WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
March 8, 2018
6:00 PM

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana.

Attorney Cliff Whitehead was in attendance.

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

Council President, Gary Meyer, called the meeting toorder at 6:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Krystal Powless: Gary Meyer?

Gary Meyer: Here.

Krystal Powless: Charlie Christmas?

Charlie Christmas: Yep.

Krystal Powless: David Hachmeister?

David Hachmeister: Here.

Krystal Powless: Ted Metzger?

Ted Metzger: Present.

Krystal Powless: Brad Overton?

Brad Overton: Here.

Krystal Powless: Greg Richmond?

Greg Richmond: *(Councilman Richmond was not present for this meeting).*

Krystal Powless: Paul Rudolph?

Paul Rudolph: Here.

WARRICK COUNTY, INDIANA GENERAL OBLIGATION BONDS SERIES 2018 ORDINANCE 2018-02 AND ORDINANCE 2018-03 SECOND AND THIRD READING

Gary Meyer: Okay, first item on the agenda is the third Public Hearing on the General Obligation Bond we're discussing we've been discussing. So is there anyone from the public that wouldlike to address the bond issue? We've had two (2) other Public Hearings. This is the third and last. Anyone like to address it?

Councilman Christmas: Such a crowd.

Councilman Meyer: Anybody from the Council have anyquestions, comments? Well, we need to do, I understand, maybe from Brad and Cliff, we need to approve or disapprove I guess, Ordinance 201802 and 2018-03. Those are the two (2) Ordinances. Last meeting we did the Resolution and approved it. So the only thing left is the two (2). Am I right?

Cliff Whitehead: That's correct. We'd have a Second Reading of both and then we have to pass the Bond Ordinance first, if it is going to be passed. And if it is passed, we then have to vote on, and, on the Appropriation Ordinance.

Councilman Meyer: Okay.

Cliff Whitehead: Of the bond.

Councilman Meyer: So the...

Cliff Whitehead: So, I'm not sure which was labeled '02 and '03.

Krystal Powless: Um...

Councilman Meyer: I got it right here.

Councilman Hachmeister: The big one (1) is '02.

Councilman Meyer: The big one (1) is '02. Yeah, is that the Bond Ordinance?

Brad Bingham: Yeah, the thicker one (1) is the Bond Ordinance.

Councilman Meyer: The thicker one (1) is the Bond Ordinance. Okay.

Krystal Powless: Bond Ordinance?

Cliff Whitehead: Yes, that's correct.

Councilman Meyer: And that has to be voted on first?

Krystal Powless: (Inaudible).

Cliff Whitehead: Yes. Yes.

Councilman Meyer: Okay. So that would be Warrick County Council Ordinance 2018-02. Is there a motion?

Councilman Overton: I'll make a motion.

Councilman Christmas: Second.

Councilman Meyer: Motion made by Brad, seconded by Charlie. Question, should I read the title of this before we vote on it?

Cliff Whitehead: Yes.

Councilman Meyer: Okay. So your motion was to read the, introduce it?

Councilman Overton: Correct.

Councilman Meyer: Second…all those in favor of that motion? Opposed? Motion carries six, zero (6-0). An Ordinance of the Warrick County Council as Fiscal Body of Warrick County, Indiana, Authorizing the Issuance of General Obligation Bonds of the County for the Purpose of Providing Funds to Pay the Costs of Certain County Capital Improvements at Various County Facilities and Incidental Expenses in Connection Therewith and on Account with the Issuance of the Bonds and Approving Certain Matters Related Thereto. That was, had to be written by an attorney. But that's alright. He did it, didn't you?

Brad Bingham: Yes.

Councilman Meyer: Yeah, okay. Any questions, comments?

Councilman Hachmeister: Yeah. Is therewith and thereto actually in the dictionary?

Councilman Meyer: Ask…

Brad Bingham: It is in a legal dictionary.

Cliff Whitehead: Black's Law.

Councilman Rudolph: Black's Law (inaudible).

Councilman Meyer: Yeah, yeah.

Councilman Hachmeister: Okay.

Councilman Meyer: Okay, I need a motion to approve.

Councilman Christmas: So moved.

Councilman Meyer: Motion made by Charlie to approve. Is there a second?

Councilman Overton: Second.

Councilman Meyer: And seconded by Brad.

Councilman Christmas: I think they got us both in on it.

Councilman Overton: I guess we're going to be responsible for the whole thing.

Councilman Meyer: So one (1) more time for any discussion on the motion. All those in favor? Opposed? Motion carried six, zero (6-0). Now what did I do with that other?

Councilman Christmas: Give him a copy so he can read it.

Councilman Meyer: I don't know what I did with it. I had it right here. Okay. We need a motion to introduce Ordinance 2018-03.

Councilman Hachmeister: (Inaudible).

Councilman Meyer: That's it. Is there a motion to introduce?

Councilman Hachmeister: Motion to introduce.

Councilman Meyer: Motion made by Dave. And seconded by?

Councilman Overton: Second.

Councilman Meyer: Brad to introduce Ordinance 2018-03. All those in favor of the motion? Opposed? Motion carried six, zero (6-0). An Ordinance, An Ordinance of the Warrick County Council, a Fiscal Body of the Warrick County, Indiana, Appropriating the Proceeds of the Warrick County, Indiana, General Obligation Bonds, Series 2018. We need a motion to approve.

Councilman Christmas: So moved.

Councilman Meyer: Motion made by Charlie to approve.

Councilman Hachmeister: Second.

Councilman Meyer: And seconded by David. Any further discussion? All those in favor? Opposed? You voted for it? Motion carried six, zero (6-0). There we go. That's it. You don't need anything else?

Brad Bingham: I do not. And I think that the one (1) thing we talked about at the last meeting is that you need to start...

Councilman Meyer: Tell us who you are.

Brad Bingham: Again, Brad Bingham with Barnes and Thornburg. We serve as bond counsel to the County on this, on the financing of this project. I think what, what, what you'll need to start thinking about is, you know, what is the amortization period you want to select for this bond issue.

Councilman Meyer: We're going to talk about that later on tonight, discuss that.

Brad Bingham: Okay, okay. Very good. I think again at some point we just need some direction as far as...

Councilman Meyer: When do you need to know, to have that decision?

Brad Bingham: Really by your April meeting, I think, is when you would want to make that determination. Because that's when we'll start to get ready for the bond sale and move forward with the issuance of the bonds.

Councilman Meyer: Okay, I'm going to bring it up later on. Have the Council discuss it. Okay. Thank you. Okay. That concludes the Public Hearing and the Bond Ordinances.

(Ordinance 2018-02 is located on Pages 12 through 17 of these Official Minutes)

(Ordinance 2018-03 is located on Pages 17 through 18 of these Official Minutes)

TABLED ITEMS
CORONER
MOTORIZED EQUIPMENT

Councilman Meyer: Tabled Items, Coroner...

Councilman Christmas: We have to close the Bond Hearing.

Councilman Meyer: I'm sorry. Well, he said we didn't have to.

Councilman Christmas: Well, that's great.

Councilman Meyer: Do we need to close the Hearing?

Councilman Christmas: (Inaudible).

Cliff Whitehead: No, you can go on. It's the same meeting. It's just a portion (inaudible).

Councilman Meyer: Okay, we have an Additional Appropriation for the Coroner. Motorized equipment, twenty-five thousand nine hundred and fifty dollars ($25,950.00).

Coroner Seaton: Hello again.

Councilman Meyer: Hello again to you.

Coroner Seaton: We're persistent.

Councilman Christmas: (Inaudible). Thanks, Mike.

Coroner Seaton: He just gave away all my information.

Councilman Christmas: It's what he owes me.

Coroner Seaton: So for those who haven't met my Chief Deputy, this is Mike Frank. He's been Chief Deputy for a little while now. A year or so.

Councilman Meyer: Okay.

Coroner Seaton: So he's been on the department for a couple years. So, we had originally, just some back story, I think it, last September's meeting approached you about purchasing a new vehicle. The feedback, maybe it was August meeting. Requested the appropriations for a new truck, 2018 extended cab, cause we need that as you know, camper shell and the modifications. And we were asked to find a used vehicle. So then I've come back a couple of times with

know, just a few thousand dollars difference. So and I think Mike can kind of talk prices.

Chief Deputy Coroner Frank: And I got prices from, it's the State, it's the State bid price. So, everybody's pretty much the same within a few hundred dollars of each other. I got a little (inaudible).

Councilman Meyer: So, it looks to me like through this, it's cheaper than a used one (1)?

Chief Deputy Coroner Frank: Yeah.

Councilman Christmas: That's what I said.

Coroner Seaton: Which is where we started.

Councilman Meyer: I know.

Coroner Seaton: Just for the record.

Councilman Meyer: Okay.

Councilman Rudolph: I'm a little concerned that we have a six (6) member Council again.

Councilman Christmas: (Inaudible).

Coroner Seaton: Well, we're hoping to sway you all to a unanimous vote. We can go through the, the necessity of it again if we want to beat that horse. Or...?

Councilman Meyer: I'm just looking for a motion.

Councilman Metzger: I'll make the motion that we approve the money for her to get this four (4) wheel drive truck so long as it's a new one (1). I'm not interested in a new one (1)...I mean a used one (1) too much.

Councilman Meyer: Is there a second?

Councilman Metzger: (Inaudible).

Councilman Rudolph: So you're just talking about the twenty-five thousand five-thirty-one and sixty-four cents ($25,531.64)? Is that what your motion is for?

Councilman Metzger: Right. No, more than that.

Coroner Seaton: Yeah, we would still have to have the modifications, which would take us to right around...

Chief Deputy Coroner Frank: That's just for the truck. What I gave you is just for the truck.

Krystal Powless: (Inaudible).

Coroner Seaton: Yeah, we're still around probably thirty-one thousand ($31,000.00) total. But that's only like five thousand ($5,000.00) more than a used truck.

Councilman Christmas: That's for the bed

Chief Deputy Coroner Frank: That's with the bed and everything on it.

Coroner Seaton: That's with the bed, the gurney.

Councilman Christmas: That's her bed that she has to (inaudible) that's what I'm talking about.

Coroner Seaton: Everything.

Chief Deputy Coroner Frank: Yeah.

Councilman Meyer: Wait a minute, we need to get a second on Ted's motion, before we discuss this.

Cliff Whitehead: What's the specific number on Ted's motion?

Krystal Powless: Yeah.

Councilman Rudolph: Trying to clarify. Do you want to do the thirty-one thousand ($31,000.00)...?

Krystal Powless: We can't. We can't.

Councilman Metzger: Oh, okay.

Krystal Powless: We only advertised for the twenty-five nine-fifty ($25,950.00).

Councilman Meyer: We can't do that because we haven't advertised it.

Krystal Powless: That's as much as we can do.

Coroner Seaton: Okay.

Councilman Meyer: We can come back later and worry about that later.

Coroner Seaton: Well, I can come back later with the specifics for modification...

Councilman Christmas: Yeah.

Krystal Powless: Right.

Coroner Seaton: Request.

Councilman Meyer: So the motion was for twenty-five-nine-fifty ($25,950.00), correct, Ted?

Councilman Metzger: Correct. Correct.

Councilman Meyer: Okay, I need a second for that motion.

Councilman Christmas: I'll second it, cause I want to see us get this thing (inaudible).

Councilman Meyer: Seconded by Charlie. Any, any, motion made by Ted and seconded by Charlie. Any further discussion? All those in favor? One (1), two (2), opposed? Motion carried four to two (4-2 with David Hachmeister and Brad Overton opposing).

Krystal Powless: And the two (2)?

Councilman Meyer: Brad and David.

Coroner Seaton: Thank you, Gentlemen.

Councilman Meyer: Thank you.

Councilman Hachmeister: Hey, Mike.

Chief Deputy Coroner Frank: Yeah?

Councilman Hachmeister: Holler at me before you run around getting prices.

Chief Deputy Coroner Frank: Alright.

Councilman Meyer: Okay.

STORM WATER
ADDITIONAL APPROPRIATION
EQUIPMENT

Councilman Meyer: The next item, Additional Appropriation, Storm Water, Storm Water Management, Equipment, fifty-two thousand six hundred and two dollars ($52,602.00).

Steve Sherwood: Good evening, Gentlemen. Ladies.

Councilman Christmas: (Inaudible).

Steve Sherwood: We're asking for the remaining balance in our Equipment Fund in Storm Water from 2017 towards the purchase of a new skid loader for Storm Water. Highway Department has expressed interest in acquiring my current skid loader. And in order to help them, cause they don't have the funds to purchase one (1), we were willing to surrender our current one (1). If I can use my equipment money leftover from last year, and then furnish it with whatever funds I've got current equipment money to make up any deficit. But we anticipated it to be around sixty-thousand ($60,000.00) from our pre-interest and talking to some of the Caterpillar dealers, if we do indeed go with a Caterpillar. We have currently a Caterpillar that I'll surrender to the Highway Department contingent on this additional appropriation.

Councilman Rudolph: Excuse my ignorance, can you help me understand what a skid loader is?

Steve Sherwood: Basically a Bobcat, small little loader with a quarter yard bucket. They'd like to use the one (1) that we have that will reach and load the dirt patch machine and the chip spreader. The current skid loader that I have is very old. It breaks down frequently. They'll use it for other things such as working on street repairs and such as Bobby Howard explained to me. I've got pictures here if you'd like to see one (1).

Councilman Meyer: Haven't we already approved this?

Steve Sherwood: I don't believe...

Councilman Meyer: Last year?

Krystal Powless: Well, you had, it was...

Steve Sherwood: No, not this particular (inaudible). When I was up here a couple meetings ago, we got the other equipment approved that we were purchasing.

Councilman Meyer: Alright.

Steve Sherwood: We have not committed the funds to purchasing this.

Councilman Meyer: But this is 2017 money?

Steve Sherwood: Money left I wish to, (inaudible), I believe appropriately called additional?

Councilman Meyer: Okay, I gotcha.

Krystal Powless: Um hum.

Steve Sherwood: And this has already been approved by the Board of Commissioners tentative to, if I can acquire the money.

Councilman Meyer: Okay.

Councilman Rudolph: Motion to approve.

Councilman Meyer: Motion made by Paul to approve. Is there a second?

Councilman Christmas: I'll second it.

Councilman Meyer: Charlie, did you second it? Seconded by Charlie. Any discussion? All those in favor? Opposed? Motion carried six, zero (6-0).

Steve Sherwood: Thank you, Gentlemen.

Councilman Meyer: Thank you.

Councilman Meyer: Okay, that was all that was on our scheduled agenda.

(March 8, 2018 Appropriations are located on Page 18 of these Official Minutes)

DISCUSSION ON TERMS OF THE BOND ISSUES

Councilman Meyer: But I would like to have us discuss a little bit about the length of term for this bond we talked about. And whether you want to go with EDIT, some EDIT money in that every year too. I'd like to see it myself, added about two hundred thousand dollars ($200,000.00) from EDIT to this every year. Help it slow down.

Councilman Hachmeister: Well, that's what we done on the Judicial Center.

Councilman Meyer: That's what we did, that's what we did before. Now in talking to Krystal, she is a little bit concerned about the going with four and a half (4 ½) years because of the tax levy it would result in.

Krystal Powless: Five and a half (5 ½) years?

Councilman Meyer: Four and a half (4 ½), you said you were a little bit concerned about.

Councilman Hachmeister: Well, the new, new sheet was a four (4), wasn't it?

Cliff Whitehead: Yes.

Krystal Powless: Yeah, you're right. I'm sorry.

Councilman Meyer: But, I think we're looking at, she's more comfortable with the five and a half (5 ½) year. The difference was, on the Judicial Center, we were paying a bond of about a million dollars ($1,000,000.00) a year.

Krystal Powless: Um hum.

Councilman Meyer: And if we go to four and a half (4 ½), you can see it's going to be a million six ($1,600,000.00) a year. And that may be pushing us a little bit, even with the two hundred thousand dollars ($200,000.00). So, she would be, feel more comfortable with the five and a half (5 ½) year.

Krystal Powless: I mean that's up to you. Either way it'd just be more of a strain on the taxpayer if you went with the, but of course you're going to pay it off sooner. So, that was my...

Councilman Meyer: We'd pay it off quicker. It'd be a bigger hit for the taxpayer, that's right. So.

Councilman Hachmeister: Well...

Councilman Rudolph: Bigger hit for a shorter term.

Councilman Meyer: Right.

Councilman Rudolph: I mean it's less money to the taxpayer.

Krystal Powless: Correct.

Councilman Rudolph: At the end of the day.

Councilman Meyer: Exactly. Exactly, right.

Councilman Hachmeister: The...

Councilman Meyer: But, I think the taxpayer's looking every year, you know? Not three (3) years down the road. But anyway.

Councilman Hachmeister: I was looking for the other copy, what I had with all the ones on there.

Councilman Meyer: Did I take it?

Councilman Hachmeister: Naw, it's one (1) I had from a couple weeks ago. Well, I've runned and talked, like some of the independent, larger business owners and as well as a bunch of people that owned the ground. And of course people that own, you know, a thousand (1,000) acres up, on a five (5) year's a pretty big hit. Especially in some of the years it may not be, you know, such, affluent on cash flow. And of course they were looking at a ten (10) year. But I also looked at the difference in the interest rate. And the seven and a half (7 ½) year would kind of hit it in the middle. And for another quarter (1/4), maybe a half (1/2) percent interest over the five (5) year, wasn't much, was really wasn't much more cost to the County. That's why I was looking at the paper, for the paper that I had on that.

Councilman Rudolph: Why don't we start this way, is anyone here really wanting to advocate for the four (4) year or the ten (10) year options?

Councilman Meyer: Not me.

Councilman Christmas: Not me.

Councilman Rudolph: Then it becomes simple two (2) way calculation, right? We have two (2) choices. Five and a half (5 ½) or seven and a half (7 ½).

Councilman Meyer: And I think either one (1) will include the EDIT, right? Are you think...talking about that?

Councilman Rudolph: Well, that to be, well, I guess we could make it as part of the same.

Councilman Meyer: Yeah.

Councilman Rudolph: But...

Councilman Meyer: Cause she's got them both figured in here.

Councilman Rudolph: If we use EDIT, five and a half (5 ½) is easier than if we don't use EDIT, right?

Councilman Meyer: Right.

Councilman Rudolph: We don't expect, I really don't have a good feel for, what's the change in interest rate if we went from five and a half (5 ½) to seven and a half (7 ½) years? Mr. Bingham?

Brad Bingham: Yes, Brad Bingham, Barnes and Thornburg. The full disclaimer, I'm not the financial advisor here.

Councilman Rudolph: I understand.

Brad Bingham: The Umbaugh folks couldn't be here this evening. I think, instead of talking about a rate, I think what you're really wanting to know is what's the estimated interest cost. And so Matt Eckerle sent those numbers and just for comparison purposes, the, on a five and a half (5 ½) year, if you, and again, I'm using numbers without the EDIT pledge involved. Five and a half (5 ½) year, the estimated total interest cost would be just under six hundred thousand ($600,000.00). So just like five-ninety-five ($595,000.00) and change. On the seven and a half (7 ½) year, it would be eight hundred and twenty-two thousand ($822,000.00) and change. So if you pledging two hundred thousand ($200,000.00) of EDIT to each, those, those numbers would go down cause you're, you're, I take that back, actually that would, it would change the tax rate not the interest cost. So that's, that's really the boundaries.

Councilman Rudolph: So it's about a hundred thousand dollars ($100,000.00), if I can help you, about a hundred thousand dollars ($100,000.00) a year on the five and a half (5 ½) and so there's obviously, it'd be at least a hundred thousand dollars ($100,000.00) on the seven and a half (7 ½). And it'd probably be, so it'd be least two hundred thousand dollars ($200,000.00) extra in interest expense. And I'm actually really interested in the rate, right? Are we talking about three and a half (3 ½%) verses four (4%), three and a half (3 ½%) verses three and three quarters (3 ¾%)?

Brad Bingham: And again, the rate depends upon which maturity of the bonds we're talking about. So, I think that the ranges that Umbaugh has given, those would still be the same. So on the shorter end, you're looking at a maximum of, of maybe two percent (2%) all the way up to about a two-seven-five (2.75%). So those are current market rates plus some cushion built in. That's what Umbaugh came up with. If we sold today, they would be less than that. That's kind of the spread. And then the cost, the difference between the five and a half (5 ½) and the seven and a half (7 ½) year, just in terms of the gross interest costs is about two hundred twenty thousand dollars ($220,000.00). That's what you're kind of looking at. And again if you want to see more of like the, the, digging in to see the impact as far as on tax payers. With, with the two hundred thousand ($200,000.00) in there, they can model that. They just need a little time to kind of pull that together. And I think Matt would be happy to do that and volunteering him for that work. But if you want to see it, I'll convey that message to him.

Councilman Overton: Now, Gary, you mentioned, instead of paying two hundred thousand dollars ($200,000.00) a year out of EDIT, or were you saying put in two hundred thousand dollars ($200,000.00) on top to pay down?

Councilman Meyer: A year.

Councilman Overton: You're saying a year.

Councilman Meyer: And I know you were talking about...

Councilman Overton: Cause I was thinking talking money right off the top for what you were, you know, we take, let's say we take two hundred thousand ($200,000.00) out of EDIT and I'd say a hundred thousand dollars out of Rainy Day, so instead of looking at seven point three ($7,300,000.00), we're looking at seven ($7,000,000.00). That's what I was thinking that we've got less up front that we're financing.

Councilman Meyer: The only problem I've got with using Rain Day is that fund, I understand, is not replenishable

Councilman Overton: Right, but I'm saying that it is a one (1) time...

Councilman Meyer: One (1) time deal?

Councilman Overton: Take it off the top and not something that we're doing each year.

Councilman Hachmeister: We could do both.

Brad Bingham: I guess just to maybe clarify, you know, you've got to think about the, the draw schedule on, on the contract. So I know that's in the, the draft of ESG's proposal. You know, they're going to need the money. So the full six and a half ($6,500,000.00), whatever the total project cost is, within probably a year? So that's going to be spent down fairly quickly. I think what you're, what you're suggesting is, hey, can you do more of a pay as you go type of approach?

Councilman Overton: No, I'm saying just, if I hand them over three thousand dollars ($300,000.00) tomorrow, instead of going for the seven point three ($7,300,000.00), they're at seven ($7,000,000.00). That's what I'm saying.

Brad Bingham: Sure. You could do that and reduce your borrowing size, you would.

Councilman Overton: That's...

Brad Bingham: That would then lower your annual debt service payment as well, cause you've borrowed less.

Councilman Overton: Right. That's where I was coming from was just taking it off the front, making like a down payment, a one (1) time deal.

Brad Bingham: Like a one (1) time, you could do it that way if you chose. It's another option.

Councilman Overton: Or if we were thinking about taking, I mean, I don't know, I guess that's, that's something to throw out there. So I guess there's options that we can look at.

Councilman Meyer: And we don't have to decide this tonight. But we do need to decide in April.

Councilman Overton: But we need to discuss, yeah.

Councilman Meyer: We need to be thinking about it and decide how you want (inaudible).

Councilman Overton: I'd rather us kind of talk about some things now and get it out of here, at least a little bit of, turn things over a little bit now instead of get to April and then we're still just sitting around here all, we're all looking at each other going, okay, anybody got any ideas?

Councilman Meyer: Oh, I agree. I agree. Now, in your particular plan, is you're two hundred thousand ($200,000.00) from EDIT just a one (1) time deal also?

Councilman Overton: Well, I mean, now that you say that, cause I'm, cause I was, that's, I think I was looking at it from a different approach initially. But when you mentioned that earlier, so if we're at seven point three ($7,300,000.00), and let's say we just dropped in three hundred thousand dollars ($300,000.00), just for the sake. So then we've got, we're down to seven ($7,000,000.00). Then we could still go the two ($200,000.00), we can still do the two hundred thousand ($200,000.00). And maybe we look at doing a hundred thousand ($100,000.00) out of EDIT each year.

Councilman Meyer: Brad, how does that effect the rate or the interest? If we, if we pay a bigger chunk up front, and then, and then...

Brad Bingham: It's just going to, it's just going to reduce the size of your bond issue. So instead of issuing a seven point three million dollar ($7,300,000.00) bond, what he's suggesting is you'd have two hundred thousand ($200,000.00) of your own cash and you only issue seven point one ($7,100,000.00) of, of (inaudible) amount for bonds. You could do that. And then your, it doesn't affect the interest rate cause you're still spreading out the payment of the seven point one ($7,100,000.00) over a five and a half (5 ½) or seven and a half (7 ½) year period. And the interest rates are based upon maturity date of the bonds, not the amount that you borrow each time. So whether you had a million dollar ($1,000,000.00) payment in two (2) years or five hundred thousand dollars ($500,000.00) payment in two (2) years, that principle's going to bear the same interest rate because it's the delay in time for the investor to get paid back.

Councilman Meyer: Okay.

Councilman Rudolph: At the end of the day I think it's just a swap. It's just us taking money from EDIT like we normally do.

Councilman Meyer: Um hum.

Councilman Rudolph: It's, it (inaudible) decided that year.

Councilman Meyer: The only question, is taking that hundred thousand ($100,000.00) from Rainy Day.

Councilman Rudolph: I actually like the idea of taking a little bit from Rainy Day.

Councilman Overton: I mean a one (1) time...

Councilman Meyer: I don't mind it one (1) time either.

Councilman Overton: That's what I was saying, I'm proposing a one (1) time hit to bring down that initial borrow.

Councilman Meyer: Yeah.

Councilman Hachmeister: Take it off the top.

Councilman Overton: Yeah, take it off the top.

Councilman Hachmeister: And we can still take some out of Economic Development.

Councilman Meyer: Yeah.

Councilman Overton: Yeah.

Councilman Hachmeister: Yearly.

Councilman Meyer: Yeah. Since we approved this Ordinance of seven point four million dollars ($7,400,000.00), if we do this, does that affect the Ordinance at all?

Brad Bingham: Again, it would, the Ordinance is still the same. It would just reduce the size of the borrowing. Because again, we wouldn't sell the bonds until we know for sure that the cost of the project, which again we think is six point five ($6,500,000.00). Could be slightly higher depending on the projects you want to finance. But if you, if you decide, hey, we want to put in two hundred thousand ($200,000.00), that's going to reduce the size of the bond issue. That's going to be shown as a source funds along with the bond proceeds to pay of the projects.

Councilman Meyer: I see. Okay.

Brad Bingham: And just one (1), maybe, suggestion or thing to think about, to your point, rather than coming back in April and having the same discussions, you might think about a committee to consider this further pending your April Board meet...April meeting, just to come back with a recommendation as to how to look at this. Maybe that committee could ask questions and, and we could run the analysis for you as to what you want to see. That's just another thought.

Councilman Meyer: If we, if we do something like this, don't you have to draw up some kind of Resolution for money coming out of EDIT and Rainy Day in order to do that?

Cliff Whitehead: That's what we need to look at for Rainy Day. Most likely we do for the EDIT. Rainy Day we have to see if we have to modi...or amend the current Ordinance, but regardless, I can do it. That would not be an obstacle.

Councilman Meyer: Okay. Does anybody have a problem with asking the attorney to draw this up for the April meeting then?

Councilman Overton: Let me ask one (1) other thing.

Councilman Meyer: Sure.

Councilman Overton: Okay, we're looking at, let's say we're at seven point three ($7,300,000.00). And if we went with a hundred ($100,000.00) out, let's say, let's just say three hundred thousand dollars ($300,000.00) at the beginning. We've got it down to seven ($7,000,000.00). Would you still want to make a two hundred thousand dollar ($200,000.00) payment, draw off of that first year to go into the payment?

Krystal Powless: You're saying start it the following year?

Councilman Overton: Yeah, that's what I'm saying, yeah. Cause you're taking the two hundred ($200,000.00) out to pay down the, you know, initial...

Councilman Meyer: (Inaudible) I see what you mean.

Krystal Powless: Yeah.

Councilman Overton: Amount so then, do we still take, we don't want to take another two hundred ($200,000.00) out for the first year the (inaudible).

Councilman Meyer: No, I wouldn't (inaudible). Right.

Councilman Overton: So then starting year two (2) we would take the two hundred ($200,000.00) out...?

Councilman Meyer: Right.

Councilman Overton: From EDIT and going to the end?

Councilman Meyer: Right.

Councilman Overton: That's...

Councilman Meyer: That's the way I would look at it.

Krystal Powless: (Inaudible) Cliff draws up the Ordinance.

Councilman Meyer: Yeah.

Councilman Overton: That's why I was kind of wanting to clear that up.

Councilman Hachmeister: One (1) of the things there, it kind of spreads out the taxable amount, you know, from EDIT. Cause everybody pays into EDIT from income, and not so much on the property owners.

Councilman Meyer: Sure, that's true.

Councilman Overton: Well, then that's kind of why I like putting that other hundred ($100,000.00) in from Rainy Day, because it is, I mean it's something that, this is something that isn't going to fall down tomorrow if you think of that as your rainy day. Or you know, did the Courthouse burn? No. But it is something that needs to be done, yeah. So, I mean, that's how I can justify taking money out of Rainy Day. It's not like we (inaudible).

Councilman Meyer: Well, as long as we don't take it out...

Councilman Overton: No, I'm not saying take it our every time, no. (Inaudible).

Councilman Meyer: You're talking about a one (1) time deal.

Councilman Overton: I'm saying one (1) time.

Councilman Hachmeister: Yeah, off the initial bond issue.

Councilman Meyer: Yeah.

Councilman Hachmeister: Amount, lend it, that we borrowed, and reduce that bond.

Councilman Overton: Right.

Councilman Hachmeister: And then, kind of what everybody wants to do, their wishes, as far as, we kept bringing up the two hundred thousand ($200,000.00) out of Economic Development.

Councilman Overton: And Larry had already...

Councilman Meyer: It's, it's, Larry's already figured it in.

Councilman Overton: He's figured that into the future, in his budget. So I think we're in agreement.

Councilman Meyer: His budget. But it seems like everybody, correct me if I'm wrong, but it seems like everybody's rather comfortable with that at this point. The only other question we have, which maybe we can wait 'til next meeting, is the years. You want to go five and a half (5 ½). I think David said something about seven and a half (7 ½). So that's something we need to think about, which we can do that at the next meeting. Correct?

Cliff Whitehead: Yes.

Councilman Meyer: So, you need to think about that. But I think the other decision we're all pretty much in agreement on what we want to do.

Cliff Whitehead: So, for the EDIT, make sure I understand, is it a one (1) time two hundred ($200,000.00), or is it every year?

Councilman Meyer: Every year.

Cliff Whitehead: Okay.

Councilman Meyer: One (1) time for the Rainy Day.

Councilman Hachmeister: And that's what we done in the past.

Councilman Overton: But we're going to pull the two hundred ($200,000.00), Cliff, out of that initial one (1) to pay down the seven point three ($7,300,000.00). So that will come off right off the bat.

Councilman Meyer: That will come out early.

Councilman Hachmeister: We'd just have to make sure we put that in the budget each year.

Councilman Meyer: Right. Well, I think he's already got it in his budget.

Councilman Hachmeister: Well, I mean we...

Krystal Powless: No.

Councilman Meyer: (Inaudible) we have to do it too. Yeah, right.

Councilman Hachmeister: When we do budget, make sure it's in there.

Councilman Christmas: (Inaudible) take care of that.

Krystal Powless: There's discussion with Cliff on how we're going to do that. We're going to find out the answers. There's two (2) ways to do it and we're going to find out the step he thinks is best.

Councilman Meyer: Okay.

Councilman Hachmeister: But I would, and like I say, I've talked to several people. A couple of groups, but also individuals as far as the same thing, you know. If you're a large property owner, it could be a pretty good chunk off of (inaudible). Originally we was looking on like thirty thousand ($30,000.00), excuse me, thirty dollars ($30.00) per hundred thousand ($100,000.00) assessment for years, crop ground, or agricultural ground. It's about triple that, I believe. Just like the commercial property owners as well as the ground owners, it, it could throw a big chunk in there on certain years.

Councilman Overton: I think the one (1) thing with that amount, I mean, the five and a half (5 ½), I mean if we just look at this twelve-ninety-four figure, which was including the seven point three ($7,300,000.00). If you look back on that chart

that you have, the one (1) that was landscaped wider. I left mine at home. Yeah, the one (1) that showed the previous amounts that we'd been paying.

Krystal Powless: This one (1)?

Councilman Overton: Yeah. That one (1), cause that twelve-ninety-four puts us real close to the ballpark when we were still paying for the Judicial Center. So it's not as if we're you know, and yes, would it have been, would it have been nice to have just went and as soon as the Judicial Center was done, we had this already drawn up. That would have been great.

Councilman Meyer: Ideal.

Councilman Overton: But this is called the government, so sometimes there's a little bit of a lapse, lag in things. So I mean it's not as if we're, we're not increasing something from what we were already doing. I mean I hate to, gosh, I almost sound like I'm a proponent of some kinds of taxes, but I mean I'm just trying to say that's not an amount that we weren't used to paying at some point in time. Then hopefully pay down this three hundred thousand ($300,000.00) off the top, will bring down that initial amount, you know, that's going to be, that will be taken out each, you know, our payment and our interest amount will go down too. That's my point. So that's my two cents ($0.02). I think I've talked enough for tonight.

Councilman Meyer: Can you draw something up then, Counselor?

Cliff Whitehead: Yes.

Councilman Meyer: For our next meeting?

Cliff Whitehead: Yes.

Councilman Meyer: So, everybody think about the length of time you want. So, I think we've narrowed it down to five and a half (5 ½) or seven and a half (7 ½) and so we'll make that decision next meeting. So everything else we've pretty well agreed on.

Councilman Overton: And I'm assuming we'll have the information as far as the payments and that, that schedule. Could you get us that?

Brad Bingham: Yes, and again, I'll talk to Matt Eckerle and just to kind of brief him on what you've been discussing here so that he can model that for you and then present it at the April Board meeting, Council meeting.

Councilman Meyer: That would be very...

Councilman Hachmeister: It was sent to us. And I thought I had a copy of it.

Councilman Meyer: Not with the extra hundred thousand dollars ($100,000.00).

Councilman Hachmeister: No, no, not with it taken out.

Brad Bingham: I think what I'd like to give Matt is to sort of show again that you would plug in three hundred thousand ($300,000.00) up front. Would reduce the bond size, which then lowers the annual payments, which lowers the taxes impact. I mean I want to present him all that info so that he can model that up where you can see it. Just understand that the actual interest rates aren't set until you sell the bonds. So that would be sometime perhaps in mid-April.

Councilman Meyer: That's the, that's the fluctuating field?

Brad Bingham: Yeah, cause once you sell the bond, that's when the investor says, here's my rate, and you've kind of locked it in. Until then we're just kind of going off estimates at this point.

Councilman Meyer: Okay.

Councilman Overton: But you've already got, there is that max amount.

Brad Bingham: Yep. Yep.

Councilman Overton: So that's built in.

Brad Bingham: Okay.

Councilman Meyer: Okay, any other questions about this? Anybody from the public like to address the Council? All two (2) of you? Okay. Looking for a motion.

Councilman Overton: Motion.

Councilman Meyer: Wait a minute. Our next meeting is April 5th, that's not, that's not, it's still 6:00 (PM)? Isn't it?

Krystal Powless: Yes, 6:00 (PM).

Councilman Meyer: 6:00 (PM), April 5th (inaudible).

Councilman Christmas: (Inaudible).

Councilman Meyer: Meeting's adjourned.

ADJOURNMENT: Meeting adjourned at 6:35 PM.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

David Hachmeister

Ted Metzger

Paul Rudolph

(not present)
Greg Richmond, Vice President

Brad Overton

Charles R. Christmas

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

WARRICK COUNTY COUNCIL ORDINANCE NO. 2018-02

AN ORDINANCE OF THE WARRICK COUNTY COUNCIL, AS FISCAL BODY OF WARRICK COUNTY, INDIANA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY FOR THE PURPOSE OF PROVIDING FUNDS TO PAY FOR THE COSTS OF CERTAIN CAPITAL IMPROVEMENTS AT VARIOUS COUNTY FACILITIES AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS AND APPROVING CERTAIN MATTERS RELATED THERETO

WHEREAS, the Warrick County Council (the "Council"), as the fiscal body of Warrick County, Indiana (the "County"), has given consideration to projects and improvements at certain County-owned facilities including without limitation: (i) renovations, improvements and upgrades to the existing County Courthouse and Judicial Center, as more particularly identified and described in the report from Energy Systems Group, Inc., dated February 8, 2018, including, but not limited to, certain structural, electrical, mechanical, plumbing, HVAC and technology equipping and improvement projects; (ii) renovations, improvements and upgrades to the County's existing historic jail; (iii) acquisition, improvement and equipping projects for the County Sheriff Department, including, without limitation, certain technology upgrades to the computer system and E911 system; and (iv) any other miscellaneous renovations, improvements or equipping projects related to the foregoing items (collectively, the "Project"); and

WHEREAS, it would be of public utility and benefit and in the best interests of the County and its citizens to pay the costs of all or a portion of the Project, together with any incidental expenses incurred in connection with or on account of the issuance of the Bonds, including any capitalized interest thereon, through the issuance of general obligation bonds of the County payable from a tax levied upon all of the taxable property of the County, as more fully described herein; and

WHEREAS, pursuant to Indiana Code § 36-2-6-18, Indiana Code § 6-1.1-20-1, *et. seq.*, and other applicable provisions of the Indiana Code (collectively, the "Act"), the Council now deems it advisable to borrow money, with such indebtedness to be evidenced by issuance of a series of notes, bonds or other obligations of the County, designated as the "Warrick County, Indiana, General Obligation Bonds, Series 2018" with such further or different series designation as may be determined to be necessary or desirable (hereinafter, the "Bonds"), in an original aggregate principal amount not to exceed $7,400,000 (the "Authorized Amount") for the purpose of providing funds to be applied to (i) all or a portion of the costs of the Project, (ii) the reimbursement of preliminary expenses related thereto and all incidental expenses incurred in connection therewith, including necessary engineering, design, and related activities (all of which are deemed to be a part of the Project), (iii) capitalized interest on the Bonds, if any and (iv) the costs of selling and issuing the Bonds; and

WHEREAS, the Authorized Amount of the Bonds, together with the outstanding principal amount of any previously issued bonds or other obligations which constitute indebtedness of the County, is no more than two percent (2%) of one-third (1/3) of the total net assessed valuation of the County; and

WHEREAS, the Project, together with any capitalized interest and all incidental expenses incurred in connection with or on account of the issuance of the Bonds, is estimated to cost the County not more than $7,400,000; and

WHEREAS, the amount of net proceeds of the Bonds allocated to pay costs of the Project, together with estimated investment earnings thereon, will not exceed the cost of the Project as estimated by the Council; and

WHEREAS, the Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the Bonds have been complied with in accordance with the Act; and

WHEREAS, the Council desires to establish its intent on behalf of the County, pursuant to U.S. Treasury Regulation § 1.150-2 and Indiana Code § 5-1-14-6(c), that costs associated with the Project which may be incurred by or on behalf of the County prior to the issuance of the Bonds may be reimbursed from the proceeds of the Bonds:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL, AS FOLLOWS:

SECTION 1. Authorization for Bonds; Declaration of Intent. In order to provide financing for the Project, capitalized interest on the Bonds, and incidental expenses incurred in connection therewith and on account of the issuance of the Bonds, the County shall borrow money and issue the Bonds as herein authorized. Such incidental expenses shall include, without limitation, all expenses of every kind incurred preliminarily to the funding of the Project, including the costs of issuing the Bonds. The County covenants that the proceeds of the Bonds will not be used for any purpose except as described in this Ordinance. The County hereby declares the official intent of the County to reimburse expenditures for the Project which may be incurred prior to the issuance of the Bonds with proceeds of the Bonds, when and if issued, in accordance with U.S. Treasury Regulation § 1.150-2 and Indiana Code § 5-1-14-6(c).

SECTION 2. General Terms of Bonds.

(a) Issuance of Bonds. In order to procure said loan and borrow funds for such purposes, the Council hereby authorizes the issuance of the Bonds for the County as described herein. The Auditor of the County (the "Auditor") is hereby authorized and directed to have prepared and to issue and sell the Bonds as negotiable general obligation bonds of the County, in one or more series, in an aggregate principal amount not to exceed the Authorized Amount, to be designated as "Warrick County, Indiana, General Obligation Bonds, Series 2018" with such further or different series designation as may be determined to be necessary or desirable, for the purpose of providing financing for the Project and incidental expenses, such expenses to include without limitation all expenses of every kind incurred preliminarily to the funding of the Project, and paying the costs of selling and issuing the Bonds. The final principal amount of the Bonds (not exceeding the Authorized Amount) shall be determined by the Board of Commissioners of the County (the "Commissioners"), based upon the recommendation of the municipal advisor to the County, prior to the sale of the Bonds.

The Bonds shall be signed in the name of the County by the manual or facsimile signature of the Commissioners and attested by the manual or facsimile signature of the Auditor,

who shall affix the seal of the County to each of the Bonds manually or shall have the seal imprinted or impressed thereon by facsimile or other means. In case any Officer whose signature or facsimile signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such Officer had remained in office until delivery thereof. The Bonds shall also be authenticated by the manual signature of the Registrar (as hereinafter defined). Subject to the provisions of this Ordinance regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the applicable laws of the State of Indiana.

(b) Source of Payment. The Bonds are, as to all the principal thereof and interest due thereon, general obligations of the County payable from *ad valorem* property taxes on all taxable property within the County, to be levied for collection beginning in 2019.

(c) Denomination; Interest Rates; Payment Dates. The Bonds shall be issued in fully registered form in denominations of Five Thousand Dollars ($5,000) or any integral multiple thereof (or such different denominations as the Auditor shall determine prior to the sale of the Bonds, based upon the recommendation of the municipal advisor to the County), shall be numbered consecutively from 2018R-1 upward, and shall be originally dated as of their date of issuance. The Bonds shall bear interest payable semiannually on January 15 and July 15 of each year, beginning not earlier than July 15, 2018, at a rate or rates not exceeding four percent (4.00%) per annum (the exact rate or rates to be determined by bidding pursuant to Section 6 of this Ordinance). Interest shall be calculated on the basis of a three hundred sixty (360) day year comprised of twelve (12) thirty (30) day months. The Bonds shall mature serially on January 15 and July 15 of each year, beginning no earlier than July 15, 2019, and ending not later than January 15, 2028, in such amounts as the Auditor, with the advice of the County's municipal advisor, shall determine prior to the sale of the Bonds.

All payments of interest on the Bonds shall be paid by check mailed one (1) business day prior to the interest payment date to the registered owners thereof as of the 15th day of the month in which such interest payment date occurs at the addresses as they appear on the registration books kept by the Registrar (the "Registration Record"), or at such other address as is provided to the Paying Agent (as hereafter defined) in writing by such registered owner. All principal payments on the Bonds shall be made upon surrender thereof at the principal office of the Paying Agent, in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts.

Interest on Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date thereof unless such Bonds are authenticated after the fifteenth day of the month in which such interest payment date occurs and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless authenticated on or before the fifteenth day of the month in which the first interest payment date occurs, in which case they shall bear interest from the original date, until the principal shall be fully paid.

(d) Transfer and Exchange. Each Bond shall be transferable or exchangeable only upon the Registration Record by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer

or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the County, except for any tax or governmental charge required to be paid in connection therewith, which shall be payable by the person requesting such transfer or exchange. The County, the Registrar and the Paying Agent may treat and consider the persons in whose names such Bonds are registered as the absolute owners thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(e) Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the County may execute and the Registrar may authenticate a new Bond of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new bond shall be marked in a manner to distinguish it from the Bond for which it was issued, provided that, in the case of any mutilated bond, such mutilated Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the County and the Registrar, together with indemnity satisfactory to them. In the event any such Bond shall have matured, instead of issuing a duplicate Bond, the County and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The County and the Registrar may charge the owner of such Bond with their reasonable fees and expenses in this connection. Any Bond issued pursuant to this paragraph shall be deemed an original, substitute contractual obligation of the County, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds issued hereunder.

SECTION 3. Terms of Redemption. The Commissioners and the Auditor, upon consultation with the County's municipal advisor, may designate maturities of Bonds (or portions thereof in authorized denominations) that shall be subject to optional redemption and/or mandatory sinking fund redemption, and the corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Commissioners and the Auditor, upon consultation with the County's municipal advisor, are hereby authorized and directed to determine the terms governing any such redemption of the Bonds.

Notice of redemption shall be mailed by first-class, registered or certified mail to the address of each registered owner of a Bond to be redeemed as shown on the Registration Record not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption except to the extent such redemption notice is waived by owners of Bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of any proceedings for the redemption of any other Bonds. The notice shall specify the date and place of redemption, the redemption price and the CUSIP numbers (if any) of the Bonds called for redemption. The place of redemption may be determined by the County. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such Bonds shall no longer be

protected by this Ordinance and shall not be deemed to be outstanding hereunder, and the holders thereof shall have the right only to receive the redemption price.

All Bonds which have been redeemed shall be canceled and shall not be reissued; provided, however, that one (1) or more new registered Bonds shall be issued for the unredeemed portion of any Bond without charge to the holder thereof.

No later than the date fixed for redemption, funds shall be deposited with the Paying Agent or another paying agent to pay, and such agent is hereby authorized and directed to apply such funds to the payment of, the Bonds or portions thereof called for redemption, including accrued interest thereon to the redemption date. No payment shall be made upon any Bond or portion thereof called for redemption until such Bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by this Ordinance with respect to any mutilated, lost, stolen or destroyed bond.

SECTION 4. Appointment of Registrar and Paying Agent. The Auditor is hereby authorized to serve as, or to appoint a qualified financial institution to serve as, Registrar and Paying Agent for the Bonds (the "Registrar" or "Paying Agent"). The Registrar is hereby charged with the responsibility of authenticating the Bonds, and shall keep and maintain at its principal office or corporate trust office books for the registration and transfer of the Bonds. The Commissioners and the Auditor are hereby authorized to enter into such agreements or understandings with any institution hereafter serving in such capacities as will enable the institution to perform the services required of the Registrar and Paying Agent. The Auditor is authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent.

The Registrar and Paying Agent may, at any time, resign as Registrar and Paying Agent by giving thirty (30) days written notice to the Auditor and to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the Auditor. Such notice to the Auditor may be served personally or be sent by first-class or registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Auditor, in which event the Auditor may appoint a successor Registrar and Paying Agent. The Auditor shall notify each registered owner of the Bonds then outstanding of the removal of the Registrar and Paying Agent. Notices to registered owners of the Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the bond register. Any predecessor Registrar and Paying Agent shall deliver all the Bonds, cash and investments in its possession and the Registration Record to the successor Registrar and Paying Agent. At all times, the same entity shall serve as Registrar and as Paying Agent.

SECTION 5. Form of Bonds; Book-Entry Form. (a) The form and tenor of the Bonds shall be substantially as follows, all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof:

2018R-
UNITED STATES OF AMERICA

STATE OF INDIANA COUNTY OF WARRICK

WARRICK COUNTY, INDIANA
GENERAL OBLIGATION BOND, SERIES 2018

Interest Rate	Maturity Date	Original Date	Authentication Date	[CUSIP]
___%	_____ 15, 20__	_____ 15, 20__	_____ 15, 20__	_____

REGISTERED OWNER: _____

PRINCIPAL SUM: _____ Dollars ($_____)

Warrick County, Indiana (the "County") for value received, hereby promises to pay to the Registered Owner set forth above, the Principal Sum set forth above on the Maturity Date set forth above, and to pay interest thereon until the Principal Sum shall be fully paid, at the interest rate per annum specified above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the last day of the month immediately preceding a month in which such interest payment date occurs and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless this bond is authenticated on or before _____ 20____, in which case it shall bear interest from the Original Date, which interest is payable semiannually on January 15 and July 15 of each year, beginning on _____ 15, 20__. Interest shall be calculated on the basis of a three hundred sixty (360) day year comprised of twelve (12) thirty (30) day months.

The principal of this bond is payable at _____ (the "Registrar" or "Paying Agent"), in _____, Indiana. All payments of interest on this bond shall be paid by check mailed one (1) business day prior to the interest payment date to the registered owner hereof as of the fifteenth day of the month in which such interest payment date occurs at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. All payments of principal of and premium, if any, on this bond shall be made upon surrender thereof at the [designated][principal][corporate trust] office of the Paying Agent in any coin or currency of the United States of America which on the dates of such payment shall be legal tender for the payment of public and private debts.

This bond is one (1) of an authorized issue of negotiable bonds of the County, of like original date, tenor and effect, except as to denomination, numbering, interest rates, and dates of maturity, in the total amount of _____ Million _____ Hundred _____ Thousand Dollars ($_____), numbered consecutively from 2018R-1 upward, issued for the purpose of providing funds to pay for all or a portion of the costs of construction and equipping of a community corrections facility in the County, and the costs of the issuance of bonds therefor, as authorized by Ordinance No. _____ adopted by the County Council of the County on the _____ day of _____, 2018, entitled "AN ORDINANCE OF THE COUNTY COUNCIL OF WARRICK COUNTY, INDIANA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY FOR THE PURPOSE OF PROVIDING FUNDS TO PAY FOR THE COSTS OF CERTAIN CAPITAL IMPROVEMENTS AT VARIOUS COUNTY FACILITIES AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS, AND ALL MATTERS RELATED THERETO" (the "Ordinance"), and in accordance with I.C. § 36-2-6-18 and other applicable provisions of the Indiana Code, as amended (collectively, the "Act"). The owner of this bond, by the acceptance hereof, agrees to all the terms and provisions contained in the Ordinance and the Act.

PURSUANT TO THE PROVISIONS OF THE ACT AND THE ORDINANCE, THE PRINCIPAL OF THIS BOND AND ALL OTHER BONDS OF SAID ISSUE AND THE INTEREST DUE THEREON ARE PAYABLE AS A GENERAL OBLIGATION OF THE COUNTY, FROM AN *AD VALOREM* PROPERTY TAX TO BE LEVIED ON ALL TAXABLE PROPERTY WITHIN THE COUNTY.

[Insert mandatory sinking fund redemption terms, if any]

Notice of such redemption shall be mailed by first-class mail or by registered or certified mail not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption to the address of the registered owner of each bond to be redeemed as shown on the registration record of the County except to the extent such redemption notice is waived by owners of the bond or bonds redeemed; provided, however, that failure to give such notice by mailing, or any defect therein with respect to any bond shall not affect the validity of any proceedings for the redemption of any other bonds. The notice shall specify the date and place of redemption, the redemption price and the CUSIP numbers, if any, of the bonds called for redemption. The place of redemption may be determined by the County. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such bonds shall no longer be protected by the Ordinance, and shall not be deemed to be outstanding thereunder.

This bond is subject to defeasance prior to payment as provided in the Ordinance.

If this bond shall not be presented for payment on the date fixed therefor, the County may deposit in trust with the Paying Agent, or another paying agent, an amount sufficient to pay such bond, and thereafter the Registered Owner shall look only to the funds so deposited in trust for payment and the County shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the Registered Owner in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, in exchange therefor. The County, any Registrar and any Paying Agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The bonds maturing in any one (1) year are issuable only in fully registered form in the denomination of [$5,000] or any integral multiple thereof.

[A Continuing Disclosure Contract from the County to each registered owner or holder of any bond, dated as of the date of initial issuance of the bonds (the "Contract"), has been executed by the County, a copy of which is available from the County and the terms of which are incorporated herein by this reference. The Contract contains certain promises of the County to each registered owner or holder of any bond, including a promise to provide certain continuing disclosure. By its payment for and acceptance of this bond, the registered owner or holder of this bond assents to the Contract and to the exchange of such payment and acceptance for such promises.]

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, Warrick County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signatures of a majority of its duly elected, qualified and acting Board of Commissioners, and its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by the Auditor of the County.

BOARD OF COMMISSIONERS OF
WARRICK, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

(SEAL)

ATTEST:

_____
Auditor

CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one (1) of the bonds described in the within-mentioned Ordinance duly authenticated by the Registrar.

_____, as Registrar

By: _____
Authorized Representative

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM.	as tenants in common
TEN. ENT.	as tenants by the entireties
JT. TEN.	as joint tenants with right of survivorship and not as tenants in common
UNIF. TRANS. MIN. ACT	_____ Custodian _____ (Cust.) (Minor) under Uniform Transfers to Minors Act of _____ (State)

Additional abbreviations may also be used, although not contained in the above list.

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (Please Print or Typewrite Name and Address) $_____ principal amount (must be a multiple of [$5,000]) of the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in

every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

_____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

(End of Form of Bonds)

(b) The Bonds may, in compliance with all applicable laws, initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the County from time to time (the "Clearing Agency"), without physical distribution of bonds to the purchasers. The following provisions of this section apply in such event.

One (1) definitive Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The County and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds remain and are held in book-entry form on the books of a Clearing Agency, (1) any such Bond may be registered upon the books kept by the Registrar in the name of such Clearing Agency, or any nominee thereof, including Cede & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the County and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such Bond, the receiving of notice and giving of consent; (3) neither the County nor the Registrar or Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal of or interest or premium, if any, on any Bond, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either the County receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds, or the County elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the

County and Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such person or persons, including any other Clearing Agency, as the holders of the Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the County.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owner of Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the Bonds as the bondholders, and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Commissioners, the Auditor and/or the Registrar are authorized to execute and deliver a Letter of Representations agreement with the Clearing Agency, or a Blanket Issuer Letter of Representations, and the provisions of any such Letter of Representations or any successor agreement shall control on the matters set forth therein. The Registrar, by accepting the duties of Registrar under this Ordinance, agrees that it will (i) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (ii) comply with all requirements of the Clearing Agency, including without limitation same day funds settlement payment procedures. Further, during any time that the Bonds are held in book-entry form, the provisions of Section 5 of this Ordinance shall control over conflicting provisions in any other section of this Ordinance.

SECTION 6. Sale of Bonds. The Bonds shall be sold in a competitive sale. The Auditor shall cause to be published a notice of sale once each week for two (2) consecutive weeks in accordance with Indiana Code § 5-3-1-2. The date fixed for the sale shall not be earlier than fifteen (15) days after the first of such publications and not earlier than three (3) days after the second of such publications. Said bond sale notice shall state the time and place of sale, the purpose for which the Bonds are being issued, the total amount thereof, the amount and date of each maturity, the maximum rate or rates of interest thereon, their denominations, the time and place of payment, that specifications and information concerning the Bonds are on file in the office of the Auditor and are available on request, the terms and conditions upon which bids will be received and the sale made and such other information as is required by law or as the Auditor shall deem necessary, including any terms and conditions of sale which provide an exclusion or exemption from the applicability of all or a portion of the provisions of Rule 15c2-12 of the U.S. Securities and Exchange Commission, as amended (the "SEC Rule") in which case the Auditor may set the minimum authorized denomination of the Bonds at One Hundred Thousand Dollars ($100,000) and integral multiples of $5,000 in excess thereof as contemplated by the SEC Rule.

As an alternative to the publication of a notice of sale, the Auditor may sell the Bonds through the publication of a notice of intent to sell the Bonds and compliance with related procedures pursuant to Indiana Code § 5-1-11-2(b).

All bids for the Bonds shall be sealed and shall be presented to the Auditor in accord with the terms set forth in the Bond sale notice. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, which shall be the same for all Bonds maturing on the same date, not exceeding four percent (4.00%) per annum, and such interest rate or rates shall be in multiples of one-eighth (1/8) or one-hundredth (1/100) of one percent. The Auditor shall award the Bonds to the bidder who offers the lowest interest cost, to be determined by computing the total interest on all the Bonds to their maturities and deducting therefrom the premium bid, if any, or adding thereto the amount of the discount, if any. No bid for less than ninety-nine percent (99%) of the par value of the Bonds (or such higher percentage as the Auditor shall determine, with the advice of the County's municipal advisor, prior to the sale of the Bonds) and accrued interest, if any, shall be considered. The Auditor may require that the successful bidder provide to the County a good faith deposit in the form of cash, certified or cashier's checks payable to the order of the County, or wire transfer (as instructed by the County) (the "Deposit"), in an amount not to exceed one percent (1%) of the aggregate principal amount of the Bonds as a guaranty of the performance of said bid. The successful bidder shall be required to submit to the County the Deposit not later than 3:30 p.m. (Eastern time) on the next business day following the award. In the event the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for delivery or at the time fixed in the notice of sale, then such Deposit and the proceeds thereof shall be the property of the County and shall be considered as its liquidated damages on account of such default In the event no satisfactory bids are received on the day named in the sale notice, the sale may be continued from day to day thereafter for a period of thirty (30) days without readvertisement; provided, however, that if said sale be continued, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for sale in the bond sale notice. The Auditor shall have full right to reject any and all bids.

Following the sale of the Bonds, the Auditor is hereby authorized and directed to have the Bonds prepared; the Commissioners are hereby authorized and directed to execute the Bonds; and the Auditor is hereby authorized and directed to attest the execution of the Bonds; all in substantially the form and the manner herein provided. After the Bonds have been properly sold and executed, the purchase price for the Bonds shall be paid by the purchaser of the Bonds to and received by the County Treasurer, and the County Treasurer shall then provide for the delivery of the Bonds to the purchaser thereof. The Auditor shall report the proceedings related to the sale of the Bonds to the Council.

The Auditor is hereby authorized and directed to obtain a legal opinion as to the validity of the Bonds from Barnes & Thornburg LLP, and to furnish such opinion to the purchasers of the Bonds or to cause a copy of said legal opinion to be printed on each Bond. The cost of such opinion shall be paid out of the proceeds of the Bonds.

SECTION 7. Use of Bond Proceeds; Funds and Accounts.

(a) Project Fund. Any accrued interest received at the time of delivery of the Bonds will be applied to payments on the Bonds on the earliest interest payment dates. The remaining proceeds received from the sale of the Bonds shall be deposited into a construction fund created and designated as the "Warrick County, Indiana, 2018 Bond Project Fund" (the "Project Fund"). The proceeds deposited into the Project Fund shall be expended only for the purpose of paying expenses incurred in connection with the Project, together with capitalized interest on the Bonds and the expenses incidental thereto and on account of the issuance of the Bonds. The proceeds of the Bonds may be used to reimburse the County for prior expenditures for the foregoing purposes; provided such reimbursement does not cause the interest on the Bonds to be taxable for federal income tax purposes. Any balance remaining in the Project Fund after the completion of the Project that is not required to meet unpaid obligations incurred in connection therewith and on account of the issuance of the Bonds may be used to pay debt service on the Bonds or otherwise used as permitted by law.

(b) Sinking Fund. There is hereby created a separate fund, designated as the "Warrick County, Indiana 2018 Bond Sinking Fund" (the "Sinking Fund"), which amounts therein shall be applied to the payment of the principal of and interest on the Bonds, together with any fiscal or administrative charges related to the Bonds. As taxes attributable to the debt service levy for the Bonds are collected, they shall be set aside and accumulated in the Sinking Fund and used for the purposes described herein.

SECTION 8. Defeasance. If, when the Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption have been given, and the whole amount of the principal and the interest so due and payable upon such Bonds or any portion thereof then outstanding shall be paid, or (i) cash, or (ii) direct non-callable obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, the principal of and the interest on which when due without reinvestment will provide sufficient money, or (iii) any combination of the foregoing, shall be held irrevocably in trust for such purpose, and provision shall also be made for paying all fees and expenses for the payment, then and in that case the Bonds or such designated portion thereof shall no longer be deemed outstanding or secured by this Ordinance.

SECTION 9. Tax Matters. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes and as an inducement to purchasers of the Bonds, the County represents, covenants and agrees that:

(a) The County will not take any action or fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations thereunder as applicable to the Bonds, including, without limitation, the taking of such action as is necessary to rebate or cause to be rebated

arbitrage profits on Bond proceeds or other monies treated as Bond proceeds to the federal government as provided in Section 148 of the Code, and will set aside such monies, which may be paid from investment income on funds and accounts notwithstanding anything else to the contrary herein, in trust for such purposes.

(b) The County will file an information report on Form 8038-G with the Internal Revenue Service as required by Section 149 of the Code.

(c) The County will not make any investment or do any other act or thing during the period that any Bond is outstanding hereunder which would cause any Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations thereunder as applicable to the Bonds.

Notwithstanding any other provisions of this Ordinance, the foregoing covenants and authorizations (the "Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal income tax law (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 10. Amendments. Subject to the terms and provisions contained in this Section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds then outstanding shall have the right, from time to time, to consent to and approve the adoption by the County of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the County for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Bond, without the consent of the holder of each Bond so affected; or

(b) A reduction in the principal amount of any Bond or the rate of interest thereon, or a change in the monetary medium in which such amounts are payable, without the consent of the holder of each Bond so affected; or

(c) A preference or priority of any Bond over any other Bond, without the consent of the holders of all Bonds then outstanding; or

(d) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance, without the consent of the holders of all Bonds then outstanding.

If the County shall seek to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Bonds. The Registrar shall not, however, be subject to any liability to any owners

securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Bonds;

(d) To provide for the refunding or advance refunding of the Bonds, to the extent permitted by law; or

(e) To make any other change which, in the determination of the Council in its sole discretion, is not to the prejudice of the owners of the Bonds.

SECTION 11. Continuing Disclosure. In order to assist any underwriter of the Bonds in complying with paragraph (b)(5) of the SEC Rule by undertaking to make available disclosure about the County and the Bonds to participants in the municipal securities market, the Commissioners and the Auditor are hereby authorized to execute and deliver, on behalf of the County, a continuing disclosure undertaking agreement or contract (the "Continuing Disclosure Contract"), upon delivery of the Bonds, with such terms therein as approved by such officers based upon the advice of bond counsel, the execution of such Continuing Disclosure Contract by such officers to be evidence of such approval. The County hereby covenants, agrees and undertakes, in accordance with the SEC Rule, unless excluded from the applicability of the SEC Rule or otherwise exempted from paragraph (b)(5) of the SEC Rule, that it will comply with and carry out all of the its obligations thereunder by or through any employee or agent of the County and shall comply with and carry out the terms thereof. Notwithstanding any other provision of this Ordinance, failure of the County to comply with the Continuing Disclosure Contract shall not be considered an event of default under the Bonds or this Ordinance.

SECTION 12. Approval of Official Statement. If legally required as part of a public offering of the Bonds in accordance with the SEC Rule, the Commissioners and/or Auditor are hereby authorized to deem final an official statement with respect to the Bonds, as of its date, in accordance with the provisions of the SEC Rule, subject to completion as permitted by the SEC Rule, and the Council further authorizes the distribution of the deemed final official statement, and the execution, delivery and distribution of such document as further modified and amended with the approval of the Commissioners and/or Auditor in the form of a final official statement.

SECTION 13. Other Action. The appropriate Officers of the County are hereby authorized to take all actions to obtain a rating, bond insurance or any other form of credit enhancement for the Bonds if economically feasible and desirable and with the favorable recommendation of the municipal advisor to the County. In addition, the appropriate Officers of the County are hereby authorized and directed to take any other action deemed necessary or advisable in order to effectuate the completion of the Project, the issuance of the Bonds, or any other purposes of this Ordinance.

SECTION 14. No Conflict. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed. After the issuance of the Bonds and so long as any of the Bonds or interest thereon remains unpaid, except as expressly provided herein, this Ordinance shall not be repealed or amended in any respect that will adversely affect the rights of the holders of the Bonds, nor shall the County adopt any law, ordinance or resolution that in any way adversely affects the rights of such holders.

SECTION 15. Severability; Interpretation. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance. Unless the context or laws clearly require otherwise, references herein to statutes or other laws include the same as modified, supplemented or superseded from time to time.

SECTION 16. Holidays, Etc. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the County or the County in which the Registrar or Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 17. Effectiveness. This Ordinance shall be in full force and effect from and after its adoption and the procedures required by applicable law. Upon payment in full of the principal and interest respecting the Bonds authorized hereby or upon deposit of an amount sufficient to pay when due such amounts in accord with the defeasance provisions herein, all pledges, covenants and other rights granted by this Ordinance shall cease.

DULY PASSED and ADOPTED on this 8 day of March, 2018, by the Warrick County Council, as fiscal body of Warrick County, Indiana, by a vote of 6 in favor, 0 opposed, and 0 abstaining.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

(not present)
Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

Paul Rudolph

Brad Overton

Ted Metzger

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, Indiana

DMS 11623397v2

WARRICK COUNTY COUNCIL ORDINANCE NO. 2018- 03

AN ORDINANCE OF THE WARRICK COUNTY COUNCIL, AS FISCAL BODY OF WARRICK COUNTY, INDIANA, APPROPRIATING THE PROCEEDS OF THE WARRICK COUNTY, INDIANA, GENERAL OBLIGATION BONDS, SERIES 2018

WHEREAS, the Warrick County Council (the "Council"), as the fiscal body of Warrick County, Indiana (the "County"), has, on March 8, 2018, adopted an ordinance, the provisions of which are hereby included herein by this reference thereto (the "Bond Ordinance"), determining to issue general obligation bonds of the County in an original aggregate principal amount of not to exceed Seven Million Four Hundred Thousand Dollars ($7,400,000) (the "Bonds"), for the purpose of providing funds for (i) renovations, improvements and upgrades to the existing County Courthouse and Judicial Center, as more particularly identified and described in the report from Energy Systems Group, Inc., dated February 8, 2018, including, but not limited to, certain structural, electrical, mechanical, plumbing, HVAC and technology equipping and improvement projects; (ii) renovations, improvements and upgrades to the County's existing historic jail; (iii) acquisition, improvement and equipping projects for the County Sheriff Department, including, without limitation, certain technology upgrades to the computer system and E911 system; (iv) any other miscellaneous renovations, improvements or equipping projects related to the foregoing items; and (v) any incidental expenses incurred in connection with or on account of the issuance of the Bonds, including any capitalized interest thereon (collectively, the "Project"); and

WHEREAS, the Council did not include the proceeds of the Bonds in the regular budget for the County for the year 2018; and

WHEREAS, there are insufficient funds available or provided for in the County's existing budget and tax levy which may be applied to the cost of the Project, and the issuance of the Bonds has been authorized to procure the necessary funds and an extraordinary emergency and necessity exists for the making of the additional appropriation set out herein; and

WHEREAS, the County has caused notice of a hearing on said appropriation to be published as required by law, and such public hearing was held on March 8, 2018, on said appropriation at which all taxpayers and interested persons had an opportunity to appear and express their views regarding such additional appropriation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL, AS FOLLOWS:

Section 1. There is hereby appropriated a sum not to exceed Seven Million Four Hundred Thousand Dollars ($7,400,000), together with any premium paid by the original purchasers of the Bonds and all investment earnings thereon, which appropriation is to be provided for out of the proceeds of the Bonds received by the County in connection with the sale of the Bonds, for use by the County in paying the cost of the Project.

Section 2. Such appropriation shall be in addition to all appropriations provided for in the existing budget and levy, and shall continue in effect until the completion of the Project. Any surplus of such proceeds shall be credited to the proper fund as provided by law.

Section 3. A certified copy of this ordinance, together with such other proceedings and actions as may be necessary, shall be filed by the Auditor of the County, along with a report of the appropriation, with the Indiana Department of Local Government Finance.

Section 4. Any and all prior actions taken by any officer of the County or member of the Council in connection and consistent with this Ordinance are hereby ratified and approved.

Section 5. This Ordinance shall be in full force and effect from and after its adoption and compliance with the procedures required by applicable law.

DULY PASSED and ADOPTED on this 8 day of March, 2018, by the Warrick County Council, as fiscal body of Warrick County, Indiana, by a vote of 6 in favor, 0 opposed, and 0 abstaining.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

(not present)
Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

Paul Rudolph

Brad Overton

Ted Metzger

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, Indiana

DMS 11629820v2

Sec. 1 Be it ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the proposed specified, subject to the laws governing the same:

FUND	APPROPRIATION NUMBER	DESCRIPTION	AMOUNT REQUESTED	AMOUNT REQUIRED
Storm Water Management	1197-000-4420.00	Equipment	$52,602.00	52,602
(1) Storm Water Management			$52,602.00	
Coroner	1000-107-4444.00	Motorized Equip.	$25,950.00	25,950
(2) Total Coroner			$25,950.00	

Taxpayers appearing in the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the State Board of Tax Commissioners. The Board will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action.
Adopted this 8 day of MARCH, 2018

AYE	NAY
David Hachmeister (1)	David Hachmeister (2)
Brad Overton (1)	Brad Overton (2)

ATTEST:
Deborah Stevens
Auditor Warrick County