WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
September 6, 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 and Council Administrator Krystal Powless were in attendance.

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

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Gary Meyer: Roll Call.

Krystal Powless: Gary Meyer?

Gary Meyer: Here.

Krystal Powless: Charlie Christmas?

Charlie Christmas: Yes.

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: Here.

Krystal Powless: Paul Rudolph?

Paul Rudolph: Here.

APPROVAL OF MINUTES
AUGUST 2, 2018

Councilman Meyer: Okay, first item is Approve Minutes of the August 2nd meeting.

Councilman Richmond: While you're looking over those Minutes, since I wasn't here I'm going to abstain on that one (1), I just wanted to say thank you to this Council and friends and acquaintances that were here for, I went through quite an ordeal. Didn't know we was going to make it for a while when our blood pressure was forty over twenty (40/20) in the hospital. I was in ICU for three (3) days. All started out with a kidney stone that got infected real bad somehow. And you know, when they couldn't find my veins and had to do a pic line, and I would hear them telling me all kinds of things. They were very concerned. I was awake most of the time, in and out of it, awake most the time. I want to say that there's power in prayer, because I know a whole lot of you were saying prayers for me. And I'm here today because of it. Thank you.

Councilman Meyer: Thank you, Greg.

Councilman Metzger: I make a motion to approve the Minutes as written.

Councilman Meyer: Okay, motion made by Ted. Is there a second?

Councilman Richmond: Second. Oh, I can't do that. Sorry.

Councilman Overton: Second.

Councilman Hachmeister: I'll do it.

Councilman Meyer: Seconded by Brad to approve. All those in favor? Opposed?

Councilman Richmond: And I abstain.

Councilman Meyer: Abstain. Motion carries six-zero-one (6-0-1 with Greg Richmond abstaining). Okay.

ECONOMIC DEVELOPMENT BUSINESS BOND DOCUMENTS – BROADBAND

Councilman Meyer: Economic Development, Bond Documents, Broadband.

Larry Taylor: Larry Taylor, Economic Development Director. We've got that First Reading of the Bond documents to be used for a Broadband Project. But I'd like to go over the Broadband Project and just all the financial (inaudible) and everything it would benefit. First Reading is tonight and then the final confirmation would be at the October meeting. As you know, we've been working on this Broadband Project for pretty much two (2) years now. And what we've selected to do and recommend that you do is to partner with Mainstream Fiber to install a hundred and five (105) mile broadband backbone throughout the whole County. And the idea is that it would provide one (1) gigabyte (inaudible) fiber and that's for most of the residents in the major communities including Boonville, Chandler, Newburgh, Elberfeld, Lynnville and points in between. We have a hundred (100) gigabits symmetrical service. And by symmetrical service, that means it's a hundred and ten (110) gigabits down and then ten (10) gigabits back out. Which a lot of the services you may be familiar with today already have the symmetrical (inaudible). And that would be available to Warrick County Government buildings, the main area businesses as well as all of our Warrick County School facilities. And then we have a hundred (100) gigabit symmetrical service available to the Warrick Wellness Medical District and up to a hundred (100) mega, gigabit service to any business who so desires in Warrick County. You may have heard the terminology, gigabit community? Well, this makes us a Gigabit Community in a big way. Another part of this, which was in the RFP that we put out, is it's an eight (8) strand County net that, that goes between all schools and all Warrick County buildings. That's eight (8) strands of fiber that's for our exclusive use that adds our (inaudible) future IT Program (inaudible) to the place and we want to do different architecture, they'll have that raw material to do it with. We had a special focus on the medical community needs. You know, that's a growing business in Warrick County. It also provides fiber to the home. So you may hear of some services (inaudible) that we have internet, but we don't really have fiber to the home. And that's what gets you the, the quicker service down and also the symmetrical nature of it as it comes back, and also fiber to the business. Fiber to the business, there is some of that available now, you know, if somebody wants it, but not, not to all areas. What this does is by putting this backbone in, it makes Warrick County a fiber rich community. So that just opens up all kinds of possibilities for other businesses, developments, and other things to come through the area and we'll be known as an area that has this development. Mainstream Sales and Service will be located in Warrick County. They'll put an office here and (inaudible). The timing here, we're looking for preliminary financing approval and the First Reading tonight. Confirming EDAC Economic Development bond approval would be at your meeting next month. And then the financing would close on October 18th and the budget would kick off, and it takes approximately a year and a half (1 ½) to two (2) years for construction. And so comments and background, I know when I've met with you all before, we talked a little bit about this, but everything is moving more towards the digital over the internet. If you read, you can go, and I provided some articles in the past and I've got something that Krystal passed out for me about this fiber that to me is one (1) of the best summaries of, you know, what fiber can do for a community. You may want to take a look at it between now and when we meet again in October. It answers some questions about what it can do for you. But really what it does is it opens up ultimate possibilities about having this fiber. Cause the fiber, depending on what you put on the end of it, it's ultimately scalable. You can scale it, you know, pretty much as much as you want. And if you think about it, where if you have some business here and we wouldn't expect business would, okay, that's in, and tomorrow, okay, I sign up for it. But if you have a business that does a lot of data, like an architectural firm, engineering firm or medical firm that does any kind of reading of x-rays or that kind of thing, what it allows you to do is these Cloud-based applications. So the Cloud is, you know, storage, instead of having the big computer room in the middle of your business where you store your own stuff, so you can get to it quickly. Say you're doing a blueprint or something, you have to be able to get to that quickly, make your adjustment, you know, answer your customer's questions, and then you put it back out onto that computer. Well, it costs a lot to keep that storage in-house. If you have a fast, reliable fiber network, which is what we're proposing we put in, that opens up the availability where you may do more Cloud storage than, that makes your next software integration or your next IT integration more efficient. And also a lot of the new software that's coming out is based around that kind of application. Several of the cable companies in the area, you know, you may say, well, they say they've got gigabit service. Well, a lot of what they have is, is the gigabit down or into the home or business, but then when you're going back out, it's fifty (50) megabits per second instead of a gigabit. So what happens is you get the content in, but if you're doing anything with that content like sending it out to the Cloud or not, it's a lot slower going out. So what the difference in this is if you add fiber to the home and fiber to the businesses, it goes out as fast (inaudible). And many areas of Warrick County have limited service or no service. You know, and one (1) way that we started this was if you look at down by the medical area, you look down by Ohio Township and a lot of that area where there's a lot of housing and all that (inaudible), those places in the next couple years, they'll get this no matter what. But what this does is it opens up the same servers. You hear a lot about rural broadband and that kind of thing, well, this opens up broadband in the same way that you would have it down in some of the, the busier areas like Ohio Township and Newburgh. So up through Boonville will have that and, you know, (inaudible) there is service here now, but it will be the same, you know, high speed service that you're looking at both ways. It'll jump up to Lynnville and over to Elberfeld. And then it puts a range in place. So if you have a big business at the Industrial Park that's dependent on the data coming and going, they want to have, they want to have a range, a range put in place to where if the fiber gets cut one (1) place, it turns around and goes the other way, and they're not out of business. So that's a big part of this. And as a result of that, we're covering a lot more geography and getting everybody up to speed in Warrick County. Other companies, and you see AT&T (inaudible) world and everything else as well say this is coming, you know, we're going to do that. But what this is done and part of our project was, we wanted to move Warrick County up to the top of the priority list. So instead of us being number twenty (20) on the priority list, we wanted to put some monies with this that would put us up as number one (1) on the priority list for some. And we did a formal (inaudible) fee process and we came out with somebody that we think is really good. Mainstream is who we selected. They're up in Nashville, Indiana. They, we have a very specific RFP's process that was put together by some (inaudible) law firms, legal firms that specialize in fiber and broadband. And the proposals were scored and they came in and Mainstream was the clear leader and then our RFP/REDAC Council recommended that would be our partner going forward. In that package, other technologies were looked at or were proposed. Some of them were microwave technology. We talked about cellular. And then there are some existing cable companies have their own fiber systems, but then they have coaxial out to the home. It's not the fiber to the home. It's got some limitations. But none of those other options provided the capabilities of the full fiber network. So we went to industry experts to design what was going to be in our RFP and tested that and that's how we came up with what was in the RFP and that's what was scored as well as the financial

contribution that the partner was willing to put in. We have an excellent quality of life in Warrick County. If you look at the gigabit (inaudible) communities and all that now and the big thing in Economic Development is quality of life. Well, this is something that goes into quality of life. You know, we've got all these new hospitals we're building and you're trying to attract positions and other people to move here. You know, they're looking at overall quality of life and this is one thing that they look at for their families and their kids and everything else. So everyone wants that as well as them being able to work from home. And we believe it has significant Economic Development benefits. In the little handout that you got, and some of the articles I previously provided, it talks about some examples of that. And you can just Google, 'gigabit community, Economic Development,' and you'll get a thousand (1,000) example articles on it. From a financial standpoint, the financial participation made by the partner weighed heavily in the selection of Mainstream. We thought that that was critical and weighed that as a critical element to insure that the partner was motivated (inaudible). You know if the partner wasn't putting in a significant amount of funds, then, you know, it wasn't working quite like they liked it, you know, they could walk away from it easier. And we wanted them to have skin in the game. We did an independent financial review of Mainstream. So we had somebody look at their, their overall company financial and then we had them look at their pro forma with their investment that they're putting in place for this to see if, if they would be successful. And the report came back good, it looked like it was a good project, and they should be strong to be able to handle that. It requires the use of an Economic Development Bond. We have the First Reading on tonight and that's where our legal advisors have said for a project like this, where we put some public money in with a private company, that's the legal best practice for doing the partnership of this type. You can probably do it other ways, but they said that this is the best way to do it and the most up front way. What we're suggesting, and we've looked at the amount of revenue coming in out of the EDIT Funds that we're using for this, and we're suggesting a three (3) year Draw Bond and for several reasons. One (1), it minimizes interest extent because, you know, it's not over a long, it's not a ten (10) year, twenty (20) year type of thing. But also it had to be (inaudible) reasonable kind of a term to attract somebody to buy those bonds. Cause you know, if you're just doing it for a year and a half (1 ½) or whatever, you know, people wouldn't be interested in buying them. So the Umbaugh people, I know you've had in front of you before have suggested the minimum we could get by with is three (3) (inaudible). It's a taxable bond (inaudible), three point four percent (3.4%) interest rate. Warrick County Funds are the last in and this is per the contract we've put together. And they're not paid until the project is complete, (inaudible), tested, and accepted. And that was put together the contract, Herb Davis, from SKO does all of our work. You know, worked with the attorneys, Mainstream, and negotiated a pretty good contract from our side. Herb also used a law firm up in Indianapolis as well as our bond counsel (inaudible). We have (inaudible) contract, a hundred percent (100%) claw back of the County contribution that (inaudible) milestones are not achieved. And in addition to that, there is a two and a half million dollar ($2,500,000.00), we're giving them around four point nine million dollars ($4,900,000.00). So around five million dollars ($5,000,000.00). There's a two point five million dollar ($2,500,000.00) letter of credit that burns off with performance milestones. So if they don't, you know, they have to complete, like, tested, and accepted, then they have to get some residents hooked up. They have to hire the people to open their office and the marketing. Then there's another milestone of a hundred and fifty (150) businesses and twenty-two hundred (2,200) residences and then another milestone, a few hundred businesses and thirty-five hundred (3,500) residences. So, if they don't meet those, you know, we've got this letter of credit that we can draw on, that we can get the money back as well as if they don't meet the performance, we would have a claw back on that. But the most important thing is, we don't pay any of our money until it's done and it's accepted. So there will be an asset there no matter what. You know, they're going to have about four or five million dollars ($4,000,000.00/$5,000,000.00) in this themselves at least. So, they're going to be very interested in using that asset. So, and we also have their letter of credit, so their bank is going to be very interested in them using that asset or the people that provided that letter of credit. But we feel that we're, you know, if something were to happen to this company, that there would be an asset in place that would have some value that somebody would be able to use and we'd still meet our, our goals of getting a lot of fiber available (inaudible). If you look at the financial expenditures, the fiber backbone and this is our part of it coming out of EDIT is four point nine-three-'o million ($4,930,000.00). A contingency of four point nine-five ($4,950,000.00), excuse me, four hundred ninety-five thousand dollars ($495,000.00). Bank fees of twenty-eight thousand ($28,000.00) and change. Bond issuance cost is a hundred and fifty-two thousand dollars ($152,000.00) approximately. And then the debt service on top of that is two hundred and thirty-eight thousand six hundred twenty-nine dollars ($238,629.00), so the total is five point eight million ($5,800,000.00). However, the bond that's being taken out is, will be for about five point six-'o-five ($5,605,000.00), and I believe the documents rounded it up to the maximum would be five point seven ($5,700,000.00) on it for the documents that the bond counsel put together. Under TIF expenditures, when we last talked about this, he said, "Is this something you guys are interested in? If so, we'll go ahead and do some of the legal work on that." We've already done a lot of the contract work finalization and taken that out of the TIF expenditures on the areas that it's going to come out of. And then the construction management and testing, we would take all of that out of the TIF expenditures also, so, for a total of five hundred thousand ($500,000.00), which a hundred thousand ($100,000.00) (inaudible). If you look at where that leaves us in EDIT, our year end cash balance, lowest point would be in 2021 and we would be down to three point five-six-six million ($3,566,000.00). So there's plenty of cushion there, you know, for other projects and things that might come up and other uses for the EDIT. The partner, Mainstream, was contributing four point 'o-three million ($4,030,000.00) or forty-five percent (45%) of the cost of the backbone. However, that's just to get the backbone in. They're going to have to run all the stuff down your laterals and everything else and when their done they're estimated that they'll spend another nine million dollars ($9,000,000.00) on it. So we think it's a pretty good program for Warrick County that we're putting in about five million dollars ($5,000,000.00) and we're getting about, the value of that is, what would that be? Eighteen million dollars ($18,000,000.00) or so? So the recommendation is the Economic Development Department and the EDAC unanimously recommended approval of this project. We voted on it. We did all the presentations at our EDAC meetings and approved it unanimously. We did have some, WOWWAY came in and did a proposal after the fact after they looked at all the other proposals, and we even considered that. Actually, we were a couple of months behind where we wanted to be now because we waited to look at that proposal, and it came in and it didn't change the scoring or the (inaudible). The recommendation is that we go with this project and the financing like we're talking about. The Commissioners have signed the agreement with Economic Development. Mainstream has signed an Economic Development Agreement. And Economic Development Department has signed (inaudible) it doesn't really matter. And all those signatures are contingent upon the financing being approved so you guys have the last approval on that. The Bond Ordinance is attached to your packet tonight for the First Reading, to read into the minutes of the September meeting, and then vote for the final confirmation at your October Council meeting. So to summarize, there is, this gives a backbone to most of the major areas in Warrick County and a lot of those areas wouldn't get service, you know, unless we get (inaudible). I don't know if they wouldn't get it in two (2) years or ten (10) years or whatever, but some of the areas may never get it. We have a motivated partner that sharing a significant amount of its (inaudible) so they've got a lot of skin in the game so we know that they're going to be motivated to make this work. We have a great contract that protects Warrick County. And it, this would put in place world class

puts us among some of the best places in the country. I mean you hear about Chattanooga and Austin, Texas, and Seattle and those places. This puts us at that level. It puts us at world class capabilities. And it insures that Warrick County is, is a leader in this and stays in the game and what we consider an essential piece of infrastructure. Now, that's where we, we've spent money on water lines, on sewer lines and everything else. We're looking at this as kind of an essential piece of infrastructure for the fiber we're putting in. Also attached to your packet, that shows exactly where the backbone's going to run. The, Umbaugh, who we have Emma Adler here from Umbaugh to answer any questions, has put financing analysis together that shows how we'll pay for that and the (inaudible) comes out. And then the actual Bond Ordinance, and we have (inaudible) here from Faeger, Baker, Daniels, his firm put the Bond Ordinance together for (inaudible). So that's what we ask that you would be willing to do a First Reading and put that in the minutes and then we'll go (inaudible) in October.

Councilman Meyer: Okay, anybody have any questions?

Councilman Metzger: I have a question, Larry.

Larry Taylor: Sure.

Councilman Metzger: I don't really understand this hooking up twenty-three hundred (2,300) households, you know, the milestones you called them. Is that just the infrastructure for a provider to come in and hook up to those twenty-three thousand (2,300) homes? Or are they a provider that's going to provide broadband internet to our taxpayers in the eastern part of the County.

Larry Taylor: They have to enroll that many households. And so the reason why, when we do milestones, I like to do things that are specific things. They have to enroll for their service, which means they would have to have not just the stuff on the backbone, but they actually have to run it to their houses and hook them up and provide them service.

Councilman Metzger: So, they are an internet provider, too? Is that what you're saying?

Larry Taylor: Well, yeah, it's a, an internet provider, and they have voice calls and they have...

Councilman Metzger: So, they'd be in competition with Spectrum and WOWWAY?

Larry Taylor: (Inaudible) cable T.V. packages, sports packages...

Councilman Metzger: Direct competition to Spectrum and WOWWAY.

Larry Taylor: Well, not really, because it's all from a different project that Spectrum and WOWWAY don't offer.

Councilman Rudolph: But not all twenty-three hundred (2,300) people are going to get the ten (10) gig service though, right? So...

Larry Taylor: They're going to get what?

Councilman Rudolph: The ten (10) gig, or the gigabit service?

Larry Taylor: They can, they can (inaudible) whatever they want.

Councilman Rudolph: So, but most of them will be competing with Spectrum and WOW, I would think. And there would be some premiums, too?

Larry Taylor: Well, there's several parts of the County that the people you mentioned don't offer. Elberfeld doesn't have Spectrum or WOW.

Councilman Metzger: They don't have anything right now.

Larry Taylor: Lynnville doesn't have Spectrum or WOWWAY or either of the points in-between.

Councilman Metzger: But they will definitely have access to high speed internet because of this program?

Larry Taylor: Yes, so what it does, it takes, you always hear about how everything gets done in a certain part of the County and then this is done for the whole County. And things are different. Use to you didn't work from home that much. And now there's a lot of people that work from home and have some pretty hectic jobs that require this kind of (inaudible). So if you have somebody that does their work that way, they'll look at Warrick County in a different light. But that's somebody where I can go out, I can buy my little farm-ette, you know, that has a little barn on it, a farm house, and I can do everything worldwide, you know, just by having some of the (inaudible). But (inaudible) wonderful, it is. It's like a sewer main, but it's a fiber main, and so like your sewer main does, it opens up your use for development. What this does, it goes on a very specific route, and we worked with that with Jim Morley, Jr. of Morley and Associates here. Worked with our fiber consultant and, and actually some of the businesses that were proposing to look at where that route was going to go. Because we wanted it to be a circular route in case it got cut. So, you know, that was built into it. But we looked at specific businesses. One (1) reason we ran it by all the schools, what, during (inaudible) schools you know you got a lot of the main areas of Warrick County, it spreads it out (inaudible) government buildings. You know that was the main service it was going to be, but that was to design that route, we spent quite a bit of time and being very specific on where that route was going to run.

Councilman Metzger: And adding the government buildings, that's going to be an additional cost? Is that just running it to the government buildings and then once we get that far we need to...?

Larry Taylor: It runs it to government buildings. The next time we decide we want to upgrade our IT systems, we'll have the top notch stuff in place.

Councilman Metzger: In place.

Larry Taylor: Um hum.

Councilman Rudolph: One (1) question, clarification, so you said Elberfeld and Lynnville don't have any high speed internet service right now? Or they don't have cable internet service available?

Larry Taylor: I don't...

Councilman Metzger: I, some of them don't have any...

Larry Taylor: Some, Smithville comes into Lynnville, the Lynnville Bank has some program they (inaudible) together. Lynnville uses like three (3) different providers to get (inaudible). So, so there's, there is some service, but it's not your normal where you call your cable provider and get your internet and...

Councilman Metzger: For households.

Councilman Meyer: I've got a couple questions. In the Ordinance itself, it says this money will do, will go to finance design acquisition, construction, installation, and equipment. Who's going to maintain this over the next twenty (20) years? Thirty (30) years?

Larry Taylor: The, the, Mainstream.

Councilman Meyer: It don't say that here. It does not say that here. And it does not say it in the contract that I talked to our attorney about today. There's no mention about maintaining this project. That's one (1) concern I have. Let me go ahead. What if, God forbid, what if this Country goes bankrupt and somebody else comes out and buys this project out of the bankruptcy? What protection does Warrick County have then?

Larry Taylor: Well, still...

Councilman Rudolph: What if the company goes bankrupt?

Councilman Meyer: Yes.

Larry Taylor: Well, there still will be fiber that some other company...

Councilman Meyer: But we won't have no control over it at all.

Larry Taylor: We don't have any control, this (inaudible).

Councilman Meyer: That's my concern.

Larry Taylor: Because we, we, we don't, that was kind of the point of the concept. We didn't want to be in the fiber business. Cause I can't comprehend, I mean I can't comprehend anybody that we would put in place other than hiring a whole department in order to run this, that would be able to manage a whole fiber network. (Inaudible). What we're doing is we're incenting a partner to do it and by them putting in a whole ton of money then that gives them the motivation to actually operate...

Councilman Meyer: Do we, do we get any input as to what they'll charge for the service?

Larry Taylor: Yes. We...

Councilman Meyer: And I saw that they can charge five percent (5%), raise five percent (5%) every year?

Larry Taylor: In the, in the contract they put the starting point which would start at a competitive rate for both business and residential. And we capped what they could raise, raise the rates. But if you look at it on some of the, in order for them to burn off the letter of credit, and to meet your goals and sign on the different households, they're going to have to be competitive. So if they, if they raise the rates through the ceiling, then they won't have anybody signing up for it. They won't be meeting their milestones and then we (inaudible).

Councilman Meyer: And we, I almost, I don't know exactly, I don't know at all, what a Draw Bond is. What is a Draw Bond?

Larry Taylor: A Draw Bond means that the financing is put in place but you don't draw the money out of the bond until it's needed. This won't be needed until the project is done. So we're saying a year and a half (1 ½), over the year and a half (1 ½) period, we're not going to paying interest on you know, a couple of million dollars.

Councilman Meyer: Do we pay any interest at all?

Larry Taylor: There's, I think there's some fees that get paid out of that and everything else (inaudible).

Councilman Meyer: My other question...

Larry Taylor: We only pay interest on what was drawn on, the majority of what's going to be drawn will be drawn at the end of it, not at the beginning. So that minimizes the interest.

Councilman Meyer: If we don't need to put the County's money in this project up front, why do we need to do any of the bond issue now?

Larry Taylor: Because we need to, before they kick off and they're willing to put their money into it, they need to be assured that our money is there, it's sitting in place. We're ready to do (inaudible). What happens if they perform and everything in a couple of years and you say, no, we're not interested in that anymore? So the company that's our

partner is putting in four million ($4,000,000.00) up to another nine million ($9,000,000.00) on top of that. You know, they're not going to be willing to do all that up front if the (inaudible) are going to have to fight for their money.

Councilman Meyer: Another thing that I read and I talked to Cliff about, was dark fiber versus lit fiber? And they say that they'll have to make available the dark fiber at the end of five (5) years or something?

Larry Taylor: Yeah.

Councilman Meyer: What if they say, they don't have any dark fiber available? There's no control that says they have to have it available and what if they say, 'well, we don't have anything available.' Can they do that?

Larry Taylor: Well, I guess we would have a way to look at that. If they don't have any of the one hundred forty-four (144) streams of fiber available at that time that would mean things are pretty much blazoning around Warrick County.

Councilman Meyer: Well, but, yeah, that's a good way to look at it.

Larry Taylor: So I guess we would have a way to go back and audit that. But the, but the intent is that they, they're putting the investment up. (Inaudible) investment, they're putting it in and they're maintaining it and everything else, and they have a five (5) year head start. After that five (5) years, they have to offer the dark fiber to other people who want it, that would provide, you know maybe there's people that want to provide other services, or will say, well, hey, I'll take those two (2) neighborhoods that you haven't been able to do anything with, but I'll do something with them. And it would allow people to come in and also have to be a competitive rate.

Councilman Meyer: I'm in favor of this but one (1) thing I don't like about it is, it seems like we're creating a monopoly. At least for five (5) years. Correct? I don't know.

Larry Taylor: Well, it's a new service, a new level of service that's not seen here.

Councilman Meyer: Not available?

Larry Taylor: Not available here and in order, I mean, we did look at doing this on our own. Okay? But if you look doing, you know, I'd be in front of you asking for eleven million dollars ($11,000,000.00) instead of what we're asking for. And we felt, given that we really didn't want to be in the fiber business that we would be best served from an Economic Development standpoint, we just care about the services there and getting them in Warrick County from a quality of life thing, we just care that the service is there. And we're able to get it at a top level. And what we're doing is getting it here quicker than it would be (inaudible).

Councilman Meyer: I was talking to Cliff today and I think he has some concerns about the contract.

Cliff Whitehead: Yeah, I think you have to clarify the maintenance issue. I think it is in there, but my concern is, I spoke to Mr. Davis about this too, was the stick right now that we have for keep, for once it's built for keeping it and maintain it is a letter of credit. So if they don't maintain it we can pull that and claw back until they meet those claw back revisions. Once the claw back revisions goes away, the letter of credit goes away, the term of the contract really is kind of unclear at that point about how long it goes. It doesn't say ten (10) years, twenty (20) years, fifty (50) years. It states it goes as long as their obligations, until they complete their obligations. Well, if their obligations are never ending cause they have to maintain it forever, I think there is a potential where a court can come in and say, well, we're going to cut this contract off after ten (10) years, seven (7) years or whatever it is. At that point, their duty to maintain could go away as well. And I think that, that's just a concern that I brought up with the Council.

Larry Taylor: Well, it's, the minimum year that the term would be five (5) years, because that's, they have to take care of all clauses in the contract. And the last clause is the five (5) years when they open (inaudible). And then the other thing that would limit it, would be enrollment of two hundred (200) businesses and thirty-five hundred (3,500) residences. But then, then it kind of goes back to skin in the game, I mean we don't, this is what these guy's business is. You know, they're investing and they're investing, like I said, four ($4,000,000.00) of the thirteen million dollars ($13,000,000.00) to get this out there and to not maintain it and to (inaudible), I guess they're pretty confident that they're going to be successful in doing that. They've done this in another county in Indiana. What other County was that?

Herb Davis: Harrison.

Councilman Richmond: Harrison.

Larry Taylor: Harrison County which I, we called and talked to the people that are dealing with them over there and they couldn't be happier of their service and everything. We question about their ability to get customers, cause we put kind of a set number of businesses, and that, and they're fairly confident of that because of their marketing pitch is their performance. So I mean, I guess, if I had a business, I wouldn't want to invest that many millions of dollars and walk away from it. You know, I would at least give, sell it to somebody else who would provide that service, you know, to somebody. And then also, there's really no difference (inaudible), we go to Newburgh sewer and we provide four ($4,000,000.00) or five million dollars ($5,000,000.00) to them to put in a master lift station and then once that's all built, we turn it or we build lines and all that, we turn it over to them, okay, and then they operate it. What if they decided, we don't want to operate that anymore? Same thing with Elberfeld, what if Elberfeld said, no, yeah we, you ran that sewer line, you put it in, and you turned it over to us. I mean the difference is here, we're not putting it in, we're not constructing it. They're constructing it (inaudible). I don't know, it seems like worst case would be going belly up and still have an asset in the ground that's worth something to a fiber provider that would be able to provide the service the Warrick County would get. And the letter of credit gets half the money back and then we have claw backs on the other (inaudible). So I don't...

Councilman Rudolph: So the fiber would be ours?

Larry Taylor: No.

Councilman Rudolph: If they...

Councilman Meyer: Whoever buys it?

Councilman Rudolph: Or, or it would be ours to be...

Councilman Meyer: No.

Councilman Rudolph: It would be an asset of Warrick County?

Councilman Meyer: No, it wouldn't. That's the point. It would not.

Larry Taylor: No, (inaudible). It would not.

Councilman Rudolph: If they want the...?

Cliff Whitehead: It would go into bankruptcy.

Councilman Rudolph: It'd go into bankruptcy.

Larry Taylor: Some other provider would buy it and use it to do something with since it's in the (inaudible) that go around Warrick County. So it'd most likely go to another (inaudible).

Councilman Richmond: I have a couple of questions. In Page 8 of the bond issue, January 15th and July 15th of each year is when we'll pay our obligation. I can't remember when we get our money from the State. Are we going to have adequate money on those two (2) dates? We get it monthly? Okay. And then back on Page 4, Terms of Bonds, it says the bond shall be issued in aggregate issue amount not to exceed five million seven hundred thousand dollars ($5,700,000.00) and mature on a date or dates later than January 15th of 2024. And looking at the sheet for finances that you gave us, we're going to pay a hundred and eighty-six thousand sixty-nine ($186,069.00) in '19, eight hundred twenty-seven thousand ten ($827,010.00) in '20 and two million eight hundred thirty thousand five-fifty ($2,830,550.00) in '21. So we're really making five (5) payments on this and that wouldn't take us to '24, so I don't know why '24 is in there. Sorry about my ignorance on the bond.

Larry Taylor: I think we have someone from Umbaugh and Associates.

Emma Adler: The 2024, that's just a five (5) year term to provide flexibility if in the next month you and Larry decide you want to extend the terms of the bond. Currently we're anticipating the final payment is January of 2022. So '24 is just the maximum. We're anticipating the three (3) year.

Councilman Meyer: Who sets this competitive rate to sell the dark fiber after five (5) years? Is it Mainstream, us? Or together? Or who sets it? It says competitive rate, whatever that might mean.

Larry Taylor: Well, in the fiber business there's the going rate for what they're (inaudible). I don't (inaudible).

Herb Davis: The marketplace will set the rate. I mean there's dark fiber already available in Warrick County and they would have to be competitive (inaudible).

Larry Taylor: That was Herb Davis from SKO.

Councilman Rudolph: We have a fair amount of people here. Should we open it up for public comments as well?

Councilman Meyer: In just a minute. You mentioned a while ago that there are other ways we could finance this. What are they? What are some other ways other than the bond? And why is the bond so important?

Larry Taylor: The bond is important because it's going to a, a private, providing public funds to a private company, and so to do that it's best if it's done with and through Economic Development. And we looked at, I mean my big question is why finance at all if we got money in the bank?

Councilman Meyer: That was my next question.

Larry Taylor: That was (inaudible). I mean I asked that at least twenty (20) times. And we went, we wanted to make sure everything was done properly on this. Because there's a lot going on in the ballgame. We hired (inaudible) McKinney to look at our RFP and our contract and to make recommendations. We used Faegre Baker Daniels to look at that. And the best practice is to make sure there's no potential challenges to this for the Indiana Statutes and everything else, you do it through an Economic Development Bond. Cause I was, I didn't want to pay any interest on it.

Councilman Meyer: I know, I agree.

Councilman Richmond: And the TIF, you're projecting that the money's going to be available for that portion of it?

Larry Taylor: Yes, Sir.

Councilman Meyer: Any other Council member have anything to ask right now? Anybody from the audience like to address this issue? Yes, Sir? Come up and identify yourself, please.

John Metzger: Hi, my name is John Metzger, and I live out in a rural area of the County. We've contacted all the internet companies and the cable companies trying to get internet out to our home cause we run a small business out of our home too. What I want, how are they going to, are we going to see any real chance of getting that out in the rural areas or is that going to be strictly in the urban areas? Lynnville's and you know, Elberfeld? Will this not be available to the urban areas, or the rural areas I mean?

Larry Taylor: Well, it depends on where you are.

John Metzger: And then I was under the impression that this was going to turn into something like a County-wide Wi-Fi. Is there any plans of that? Was I mistaken?

Councilman Meyer: I don't know about that.

Councilman Christmas: (Inaudible).

John Metzger: So pretty much anybody in the rural areas are going to be at the same mercy as the cable companies, if there's not enough people in your area, you won't have access to broadband? Is that what I'm understanding?

Larry Taylor: It would require a certain amount of people, so it all depends on where you live at.

John Metzger: That's the only questions I have.

Councilman Meyer: Thank you. Anybody else?

Adam Cabello: Hi, I'm Adam Cabello. I'm actually with WOW and a citizen of Warrick County, and this is Steve Kalesia (inaudible) with WOW and Warrick County citizen. (Inaudible) about nineteen (19) years. So we just kind of wanted to address some of the items. Everything that Larry said is actually perfect to putting Warrick County number one (1) and making Warrick County lead as far as the quality of life. As far as people who work from home, doctors that work from home, maybe they can read actuaries from home and so forth and also the Economic Development of Warrick County and to attract more businesses and (inaudible). We're also going to talk about why we didn't actually, when this proposal went out, why we did not submit our proposal or RFP, the RFP up there, and kind of basically enlighten you. Larry did an excellent job as far as the (inaudible) and trying to make us a fiber rich community. There's some things that Steve will kind of actually talk about and I'll kind of jump in to help answer some of the questions I've heard you ask and residents have asked as well. Steve?

Steve Kalesia: We (inaudible) with Wow and been there for twenty (20) years and you know WOW actually started here in Warrick County as Sigecom which is a direct offshoot of Sigeco, a gas and electric company too, to make Warrick County fiber rich. We actually have fiber going all over Warrick County. I have proposals and maps and so forth in these documents that I brought today and we'll provide to you guys showing where our fiber maps are. We cover about eighty percent (80%) of the population and the only areas that we don't cover with our fiber are Elberfeld and Lynnville. Now we did put a proposal together to build out to those communities and create a ring connecting them all together at around one point three million dollars ($1,300,000.00), which is quite a bit less than this Mainstream Company is asking for. But we already do provide fiber to business. Warrick County Schools just signed a five (5) year contract with us for (inaudible) gig service, ten (10) gig service for them. Warrick County Government has been a customer for a decade. All the towns, Town of Newburgh, Chandler, Deaconess, St. Vincent's, you name it, they're a customer of WOW. (Inaudible).

Councilman Richmond: Sorry.

Steve Kalesia: So, I think the misconception here is we need to have fiber to the home to get gig service. That's not really true. We provide gig service. It's available to over seventy-five percent (75%) of the residential population of the County as well on coaxial. Coaxial does have, can only do upload speeds of, as Larry said, fifty (50) megs. A download is a gig. Now in the future, here in the next two (2), three (3) years, DOCSIS is three point two (3.2), which is a new technology that's coming out which will allow WOW to provide gig download and gig upload speeds on cable modem just like you have at your house probably today. So that's coming to the County in a few years.

Adam Cabello: Some of the things Steve is talking about, upload and download speeds, that with (inaudible). With the fiber, Larry mentioned, that's symmetrical. That just (inaudible) for now. Okay, all of our fiber products are symmetrical. The dark fiber that we offer is symmetrical as well. So whatever's down is going to be the same as what's up. As far as maintaining it, that is something that we (inaudible) intend. So we have invested as a corporate citizen for WOW probably no less that fourteen million dollars ($14,000,000.00) going into the infrastructure of making Warrick County a fiber rich community. So it's here. We have it. And what we're again trying to (inaudible) is that we're not inventing the wheel, rebuilding this, this is something we have. One (1) of the proposals that Steve again came to discuss is a much smaller investment from the Community that, where we can add to those extra rural areas that's been proposed (inaudible). We're the sixth largest service operator as far as in the nation. As far as the Cloud Services, Larry talked about the Cloud Services where a lot of people need that extra speed to move things to the Cloud. That is absolutely true. In fact, we recognize that and we have our own data centers as well cause we have a lot of credit unions, banks, hospitals, and so forth utilizing that cause it is a secure (inaudible) center. Without giving names, one (1) of the customers in our data center, which is geographically diverse from here in case a storm or something were to come through to protect that data is one (1) of the largest, I think it's actually the largest online retailer to date.

Steve Kalesia: And so, we ask that you don't make a hasty decision. We'd be happy to meet with you, provide the information that we provided to the Economic Development Commission. Just look at the investment book and the maps compared to what they asked for. Where our fiber goes, basically into every business that they ask the fiber go into. And then the only thing we need to complete Warrick County is to go to Lynnville and Elberfeld and that's about one point three million dollars ($1,300,000.00) to do that. So that's all we're asking for tonight. So don't make a hasty decision.

Councilman Richmond: I sit on that committee, and by the way, I have WOW in my home and I'm a fan of WOW cause I've had the other two (2), and I never saw your proposal, your maps, or anything. I didn't know anything about it. So we adopted what we saw. And I feel like you had the same chance as anybody else, and I would have like to have known more at the time, but I didn't have that information.

Steve Kalesia: Well, and it's definitely not too late. We provided all this information in meetings, several meetings actually during the last six (6) months and I'm not sure why you didn't get that information.

Councilman Richmond: Well, I was absent one (1) meeting cause I was in the hospital.

Adam Cabello: And the good news is like Steve said, it's not too late. The money hasn't been spent. (Inaudible). We'll be happy to answer any questions you know that you may have with regard to that.

Councilman Metzger: I don't know that I really have a question, but I'm having a problem with asking tax payers to pay for this broadband throughout the County when they have no chance at all of getting it in their home. What I like to hear from a company is a commitment to go on into those small areas where there's not that many people and the profit's not there, but go ahead and provide them the broadband service that they need.

Steve Kalesia: (Inaudible).

Adam Cabello: I think (inaudible) can answer that. There would have to be some, and perhaps it would be, to be a bond for that. But maybe the bond won't be as much. If that bond amount that gets approved for what you're asking for Mainstream, that may give us, of course we have to go back and do numbers, but that may be the amount the (inaudible) needed to extend to have all the...

Councilman Metzger: Those low profit areas.

Adam Cabello: Low profit areas. And we've partnered with Lynnville Bank as well so we're familiar with this.

Steve Kalesia: We're working with Smithville Telecom as Larry mentioned in Lynnville, we do provide fiber and gig service to Tecumseh Senior/Junior High School and Lynnville Elementary School, working with Smithville. That cost the tax payers nothing other than what the School Corporation pays us which isn't very much because it's a government program called E-Rate that reimburses that money to the School Corporation that they pay us. I think it's like sixty percent (60%) of what their bill is of the school.

Councilman Metzger: Like I said, I'd pretty much have to see a commitment like that before I would be on board with something like this.

Councilman Rudolph: So let me make sure I can understand this, current state, all of our main areas non-rural, with the exception of Lynnville and Elberfeld currently receive high-speed data service from WOW? Potential future statement...what?

Councilman Overton: That's, that's not just Lynnville and, I wouldn't say just Lynnville and Elberfeld because...

Councilman Christmas: I wouldn't either.

Councilman Overton: No, because...

Councilman Rudolph: All the majorly populated areas, right? So, I mean, so, put it another way, right, if we're talking about rural areas, if we spend the most expensive option to spend five point four ($5,400,000.00) and we still won't have it in certain rural areas, right? So that's, to me the rural areas are exempt from this cause we're not changing them possibly with any of these proposals. So that, to me that, the rural areas I'd question. And I believe we've talked with potentially some cellular about that possibly as well. But, so current state, no money is being spent from the County and everywhere but Elberfeld and Lynnville has high-speed service, fiber service.

Councilman Richmond: High-speed not fiber service. I don't have fiber in my home in Boonville.

Steve Kalesia: No, we do not provide fiber to the home right now. We built our network in 1999-2000 and spent fourteen million dollars ($14,000,000.00) to put that in just the Newburgh/Chandler area and eventually did Boonville. But that's not fiber to the home. However, the coaxial in a couple years, right now the coaxial does have the capability to provide you with gig download. So streaming, downloading, music, whatever you're doing, you know, you're going to get the gig down. If you send that information back to somebody, that's called an upload, it only provides you with fifty (50) megs. So that's five percent (5%) of what you're getting on the download. However, it's still pretty good. Now in a few years, we'll be able to provide you with gig down and gig up. Or maybe even better, who knows, technology's always changing. But you don't need to have fiber to the home to get a gig download. You can do that right now, we can provide that service right now and we've been doing it for almost two (2) years within Warrick County.

(Several talking at once).

Councilman Overton: What was the rest of your point, Paul?

Steve Kalesia: Sorry?

Councilman Rudolph: So the current state, I think we've sort of agreed on it for the most part. Potential improvement number one (1) is what you're proposing now which apparently didn't go through REDAC at one (1) point in time for whatever reason. If we haven't made the bond yet, I'm okay with changing our minds until we've signed that (inaudible). You're saying our option is one point three million ($1,300,000.00). You would increase Lynnville and Elberfeld, would be, that's included in that so we would then have all the towns and cities, not including rural.

Steve Kalesia: North Warrick Industrial Park as well would be fiber and (inaudible).

Councilman Rudolph: And the option before the Council today is five point...we'll say five point eight million ($5,800,000.00), which is to have a full fiber ring and it's, it's the Cadillac option. And does anyone disagree that those are the three (3) options? Okay, I thought it would be, try to make it simple and so zero (0), one point three ($1,300,000.00), and five point eight ($5,800,000.00).

Councilman Meyer: Are you basically saying then, this proposal from Economic Development is a duplicate to what you already provide?

Steve Kalesia: I wouldn't say a duplicate cause they are asking for fiber in the home, which we don't provide today.

Councilman Meyer: Oh, I see.

Steve Kalesia: Okay? Now if you're a business in Newburgh and you want fiber, no problem. In fact, if you're a resident and you want fiber, you can do it too. But it's going to be expensive. But we do have fiber in all of the business areas in Newburgh and definitely in all the places that were asked for in the RFP. So we didn't respond to the RFP at all because basically what they're asking is for us to rebuild our entire network in Warrick County to do fiber to the home and we weren't going to do that, not when we're already providing like services on a network that already exists. So, and we have two (2) networks. We have the coaxial and we got fiber. Two (2) different networks (inaudible).

Councilman Meyer: And they don't mix?

Steve Kalesia: They do. They're in the same general area, but we can already provide a resident with gig service. The only reason businesses need fiber is because you know, it's more reliable and symmetrical (inaudible).

Councilman Rudolph: Up and up.

Steve Kalesia: Fiber is glass. It's not effected by water, (inaudible), lightning strikes, or rain. It's not got any metal in it at all. So there is, it's more reliable because of that. But you know all of the business and all of the entities that were on the RFP, they already have fiber and our network maps run real close as what was asked for in the RFP with the exception of Elberfeld and Lynnville.

Councilman Rudolph: What does residential fiber cost? Fiber service to a residence?

Steve Kalesia: It would be the same as what it cost a business if they wanted to add...

Councilman Rudolph: Which is how much per month?

Steve Kalesia: Depending on the speeds, you know, probably for gig service you're looking at eighteen hundred dollars ($1,800.00) a month.

Councilman Rudolph: Eighteen hundred bucks ($1,800.00) a month?

Steve Kalesia: That's for a dedicated, you know, service and not sharing with anybody else. If they wasn't to go with a cable modem, it's for a resident eighty dollars ($80.00) a month and for a business it's two hundred ($200.00) and that's cable modem coaxial and that's a gig by fifty (50) meg.

Adam Cabello: Unless you have a business, it's really that download everybody in the home, what they're mostly going to use it for the streaming, the net, playing games, (inaudible), it's all the download. The upload will be important for business who need that fiber, like architectural firms when they're sending mass documents (inaudible) fiber network.

Councilman Rudolph: So am I correct in understanding this eighteen hundred dollar ($1,800.00) a month market is the market where this fiber becomes super important? I mean that's the...

Steve Kalesia: You know, that's, we'll just say since it's public knowledge, Warrick County Schools have a five (5) gig internet connection and that's about what they pay. You know for a ten (10) gig point to point they're paying about fifteen hundred dollars ($1,500.00) for data with no internet on it. So, it's very discounted since it's a school system and you have the E-Rate which is a government entity that helps reimburse the costs as well.

Councilman Overton: So what, and I don't understand all the technological aspects of it, but what would allow, and you know, maybe this is something to talk with Larry and the other firm, but why would there be such a price discrepancy between the two (2) if the one (1) entity could run fiber to my residence for, I would, apparently considerably less than eighteen hundred dollars ($1,800.00). What's that?

Larry Taylor: One hundred thirty ($130.00).

Councilman Overton: Yeah, so...

Steve Kalesia: (Inaudible) so if you're a resident and you want to dig down and pay a hundred and thirty ($130.00) for fiber, you're paying fifty dollars ($50.00) more a month. That's to have the fiber.

Councilman Overton: Right, but I mean, supposedly they're offering the one (1) gig down and one (1) gig up for one-thirty ($130.00) whereas you're giving me, you're giving me the gig down but then like, I don't know...

Steve Kalesia: Fifty (50) meg...

Councilman Overton: Fifty (50) meg, whatever percentage that would be of a gig...

Steve Kalesia: Five percent (5%).

Councilman Overton: Yeah, back up, math never was my forte. So, you know, you can kind of see the difference.

Steve Kalesia: Like I said in a couple years, there's new technology coming out that will allow us to do a gig up and down.

Councilman Overton: At a considerably less amount than that?

Steve Kalesia: Exactly, who knows what it's going to cost in a few years. Gig service might be fifty bucks ($50.00). It continues to be less and less.

Councilman Overton: I mean, and honestly, I don't know the practical, you know, how much myself or anybody here on this Council necessarily have to have a gig upload speed. I mean I wouldn't. I'm getting by on the scruffy DSL (inaudible) pauses and watching some things there. I thought I'm hot stuff doing that. So I mean that's, I guess there, there are definitely some considerations there between the two (2). So yeah, that's, yeah, that was my question just the difference.

Councilman Christmas: I personally don't use WOWWAY. I use satellite and I get mine from Hughes Net. But I'm out here in the middle. I'm not in Lynnville. I'm not in Boonville. I've got a Boonville address. I'm right out there in the middle. If it wasn't for satellite, I couldn't get anything. So you know I'm just (inaudible), what's it going to do for me?

Steve Kalesia: That's the thing. There's not a whole lot we can do right now.

Councilman Christmas: I know, I understand that.

Steve Kalesia: (inaudible) together, there are some companies coming into Warrick County that can provide, provide a good microwave type solution here in (inaudible) I believe. Maybe (inaudible) but that's not something we specialize in unfortunately. But that's the problem with rural areas. You don't have a lot of choices.

Councilman Richmond: I would hope in the future that, you know you took it for granted that you already had this in place that you would submit an RFP showing what you have and this is what you can do for a lesser amount of money. Because basically we were in the dark. We had two (2) companies (inaudible) that did submit an RFP. Three (3)? Three (3) total.

Steve Kalesia: There's a reason for that. The RFP was pretty one (1) sided, that's why AT&T didn't respond, Spectrum, and WOW, because you'd have to rebuild your network to get fiber to the home, and that's millions and millions and millions of dollars to build something that we basically already invested millions of dollars in in the first place.

Councilman Richmond: Well, you could have filled out something like that.

Steve Kalesia: Well, we did. We provided it.

Councilman Richmond: I didn't have that information.

Councilman Christmas: (Inaudible) didn't either.

Councilman Meyer: Larry, you want to respond?

Cliff Whitehead: And would you mind just spelling your last names, each of you for the record?

Adam Cabello: Cabella, C-a-b-e-l-l-a.

Cliff Whitehead: Yeah, it's being recorded to, yeah.

Steve Kalesia: Kalesia, K-a-l-e-s-i-a.

Cliff Whitehead: Thank you.

Steve Kalesia: Thanks.

Councilman Metzger: Thank you.

Councilman Meyer: Thank you.

Councilman Christmas: (inaudible).

Larry Taylor: If I could make a couple of comments about that. One (1) thing, Greg, when we went over the WOWWAY, six (6) month after the fact presentation, was when you were in the hospital. So that's, that's why you didn't see that exact (inaudible) but the other people on the committee, people that are on our board, you know, saw that and agreed with (inaudible). He mentioned that the reason why they didn't propose was because there was a one (1) sided RFP. We were very careful to put that RFP together and I think there was language in the RFP that said that (inaudible) propose whatever they could provide. So we were a little shocked that somebody, especially WOWWAY, did not provide a proposal and when they came back after the fact, we held up this whole thing for about two (2) to three (3) months and to now where we're two (2) to three (3) months behind what our schedule was cause we were hopeful that they would, you know, see the light, and they would take their existing network and add to it and have a pretty good proposal. But what came to us was quite disappointing. Also I believe when our fiber or broadband consultant was in, (inaudible), you know we talked about it, and one (1) thing we expected which is why we did a very deliberate RFP project and did a very deliberate design of what we were looking for in that RFP, was because we expected the cable companies specifically to have taken great exception to this. So we were very careful on everything we've done with this and double checked it. We had national broadband attorneys looking at it, people up in Indianapolis as well as our other people here. The WOWWAY people, they had come in after the fact, six (6) months after the date and we were able to do that within the RFP process and we checked that. What if they come in and come in with something, you know, that we should be looking at? So we delayed everything and waited for their project. Essentially what they're asking is, yes, there's fiber throughout the map and throughout part of the County, but that's not the hundred and forty-four (144) count fiber which makes the fiber rich. And that isn't fiber that although they will sell the dark fiber to other people, which is what all your private companies do back and forth. There is no requirement they do that, nor would they commit to doing that. So by putting the hundred and forty-four (144) count fiber which makes us fiber rich, allows more people to get in on that after you start the fiber (inaudible), that was one (1), the coaxial and the fiber versus fiber to the home. They did mention several times about there was some new technology, DOCSIS, is coming out in a couple of years. It's going to allow you to go over coaxial with fiber to get the

and proposed to us, and when they came back they would not (inaudible) and encourage them to update well put something like that in your proposal that says we'll guarantee you will roll this technology out in Warrick County with in 'x' amount of time. They did not do it. Even though we specifically said, okay, that's fine, we love the DOCSIS thing. That's kind of interesting, you know, that's going to give us one (1) gig up and one (1) gig down, you know, the symmetrical nature, won't be right away, but if you give us a timeline we'll do it. There was no commitment and they wouldn't give us that even after we asked them. And they certainly wouldn't put it in a contract for that. So, you know, we're basically at the mercy of WOWWAY and all their other marketing as to who's going to get that technology. And then let's just say in two (2) years, one (1) gigabit down, one (1) gigabit up is what you need. In two (2) years, your children could be doing mega computing out of their house and you may need, your house, you may need fiber. Then are we going to be chasing this. Well, even if we get the stuff that wouldn't be committed, that we ask to be committed, then once you would get it, and you're committed, are you still behind in the game. That's why we wanted fiber in the home which gets you in front of the game and gets you way, way in front of the game and capable to do whatever you might need. The, the coaxial and fiber versus fiber to the home, it's more subject because what happens is you have fiber and goes to a node to in front of your neighbor, okay, then you run a coaxial out to the houses over there. Well, when all the kids get home in that neighborhood, it comes to that one (1) node and it slows down because it goes over the, so you get, depending on demand, you get different speeds. On fiber, realistically, you do get a funnel effect on that too, but the thing on fiber, it comes to the very end of the system where the whole system comes together, not just your neighborhood. So if your neighborhood has a lot of kids, they get home from school, you're not going to see that. It's going to be buffered out and it, it, it eliminates (inaudible) when that fiber goes out (inaudible) you can always speed that up if you see that you are having that kind of a slowdown. So that's, you know, an advantage to having fiber to the home. It's not symmetrical, and that's, in the RFP it's very specific, where in the RFP it gets you what you need versus what we've got. It doesn't create open access for the fiber rich environment. There's no County net. Because they've already got some of the County business, what they told me was, why would we give a County net? We've already got that business, (inaudible) giving that up. There's no, the fiber that we give up through the ten (10) gigabits was (inaudible) to all the County and the Schools. You know, that's above and beyond what we've got now. It's symmetrical. So, basically, it comes down to, the proposal only included a little bit of extra geography. It did say on some of these new communities where they've not been they'd put fiber to the home then. However, they would not offer this symmetrical service at those new communities because that would be too difficult for the customer service people to keep track of in all of Warrick County. They wouldn't be to (inaudible). So you would have the capability to put it in along the brand new communities, but they wouldn't take advantage of it. And the proposal for the new geography where the County paid the majority of it, about ninety percent (90%) of the new geography they were going to (inaudible) for us, and about a hundred and ninety to two hundred thousand dollars ($190,000.00-$200,000.00) (inaudible). So it comes back to skin in the game, who's got the skin in the game. The fiber service to the homes is starting around a hundred and thirty ($130.00) a month (inaudible) service, which you know is a lot less. We mentioned, the one (1) gentleman that lives out far away from, from a fiber community, Mr. Metzger, I believe it was, well, when you have fiber, you can do some of the other technologies. There's a microwave technology out there that works for some of the rural areas. And then there's cellular technology. But when you hear about 4G, you see the advertisements for AT&T, where they talk about 4G. And you can get, you can stream stuff on your phone and all that kind of thing. Well, even with the 4G thing a cellular tower, cell tower has to have the capabilities to go to the fiber. So the fact that we've got this fiber network out throughout the County, if somebody were of a mind to put up a cell tower that did the 4G deal, it would be a lot less expensive for them because we'd already have a place they could hook into. Same thing with the microwave deal and you can do the microwave to where it shoots it out, you know, it has a problem with trees and line of sight and that kind of thing. But it is something that is a technology that works, but you have to have fiber to hook into it. So this would enable that kind of technology too. And we would expect that they would talk with some of those companies to get it to where they can get it. And also they mentioned Wi-Fi, well Wi-Fi is, if somebody buys the service and you put the antenna thing up like you do it in a park or something and it's Wi-Fi where you can sit there and do it. Well, as long as somebody wanted to do that, somebody would have to pay for that service. So if, if in the future the County Parks Department or the County or Newburgh or Elberfeld said, "Well, we want to do Wi-Fi for the whole community." The fiber network's there, they could put in the Wi-Fi thing up on their telephone poles and it could provide some Wi-Fi to some certain areas. But this really, it's not to provide Wi-Fi everywhere, but this, if somebody was of a mind to do that, this would enable that.

Councilman Meyer: Okay, thank you. I don't think it's our job to pick which company, the only thing we got before us tonight is the First Reading of this Ordinance, whatever you guys want to do with it. What...

Councilman Rudolph: Do we have any other public comment? We got one (1) and then Larry came up. I was just wondering if there was any other public comment.

Councilman Meyer: We've been talking about this for an hour and a half (1 ½) and I'd just like to get moved on. We've got to do something here, else tonight. If we introduce the Ordinance, from what I understand, we're not obligated at the next meeting to vote one (1) way or another...

Cliff Whitehead: That's correct.

Councilman Meyer: On the Ordinance.

Cliff Whitehead: This is just a First Reading.

Councilman Meyer: This would be the First Reading. If you don't want to introduce it, it's up to this Council. But I think we're, we're getting off the track in comparing these two (2) proposals when that's really not what we're her to do tonight. So that's the reason I was kind of drawing it in to see what you wanted to do tonight with the First Reading of the Ordinance. Don't everybody speak at once.

Councilman Richmond: Since it's not deciding I'm going to move for the First Reading.

Councilman Meyer: Okay, motion's been made by Greg to introduce Ordinance 2018-06. Is there a second? Is there a second?

Councilman Overton: I'll go along with Greg just for the fact that it's just an introductory reading and you know perhaps with that introductory reading maybe that will, you know, with some of the other comments that were made, maybe there's some additional incentive to refine some of the other comments and items as well. Cause it's, I'm sorry

it's a lot for a second but it just seems like there's still a lot of things that are, like you said, it's not for us to decide all of the intricacies of what's up and what's down and what's this and what's that. It's really about spending the money. But I think we, at least if we put that out there, there's some motivation to take a look at something one (1) way or another. So there's the second and it was the longest second known to man.

Councilman Meyer: Okay, we have a motion by Greg and seconded by Brad to introduce Ordinance 2018-06. All those in favor of that motion? Opposed? Motion fails three to four (3-4 with Charlie Christmas, David Hachmeister, Ted Metzger, and Paul Rudolph opposing).

Cliff Whitehead: Four (4), the four (4)?

Councilman Meyer: The four (4) was David, Ted, Paul, and Charlie. Okay.

ECONOMIC DEVELOPMENT/COMMISSIONER BUSINESS
COURTHOUSE RENOVATION

Councilman Meyer: Item 3A, Economic Development, Additional Appropriation, Courthouse Renovation, two hundred thousand dollars ($200,000.00). This is for the addition to renovation.

Councilman Christmas: (Inaudible).

Councilman Overton: They're not going to be here.

Councilman Meyer: Apparently not.

Councilman Hachmeister: Can't be (inaudible).

Commissioner Weisheit: Good evening. Marlin Weisheit, Warrick County Commissioner. I think all of you got the sheet on the sidewalk and the retaining wall. And we bid with the City (inaudible) trying to get funding in place for that project to be completed.

Councilman Overton: Marlin, I'd like to say that without your conversation and information about this, I would have probably put a few adjectives in front of the word, no, in front of this. But since you did a good job of explaining it, and...

Commissioner Weisheit: I had sticker shock just like the rest of you. I do have the blueprints up here on the wall to make it a little more understanding of the layout and the other printout over there is the lights that's gonna be put up. You know after looking at it and (inaudible) I understand it's a lot more than we anticipated. (Inaudible). I hope you all understood the numbers what we were able to take out of the bid and get it (inaudible) down to where we feel it's very affordable to do and it turned out to be four hundred fifty-seven thousand five hundred seventeen dollars ($457,517.00) plus we've got a little sidewalk we have to do over there around the Harold Gunn Pavilion. So we're wanting to get four hundred seventy-five thousand dollars ($475,000.00) in place (inaudible) this project.

Councilman Overton: I make a motion to approve.

Councilman Meyer: Motion made by Brad to approve the two hundred thousand dollars ($200,000.00). Is there a second?

Councilman Hachmeister: Second.

Councilman Meyer: Seconded by, did you second it, David? Seconded by David.

Councilman Overton: This doesn't include heated sidewalks, does it? Just checking. Want to make sure I didn't get back in there or anything.

Commissioner Weisheit: No, (inaudible).

Councilman Meyer: Any discussion?

Councilman Rudolph: I'd like to apologize for not meeting with you earlier. I've had a problem with my email and didn't realize you had sent that. I'd like to apologize.

Councilman Meyer: Okay, all those in favor of the motion? Opposed?

Councilman Rudolph: I abstain since ...

Councilman Meyer: Motion carries five, one, one (5-1-1 with Ted Metzger opposing and Paul Rudolph abstaining). Abstention was Paul and Ted voted against it.

Commissioner Weisheit: Thank you.

Councilman Meyer: Thank you.

COMMISSIONER BUSINESS
EDIT ROADS
COURTHOUSE RENOVATION

Councilman Meyer: Commissioner Business, Additional Appropriation, EDIT Roads, Courthouse Renovation, twenty-five thousand dollars ($25,000.00).

Councilman Richmond: Second.

Councilman Meyer: Motion made by Brad and seconded by...

Councilman Christmas: Greg.

Councilman Meyer: Greg to approve. Any discussion? All those in favor? Opposed? Are you abstaining?

Councilman Rudolph: I'm abstaining.

Councilman Meyer: Motion carries six, zero, one (6-0-1 with Paul Rudolph abstaining). Ted, you did vote for it, correct?

Councilman Metzger: Um hum.

Councilman Meyer: Okay.

COMMISSIONER BUSINESS
LEGAL SERVICES

Councilman Meyer: Commissioner Business, 3C, Additional Appropriation, Legal Services, forty thousand dollars ($40,000.00).

Commissioner Weisheit: Well, the answer there, we just had some extra legal fees. Roger's not here. He's on vacation this week. So I'm trying...

Councilman Meyer: Let me ask you a question about that. Why did the County get involved in a lawsuit between the Town of Boonville and ALCOA?

Commissioner Weisheit: We were just supporting ALCOA in that effort and Economic Development and mining here in the area and felt like we had, we'd met with ALCOA earlier and back them up.

Councilman Meyer: I understand there was just a letter sent. There was no testimony given.

Commissioner Weisheit: Yeah.

Councilman Rudolph: Twenty-nine thousand dollars ($29,000.00) is a lot of support to be giving to a private entity.

Councilman Meyer: Yes, it is.

Commissioner Weisheit: I agree with you. I agree with you. It happened and I didn't see that much of a bill coming. Like legal fees sometime, you can get a little out of hand and this one (1) did.

Councilman Meyer: A little. A little.

Cliff Whitehead: Hey.

Commissioner Weisheit: I have no excuses for it. I have no excuses for it. But it is a bill and I know legal fees run, you know, we know that we get our budget we knew we were going to be going over on some things. But I can assure you we're going to be very careful what we approve the rest of the year.

Councilman Overton: That'd be a heck of a letter if somebody wrote me, that kind of money.

Commissioner Weisheit: More than I get paid in a year, Brad. I agree.

Councilman Overton: I know, Marlin.

Councilman Meyer: Yeah.

Commissioner Weisheit: I'm not happy about it myself, gentlemen.

Councilman Meyer: Did you guys approve it?

Commissioner Weisheit: Yes, we did. I mean, it been something that we consulted to do and not knowing it was going to end up in court to the extent that it did.

Councilman Meyer: And it's still not over.

Commissioner Weisheit: Our part is.

Councilman Overton: No.

Councilman Meyer: Agh...

Commissioner Weisheit: No, it's probably not.

Councilman Meyer: It's going to the Supreme Court next.

Commissioner Weisheit: (Inaudible) there too.

Councilman Meyer: Yeah, they're going to the Supreme Court.

Commissioner Weisheit: (Inaudible) and Morrie Doll, he's (inaudible).

Councilman Meyer: Yeah.

Councilman Rudolph: Have you put in any restrictions on future legal fees regarding this manner? Have you talked to the...?

Commissioner Weisheit: We have. Yeah.

Councilman Meyer: Okay, gentlemen.

Commissioner Weisheit: Next time someone else is going to be standing here besides Marlin, I can assure you that. (Inaudible).

Councilman Meyer: Me, too.

Councilman Overton: Well, we do like you, Marlin.

Councilman Meyer: Is there a motion?

Commissioner Weisheit: We do have to pay, so...

Councilman Christmas: You might have to pay it out of your personal account.

Councilman Meyer: Is there a motion?

Councilman Richmond: I don't like it, but I'm going to move cause we are kind of obligated.

Councilman Meyer: You made a motion to approve it?

Councilman Richmond: Um hum.

Councilman Meyer: Motion made by Greg to approve. Is there a second? Is there a second? Is there a second? Motion dies for lack of a second.

Councilman Rudolph: Marlin...

Commissioner Weisheit: (Inaudible) we'll be bringing it back, you know, we'll probably get sued over that one (1), too.

Councilman Rudolph: Marlin, I can tell you two (2) things from previous practice, one (1), I did not collect every bill I sent out when I was a practicing attorney. So if I didn't collect a hundred percent (100%), not every lawyer has to collect a hundred percent (100%). Second, I think there's an old saying among attorneys that if a law firm sues a client, the law firm has a fool for a customer. So, I don't think we would be sued by our own County Attorney if that were the case. So...

Commissioner Weisheit: I don't think the bill goes away. (Inaudible).

Councilman Meyer: Do we need a motion to deny this, Cliff?

Cliff Whitehead: No.

Councilman Meyer: Just move on?

Cliff Whitehead: Yes.

Councilman Meyer: Okay.

ADDITIONAL APPROPRIATION
E911
REIMBURSE CENTRAL DISPATCH

Councilman Meyer: Alright 3D, Commissioner Business, Additional Appropriation, E911, Reimbursement, Central Dispatch, five hundred twenty-five thousand dollars ($525,000.00).

Krystal Powless: Marlin (inaudible), but that's actually a positive thing for us. It's a reimbursement from E911 to County General Fund for the Central Dispatch salaries, and it's for payments that were missed...

Councilman Hachmeister: 2015 and '17.

Krystal Powless: Thank you.

Councilman Rudolph: Motion to approve.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by Paul and seconded by David to approve the reimbursement. All those in favor? Opposed? Motion carried seven, zero (7-0).

Councilman Overton: And I'd like to, was that, did the Auditor not identify that or was my thinking of something else?

Krystal Powless: Yes. She sent an email to you guys.

Councilman Overton: That's what I thought, so yeah.

Councilman Meyer: Yeah.

Councilman Overton: Sometimes I get email overwhelmed, but I would like to say thank you to the Auditor for that as well.

UPDATE ON GRANT FOR THE HISTORIC JAIL

Commissioner Weisheit: Mr. President, while I'm up here...

Councilman Meyer: Yes?

Commissioner Weisheit: One (1) more thing there, we did put in for a grant for the Old Jail Project, you know, and through OCRA. We was turned down. It's a highly competitive grant. We're in the process of reapplying for that. So we'll be starting public hearings. I do think next chance we'll, working with all of this, we'll have a better chance at it. Sometimes the second time around (inaudible). We're going to get right back on that wagon.

Councilman Meyer: Ride it again.

Councilman Overton: Marlin, how much of that, that, because some of the bond money from the Courthouse Project was allocated towards that.

Commissioner Weisheit: Yeah, we had a hundred and sixty thousand ($160,000.00). We definitely want to keep that there and maybe we'll have some good word by the year. I mean this new round of funding, you know, we'll be (inaudible) coalition. And we've had some contact with already. They start getting set for public hearings. Hate to go through them all again, but, but we've got to go for it.

UPDATE ON PROSPECT ROAD AND PROPERTY EXCHANGE

Commissioner Weisheit: One (1) other thing I just want to pass out for informational purposes, which I know I've discussed with some of you about the Prospect Road, we pulled that (inaudible) here tonight. But I do want to give you'ens all a copy of this so you can be reviewing it. Because the Commissioners are probably going ahead and be vacating Prospect Drive and accepting this property. No cost to the County. This is a win, win. And if you look at these three (3) sheets, it shows what it is now, and what Dan Ubelhor is proposing to do to give about a ninety-six million dollar ($96,000,000.00) subdivision there where Prospect Road is now. And annual property tax pay out should be around like nine hundred sixty-two thousand ($962,000.00) a year. It's a win, win for us. We acquire six point eight acres (6.8) and we'll go ahead and vacate the road, acquire the property, get the base built up, we can still work out of the other property. Later on if funding becomes available, we can justify putting some buildings there. It'll just give us room to grow. You know it's a little tight over where we're at. So it's a win, win for us. No money's being exchanged. We're probably going to vacate that road in the very near future, let Danny and them go ahead with their development and we'll accept that property with the hopes of maybe turning the other property over to more (inaudible) there. But we can go ahead a use it (inaudible). I know we've had a lot of discussions on that. But I wanted to just give you all a copy of that so you know what we're thinking about for future use.

Councilman Meyer: Thank you.

Commissioner Weisheit: Any questions? Don't hesitate to call me anytime on this. I think it's a great opportunity for the county for future expansion down in that area.

Councilman Meyer: Thank you.

Commissioner Weisheit: Keeps development going strong down there.

Councilman Rudolph: Thank you.

CIRCUIT COURT BUSINESS
PAUPER DOCUMENTS

Councilman Meyer: Okay. Item 4 is Circuit Court Business, Additional Appropriation, Pauper Documents, twenty-five thousand dollars ($25,000.00).

Sarah Ellard: Hi, I'm Sarah Ellard. I work for Circuit Court. Judge Granger asked me to be here this evening in his absence. He's up at the (inaudible) conference. And advise the Board that this amount should satisfy the last (inaudible).

Councilman Meyer: Is this part of the murder trial that we...?

Sarah Ellard: Yes.

Councilman Meyer: Okay.

Councilman Overton: Motion...

Councilman Rudolph: Motion, second.

Councilman Overton: to approve.

Councilman Meyer: Motion made by Brad and seconded by Paul to approve. All those in favor? Opposed? Motion carried seven, zero (7-0).

Councilman Overton: He owes you for making you sit through all this.

Councilman Meyer: Yes, he does.

Councilman Rudolph: I think we probably owe her. We should have put Ec...

Sarah Ellard: (Inaudible) should have told me to at least bring a snack.

Councilman Meyer: That's right.

Councilman Rudolph: We should have put Economic Development a little later on the...

Councilman Overton: Sold tickets.

SUPERIOR COURT BUSINESS DISCUSSION

Councilman Meyer: Item 5, Superior Court Business, the Discussion has been asked to be taken off the agenda.

Councilman Meyer: So we'll go to Prosecutor Business, 6A, Transfer.

Councilman Rudolph: Motion.

Councilman Meyer: General, eight hundred dollars ($800.00) to Office Equipment, eight hundred dollars ($800.00).

Councilman Overton: You got a, 'whoa,' from the...

Krystal Powless: He didn't ask to take it off; he asked to table it.

Councilman Rudolph: Motion to table is what I was about to say.

Councilman Meyer: On the top one (1)?

Krystal Powless: Yes.

Councilman Meyer: Oh, the top to table. Okay, we've got to table that then. I'm sorry.

Councilman Overton: Motion to table.

Councilman Christmas: Second.

Councilman Meyer: Motion made by Brad and seconded by Charlie to table. I know, I missed you. All those in favor? Opposed? Motion carried seven, zero (7-0).

Councilman Overton: I thought Paul was doing (inaudible).

Councilman Meyer: Speak up more.

Councilman Rudolph: I (inaudible), I don't talk enough.

PROSECUTOR BUSINESS TRANSFER GENERAL TO OFFICE EQUIPMENT

Councilman Meyer: Okay, now we're going to Prosecutor Business. Transfer from General, eight hundred dollars ($800.00) to Office Equipment, eight hundred dollars ($800.00).

Councilman Richmond: Motion.

Councilman Overton: Second.

Councilman Meyer: Motion made by Greg and seconded by, did you second it?

Councilman Overton: B-r-a-d.

Councilman Meyer: Thank you, by Brad.

Councilman Overton: Same person whose calls you blocked for three (3) years.

Councilman Meyer: All those in favor of the motion? Opposed? Motion carried seven, zero (7-0).

DISCUSSION ON CLAIM FOR PROSECUTOR'S OFFICE DONATION FROM PRE-TRIAL DIVERSION

Councilman Meyer: Discussion with the Prosecutor, is that tabled or what?

Krystal Powless: No, it's the Claim.

Councilman Meyer: Oh, it's the Claim.

Krystal Powless: You just need to address it. Cliff may be able to give some opinion on that.

Councilman Meyer: Okay, it's the Claim that you got about the church roof, ain't that right?

Auditor Stevens: You want me to...?

Councilman Meyer: And I, if you want to come explain it, that'd be fine.

Auditor Stevens: Okay, the Claim was...

Councilman Rudolph: Can you introduce yourself, please?

Auditor Stevens: Yes, I can, Debbie Stevens, Warrick County Auditor. This Claim was presented as a Non-Cerified to the Commissioners two (2) weeks ago or three (3) weeks ago perhaps around August 7th. And they approved it pending Council's approval of the donation. Because they don't have information that tells them and I don't in your Ordinance that tells me what is a donation. What defines a donation? Does that mean that the donation has to meet the Pretrial Diversion Statute? Because that is in your Ordinance and your Ordinance is very clear about statute and that matches verbatim Pretrial Diversion Statute, but then the Donation Line, your, you created a Donation Line. You funded it, but your Ordinance doesn't define what that is. So I don't have information to certify and I didn't have information to give to the Commissioners to define donations. So they preferred, their preference way to send it back to the Council to say, does this donation meet what your intentions were for the (inaudible).

Councilman Meyer: From what I understand, isn't it supposed to somehow benefit somehow the Prosecutor's Office?

Auditor Stevens: That's statute is for Pretrial Diversion, yes.

Councilman Meyer: Okay.

Auditor Stevens: But what donation is, you really, the fiscal body would have to define...

Councilman Meyer: Define it ourselves.

Auditor Stevens: (Inaudible) created the line and then funded it.

Councilman Overton: I thought that other donations, those were made towards like some of the Sheriffs or City Police and some different things associated with Law Enforcement. Wouldn't that, if I'm not mistaken?

Councilman Rudolph: That's my memory.

Councilman Overton: And I think that's how we came up with that Ordinance. Is that not right, Debbie?

Auditor Stevens: I would say everything has been in line with your Ordinance, which...

Councilman Overton: I think that's how we came up with that line item, with that Donation Line Item, was what I was thinking.

Councilman Meyer: Okay, what...

Councilman Metzger: I'd like to make a motion. Can we deny the Claim based on it doesn't meet the criteria or the intent?

Councilman Meyer: We can do that.

Councilman Metzger: Applied? I make the motion to decline the Claim.

Councilman Meyer: Motion made by Ted to deny the Claim.

Cliff Whitehead: The only thing I'll add, it's hard to speak out, I supplemented, so I sent an email out. I think most of you got it, but there is one (1) all, catch all...

Councilman Metzger: Ten (10), yeah.

Cliff Whitehead: Yeah, okay, so there is a catch all that the Prosecutor states that it is for the purpose of the Prosecutor's Office to benefit the Prosecutor's Office or to benefit Law Enforcement and the Council agrees, then those funds can be used for that purpose, so I just wanted...

Councilman Metzger: He didn't state it and I don't agree.

Councilman Meyer: I agree. Motion made by Ted to deny. Is there a second?

Councilman Hachmeister: I'll second.

Councilman Meyer: And seconded by David. Any further discussion? All those in favor? Opposed? Motion carried seven, zero (7-0). It is denied.

SHERIFF BUSINESS
MOTORIZED EQUIPMENT

Councilman Meyer: Okay, Sheriff Business, Additional Appropriation, Motorized Equipment, five thousand one hundred fifty-nine dollars and fifteen cents ($5,159.15); Motorized Equipment, one thousand four hundred seventy dollars and fifty-two cents ($1,472.52). Overtime School Resource, fifty thousand dollars ($50,000.00); Reduction on Fuel of twenty-four thousand (-$24,000.00); which gives a total of thirty-two thousand two hundred ninety-six dollars and sixty-seven cents ($32,296.67). Hi, Sheriff.

Sheriff Kruse: How you doing?

Councilman Rudolph: So, it looks like the Motorized Equipments are both reimbursements and...

Councilman Meyer: Are those insurance checks I guess? I assume?

Sheriff Kruse: I believe that's what they are.

Councilman Meyer: I, I, I thought so too.

Councilman Overton: Want to take those separately? Paul?

Councilman Rudolph: Sure, we can just take those separately. I make a motion we approve the reimbursements from the Motorized Equipments. Both of them.

Councilman Meyer: Motion made by Paul and seconded by Brad to approve the Motorized Equipment reimbursements. All those in favor of the motion? Opposed? Motion carried seven, zero (7-0).

OVERTIME SCHOOL RESOURCE OFFICER

Councilman Overton: Now Krystal, this Overtime School Resource, is that in that new line item we discussed at the last budget meeting?

Krystal Powless: This was presented at, for me to advertise at the Personnel Committee meeting, and I did create the Overtime School Resource Officer line item, (inaudible).

Councilman Overton: Motion to approve the Overtime School Resource Officer line item.

Councilman Richmond: Second.

Councilman Meyer: Motion made by Brad and seconded by Greg to approve the fifty thousand dollars ($50,000.00) Overtime School Resource person. All those in favor of the motion? Opposed? Motion carried seven, zero (7-0).

Councilman Overton: Dang, that's three (3) in a row.

Councilman Meyer: Okay. We're rolling.

FUEL REDUCTION

Councilman Rudolph: Well, if the Fuel's a reduction I motion to approve it.

Councilman Overton: Second.

Councilman Meyer: I was going to say, now, we need a motion for Fuel Reduction. Motion made by Paul and seconded by Brad. All those in favor of that? Motion carried seven, zero (7-0).

JAIL
JAIL COMMANDER
LONGEVITY

Councilman Meyer: Okay, 7B, Sheriff Business Continued, Additional Appropriation, Jail Commander, fourteen thousand five hundred and forty-eight dollars and eighty cents ($14,548.80); Longevity, one thousand three hundred six dollars and eighty cents ($1,306.80); Utilities, twenty-four thousand dollars ($24,000.00) for a total of thirty-nine thousand six hundred sixty-five dollars and sixty cents ($39,665.60).

Councilman Overton: If I'm not mistaken, the Jail Commander Longevity will be based upon the Employee Handbook, is that correct? Due to retirement?

Councilman Hachmeister: Yep.

Sheriff Kruse: Yes.

Councilman Overton: Okay, motion to approve Jail Commander Longevity.

Councilman Rudolph: Second.

Councilman Overton: Yeah, the first two (2). I figured just keep them separate.

Councilman Meyer: You want to, yeah, okay. And you seconded, Paul, right? Okay. Motion made by Brad and seconded by Paul to approve the Jail Commander at fourteen thousand three-forty-eight-eighty ($14,348.80) and Longevity of one thousand three hundred sixty dollars and eighty cents ($1,306.80. *Note: Amount was mis-stated*). All those in favor?

Cliff Whitehead: I, you said, one thousand three hundred and six dollars ($1,306.00)…

Councilman Meyer: And eighty cents ($0.80).

Councilman Hachmeister: That's six dollars ($6.00).

Councilman Meyer: Okay.

Councilman Hachmeister: It sounded like sixty ($60.00) I think.

Councilman Meyer: Oh, did it?

Councilman Hachmeister: Is that what you thought too, Cliff?

Cliff Whitehead: Yes.

Councilman Meyer: Sorry about that.

Councilman Rudolph: Did sound like it.

Councilman Meyer: Okay, all those in favor of the motion? Opposed? Motion carried seven, zero (7-0).

UTILITIES

Councilman Christmas: Utilities.

Councilman Overton: I make a motion to approve the Utilities, because that's based upon the reduction in the Fuel Line Item to cover the remaining Utility costs.

Councilman Meyer: Motion made by Brad for the Utilities of twenty-four thousand dollars ($24,000.00). Is there a second?

Councilman Christmas: I seconded it.

Councilman Meyer: Who did?

Councilman Christmas: I did.

Councilman Meyer: Charlie? And seconded by Charlie. All those in favor? Opposed? Motion carried seven, zero (7-0).

(September Appropriations are located on Page 25 of these Official Minutes)

SEMI-ANNUAL COMMISSARY REPORT

Sheriff Kruse: I have one (1) other item. (Inaudible) presented you with my Semi-Annual Commissary Report. Did you receive that?

Councilman Overton: I did see it.

Councilman Meyer: Yeah.

Sheriff Kruse: You guys have any questions?

Councilman Meyer: No.

Sheriff Kruse: Okay, if you do just give me a call.

Councilman Meyer: Alright.

Councilman Overton: Thanks.

JAIL COMMANDER SALARY ORDINANCE

Krystal Powless: One (1) other thing you may have missed (inaudible) Salary Ordinance also for the Jail Commander.

Councilman Meyer: I'm getting to that.

Councilman Richmond: Motion.

Councilman Meyer: Motion made by Greg, the…

Councilman Overton: Second.

Councilman Meyer: Salary Ordinance for the Jail Commander is fifteen thousand six-fifty-five and fifty cents ($15,655.50). Motion made by Greg to approve and seconded by Brad. All those in favor? Opposed?

Councilman Rudolph: (Inaudible).

Councilman Meyer: Huh?

Councilman Rudolph: I was in favor.

Councilman Meyer: Okay. Motion carried seven, zero (7-0).

Sheriff Kruse: Thank you.

Councilman Meyer: Thank you, Sheriff.

Councilman Overton: We went from three, four (3-4) to like seven and seven (7-7).

COUNCIL BUSINESS
LIT DISCUSSION

Councilman Meyer: Okay. The next item is LIT Discussion. Greg, did you want to take that off? Or discuss that now? Or you want to wait?

Councilman Richmond: See if Cliff could get us the details on that since the State Legislature has kind of changed. You've got several categories now.

Councilman Meyer: Do they?

Cliff Whitehead: Yeah, yeah, we're grandfathered in with our old one (1). But to Greg's point, all the Statutes are based on the new ones. So it is hard to kind of...

Councilman Meyer: Don't we have to, well, let me put it this way, isn't there a certain time that we can adjust that rate, like January, February, or March?

Cliff Whitehead: Yes, it is.

Councilman Meyer: We can't do it before then or after then?

Cliff Whitehead: I'd have to look at it, but there, there is, when you adjust it, when it goes into effect, yes.

Councilman Meyer: Okay.

Cliff Whitehead: So, I'll look at that and (inaudible).

Councilman Meyer: I think it would be the new Council that looks at that.

Councilman Richmond: And certain ones can be designated if you have a certain portion of amount going to a certain area.

Councilman Meyer: The other item we've got...

Councilman Richmond: December.

Krystal Powless: Okay, so he would like to bring that up in December.

Councilman Meyer: Okay.

FINAL REVIEW
2018 FOR 2019 BUDGET

Councilman Meyer: The other thing we've got is the Final Budget Review. Anybody have any concern that they'd like to discuss?

FUND 2502
LAW ENFORCEMENT FUND

Councilman Meyer: Debbie?

Auditor Stevens: (Inaudible) things for me. I'd like to, I did not get these on the agenda but I did send you information on Fund 2502. That's the Law Enforcement Continuing Education.

Councilman Meyer: Yeah.

Auditor Stevens: And I presented to the Commissioners a few weeks ago that after quite a bit of research we've been able to distribute to all of the Law Enforcement Agencies everything that they were eligible to claim from, that we could prove from 2014 to 2017 and continuing to send out, sort of, statements that comes from a Clerk or Deputy in the Clerk's Office, Susan Gossett. She's been real good about issuing these reports out to Law Enforcement Agencies. So

able to prove that that control in place is effective. So we have, we're eliminating that process that's been happening year over year over year of Funds accumulating and then just simply unclaimed Funds. They cannot be used, the money in this Fund, 2502, is the four dollars ($4.00) that's collected (inaudible) infraction that goes directly to the agency that wrote the ticket that, whatever the infraction was or criminal act. That four dollars ($4.00) is collected on their behalf for continuing education. So, we stopped the accumulation of unclaimed funds however still do have about, right around a hundred and fifty thousand...a hundred and fifty thousand eight hundred dollars ($150,800.00) of unclaimed funds that have been in this Fund since, what we can identify, back to 2006.

Councilman Rudolph: How much was that again?

Auditor Stevens: One hundred fifty thousand eight hundred ninety-nine ($150,899.00). Now I'll have to reconcile funds, reconcile one (1) more time, because since then we've disbursed a few more things (inaudible) 2017 period and 2018 period first and second quarter. I've worked with the State Board of Accounts on this and the only way we can disburse this money and get it out to the Law Enforcement Agencies would be by court order. They do not take exception to a court order. And I sent you all some paperwork for the, the four years, '14, '15. '16, '17, that we can get actual figures on what was disbursed, eligible to be disbursed to the individual Law Enforcement Agencies. (Inaudible) which includes DNR and State Police. So cities and towns and the County Sheriff and then from that, I was able to come up with a percentage of all the total distributions for that period of time. And the methodology, you know, I would want you to challenge it if you want or question it if you want, because I want it to be what I believe this is the most fair methodology for distributing that approximately one hundred fifty thousand dollars ($150,000.00) from this Fund out to these Law Enforcement Agencies. And that's where the money belongs. That's all we can ever do with the money. It cannot be used for anything else. It's not working for anyone sitting in this Fund. So, I'm pretty excited about it. I talked to Todd Glass and the Commissioners, they're in agreement in taking this route and I would like you all to feel comfortable and have confidence in what we're doing moving forward with this, this money sitting in this Fund.

Councilman Meyer: You don't need anything from us?

Auditor Stevens: I don't really.

Councilman Meyer: Officially.

Auditor Stevens: Would like your blessing that you're on board with this. And mostly to be informed and be transparent about moving this money out.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FUNDS FOR LANDFILL POST CLOSURE

Auditor Stevens: One (1) other item I have, any questions on 2502? Okay. One (1) other, good news, more good news, I circled back with the Indiana Department of Environmental Management on the money that we thought we'd have to put into a trust fund for our Post Landfill Closure and I heard back from Ruth, Ruth Jean and she tells me good news and that is that we do not have to fund, have any money set aside other than what it will take to pay for the routine tests that we do throughout the year which has been about thirty to thirty-five thousand dollars ($30,000.00-$35,000.00). So we have approximately four hundred thousand dollars ($400,000.00) in that Fund as of today. So, that money can be moved out. I believe it would be eligible to be transferred to the General Fund, Rainy Day, you might want to check into that Cliff. We can do a claim to move that money out from the Post Closure Fund to whichever Fund you choose to (inaudible).

Councilman Meyer: Okay.

Councilman Metzger: That's great.

Councilman Meyer: That is good news.

Auditor Stevens: It is good news. I believe it would be a claim that the Commissioners would have to sign off on. They'd be happy to.

Councilman Hachmeister: Don't tell everybody about it.

Auditor Stevens: Do what?

Councilman Hachmeister: Everybody will be wanting some of it.

Councilman Meyer: Yeah.

Councilman Richmond: There's a Resolution on this.

Auditor Stevens: Okay, so good news. And I just thought that that was all I had to add to the list.

Councilman Meyer: Okay. Thank you very much.

Auditor Stevens: Thank you.

BUILDING DEPARTMENT TRANSFER FROM CONTRACTUAL SERVICES TO EQUIPMENT

Councilman Meyer: Building Department.

Councilman Christmas: The answer is no before you get started. No, that's not true.

Dennis Lockhart: Dennis Lockhart, Warrick County Building Commissioner. Before I start, I want to give you a few little surprises, due to a lot of your efforts, Warrick County has surpassed Vanderburgh County in (inaudible) for the first six (6) months of this year.

Councilman Rudolph: Wow.

Dennis Lockhart: And that's the first time ever.

Councilman Christmas: That's great.

Dennis Lockhart: So, everybody's efforts are paying off.

Councilman Christmas: The motel is opened up now?

Dennis Lockhart: (Inaudible) get very often.

Councilman Christmas: Motel opened up now?

Dennis Lockhart: (Inaudible) we've got it going on now.

Councilman Christmas: And isn't there another being built too?

Dennis Lockhart: What's that?

Councilman Christmas: Isn't there a second hotel being built?

Dennis Lockhart: I have (inaudible).

Councilman Christmas: Two (2)?

Dennis Lockhart: I would like to transfer from Contractual Services to Equipment Maintenance and Vehicle Fund sixty-five hundred dollars ($6,500.00) (inaudible) transfer. And this is for the purchase of a new vehicle. I've had mine for two (2) years and the program that we're trying to get started is every two (2) years I try to trade in for a new one (1).

Councilman Metzger: Contractual to what?

Councilman Meyer: The vehicle's only going to cost sixty-five hundred dollars ($6,500.00)?

Dennis Lockhart: It's only going to cost fifty-eight hundred bucks ($5,800.00) but I need a (inaudible) put on the back of it.

Councilman Meyer: That's the cheapest vehicle (inaudible). Pretty cheap vehicle.

Dennis Lockhart: We're trading it (inaudible).

Councilman Meyer: Oh, I see. I gotcha.

Dennis Lockhart: Yeah.

Councilman Rudolph: How many miles are on your current vehicle?

Dennis Lockhart: Right at thirty (30,000). I put about, it's like, it's taking about six (6) months to get, get a truck in. (Inaudible). They don't like to see over thirty-five thousand (35,000) miles on a truck.

Councilman Christmas: It's easier to (inaudible).

Dennis Lockhart: Yeah.

Councilman Meyer: Okay, we need a motion?

Dennis Lockhart: Joe took bids on all this.

Councilman Christmas: I'll make the motion.

Councilman Meyer: Motion made by Charlie to approve the sixty-five hundred dollars ($6,500.00). Is there a second.

Councilman Richmond: Second.

Councilman Meyer: And seconded by Greg.

Councilman Richmond: This is self-funded.

Councilman Meyer: Yeah.

Councilman Richmond: It's not tax dollars.

Councilman Meyer: Any discussion? All those in favor? Opposed? Motion passes four to three (4-3 with David Hachmeister, Brad Overton and Paul Rudolph opposing).

Krystal Powless: And the three (3)?

Councilman Meyer: Brad, David, and Paul.

Dennis Lockhart: Thank you all.

2019 BUDGET FINAL REVIEW
INNKEEPER'S TAX BUDGET

Councilman Meyer: Thank you. Okay, anybody from the audience want to address the council for any reason? Any Councilmember have anything to bring up.

Councilman Metzger: Did we finish discussing the Budget or is that coming up later?

Councilman Meyer: Well, it was the Final Review. You want to discuss something else?

Councilman Metzger: What did we ever do with the Innkeeper's Budget?

Councilman Meyer: I thought it was set at twenty-eight thousand ($28,000.00).

Krystal Powless: If you want to address it publicly that's fine. That's the emails.

Councilman Meyer: There were emails that was sent in.

Councilman Metzger: Okay, that's what was done? Okay, I just didn't know it was final.

Councilman Meyer: Yeah.

Councilman Metzger: Okay, that's great with me.

Councilman Meyer: That okay?

Councilman Metzger: Oh, yeah.

Councilman Meyer: Okay. Anybody else?

Councilman Hachmeister: I will mention that, I think I did last time, that Ralph Turpin due to time restraints, really cannot attend all the meetings. He said he'd help as much as possible and attend as much as possible. But if we would have another appointment so be it.

Councilman Overton: That doesn't seem to be real popular does it?

Councilman Meyer: Not yet.

Councilman Hachmeister: Yeah, I agree Brad. You got to look at what's going on. Keep that in mind.

Councilman Meyer: Yeah.

Councilman Hachmeister: And things, well, things might change for Ralph a little bit here.

Councilman Meyer: I will say that our next meeting will be October 4th in this room. Hopefully it looks a little better. I will tell you one (1) thing too, I've been excited about this School Safety Program as far as a Community Donor Fund. And I think the Commissioners are in the process of setting up a line item for lack of a better word for a Donor Fund. I did get a commitment from ALCOA today. They will help fund. They haven't told me how much money yet. But this year and next year. They don't want to go farther than next year to see how they go. But I think with one (1) commitment like that, other places will join the bandwagon. Hopefully, so hopefully we'll find out next week how much they're going to give us.

Councilman Metzger: So you are looking for donors and who should they contact if they're interested?

Councilman Meyer: They can send the check to Warrick County Treasurer, right? And then put the donor, the safety, the School Safety...

Auditor Stevens: Donation Fund.

Councilman Meyer: Donation Fund.

Auditor Stevens: Donation Fund.

Councilman Metzger: Donation Fund, School Safety.

Councilman Meyer: I've talked to Gateway Hospital and Deaconess, or not, Old National Bank and they haven't gotten back with me yet. I did, I did contact Vectren, but I think they're in the middle of the process of being bought or sold or something, so, I can see...

Councilman Christmas: What about St. Vincent?

Councilman Metzger: I know a few people...

Councilman Meyer: I was going to wait to see if, if Gateway doesn't then, we can throw (inaudible), they'll do that. Anyway, that's a positive thing I think. They, ALCOA, the lady told me, at ALCOA, that they thought this was a very positive move. And so we should, and they were wanting to get on board with it.

Councilman Richmond: Before we adjourn, an announcement.

Councilman Meyer: Yes?

Councilman Richmond: On September the 25th, I'm sorry, September the 28th is the, not the 28th. What day is our Senior Citizens thing?

Councilman Hachmeister: 22nd. Saturday.

Councilman Richmond: That's a Saturday Night, the 22nd. Starts at 4:00 (PM). We have an auction.

Councilman Hachmeister: And I have tickets.

Councilman Richmond: And the Senior Citizens, it's one (1) of our major fundraisers, needs your support.

Councilman Hachmeister: It is the major fundraiser.

Councilman Richmond: Um hum.

Councilman Meyer: Okay, anybody else have anything to bring up? Okay, looking for a motion.

Councilman Overton: Motion to adjourn.

Councilman Meyer: Meeting's adjourned.

ADJOURNMENT: Meeting adjourned at 7:55 P.M.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

Greg Richmond, Vice President

David Hachmeister

Brad Overton

Ted Metzger

Charles R. Christmas

Paul Rudolph

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

Be it ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expenses of the taking 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 APPROPRIATION #	DESCRIPTION DESCRIPTION	AMOUNT REQUESTED AMOUNT	AMOUNT REQUIRED
Commissioners	1000-116-4312.00	Legal Services	$40,000.00	-0-
Total Commissioners			$40,000.00	
E911	1222-000-4343.00	Reimburse Cent. Disp.	$525,000.00	525,000.
Total E911			$525,000.00	
Sheriff	1000-113-4443.00	Motorized Equipment	$5,159.15	5159.15
	1000-113-4443.00	Motorized Equipment	$1,470.52	1470.52
	1000-113-4182.10	Overtime School Res.	$50,000.00	50,000.
Reduction	1000-113-4221.00	Fuel	- $24,000.00	-24,000
Total Sheriff			$32,296.67	
Jail	1000-114-4118.00	Jail Commander	$14,348.80	14,348.80
	1000-114-4173.50	Longevity	$1,306.80	1,306.80
	1000-114-4351.00	Utilities	$24,000.00	24,000.00
Total Jail			$39,665.50	
Circuit Court	1000-110-4189.00	Pauper Documents	$25,000.00	25,000.
Total Circuit Court			$25,000.00	
Economic Development	1112-000-4446.00	Courthouse Ren.	$200,000.00	200,000.
Total Economic Development			$200,000.00	
Edit Roads	4903-000- 4396.50	Courthouse Ren.	$25,000.00	25,000.
Total Edit Roads			$25,000.00	

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 6th day of September 2018

AYE NAY

ATTEST: Deborah Stevens
Auditor Warrick County