RECEIVING PERSON'S SIGNATURE:

PRINTED NAME:

AUDITOR'S USE ONLY

RECEIVED: ENTERED FIXED ASSET:

INSURED: AUDITOR'S INITIAL:

TRANE

Trane U.S. Inc.
3800 PAMMEL CREEK ROAD
LA CROSSE, WI 54601-7508

For questions concerning this invoice, please call 888-532-5260

SOLD TO:
WARRICK COUNTY COMMISSIONERS
ATTN: ACCOUNTS PAYABLE
COURTHOUSE 107 WEST LOCUST ST
BOONVILLE, IN 47601

REMIT TO:
Trane U.S. Inc.
PO BOX 98167
CHICAGO, IL 60693

SHIP TO/SERVICE LOCATION:
WARRICK COUNTY COMMISSIONERS
Hi-Tech (Rear) Mall
attn: Bill Jackson
116 W Jefferson Ave.
CHANDLER, IN 47610

TYPE	INVOICE
NUMBER	38599032
DATE	11/7/2017
PAGE	1 of 1
PURCHASE ORDER NUMBER	21739
PRIMEFITTER NAME	Warrick County Judicial - Repla
ORIGINAL SYSTEM NUMBER	3229935_KOD
CUSTOMER ACCOUNTS	2600771
PREVIOUS #	
SALES ORDER # / CALL # / CONTRACT #	P811273

NOV 28 2017

ORDERING LOCATION: 017 CREDIT APPROVED BY: P811273

PAYMENT TERMS	DUE DATE	FOB	FREIGHT TERMS	SHIP / CLOSE DATE	SHIP VIA	SHIPPING REFERENCE
N30	12/7/2017	SHIP POINT	FA-PPD	11/7/2017	CONWAY	001600300

ITEM	DESCRIPTION	UOM	MFAT	QUANTITY	UNIT PRICE	EXTENDED AMOUNT
1	DXHF04821**3B0LRG011000300000 0000000:High Eff, Two Stage 4-Ton WSHP Model Number: DXHF04821**3B0LHG011000300000000000 Serial Number: W17K28143 Tag Number: HP-2-8			1.00		
2	X13790955050:Trane Air-Fi -			1.00		
3	WCB-50 (display) Model Number: X13790955050 None:			1.00		
4	Model Number: None 2716-1350-40-48:Refrigerant circuit warranty 2-5th year Model Number: 2716-1350-40-48			1.00		

COPY

*PLEASE REFERENCE NUMBER 38599032 WITH YOUR PAYMENT **PAY IN 10 DATE FOR 2.50% DISCOUNT; ACCOUNT MUST BE CURRENT

SPECIAL INSTRUCTIONS:

SUBTOTAL	TAX	FREIGHT	TOTAL
3,878.09	0.00	0.00	3,878.09

Currency: USD

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New users sign up at www.trane.com/invoices

2.50% DISCOUNT;
*ACCOUNT MUST BE CURRENT TO DATE OF INVOICE DATE.
*ACCOUNT MUST BE CURRENT TO DATE OF PAYMENT

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