

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
December 9, 2024
4:00 P.M.

The Warrick County Commissioners met in regular session with Terry Phillippe, President; Robert Johnson, Vice President; and Dan Saylor, Member.

Attorney Andrew Skinner was in attendance.

Chief Deputy Auditor Barbi Shelton and Recording Secretary Kristine Georges attended and recorded the minutes.

Commissioner Meetings can be viewed via YouTube: Warrick County Meetings

President Terry Phillippe called the meeting to order at 4:00 PM.

PLEDGE OF ALLEGIANCE

AREA PLAN COMMISSION
REQUEST FOR RELEASE OF SURETY
C-23-102

Area Plan Director Molly Barnhill presented a Request for Release of Surety for C-23-102, Farmer and Associates, INC. The County is holding \$6,800.00 in escrow guaranteeing entrance construction at 8796 High Pointe Drive. The surety expires January 18, 2025. There were no signatures signing off on the completion. Assistant Engineer Steve Sherwood was present for County Engineer Bobby Howard and asked which commercial facility it was. Ms. Barnhill said it was the Dollar Tree. Mr. Sherwood said it was in order and he will sign off on Mr. Howard's behalf and would recommend release. Commissioner Dan Saylor made the motion to release the surety. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

STREET CONSTRUCTION PLANS
PP-24-22 THE CROSSINGS AT NEWBURGH

Next were Street Construction Plans for PP-24-22, The Crossings at Newburgh, by Petitioner/Owner: MGK Development LLC, by Ashwani Bedi, Manager. It's approximately 18.75 acres located on the west side of Epworth Road, approximately 1,380 feet south of the intersection of Epworth Road and Oak Grove Road. Ohio Township 20-6-9, being Lot 3 in Schnur 2 Subdivision. It was advertised in The Standard on November 28, 2024. Glen Meritt with Cash Wagner was present to discuss the project.

Mr. Sherwood stated that as was explained in Drainage Board, they are still waiting on a traffic impact study to be submitted. This might have some corrections to the entrance, but without that, they need to wait and see.

Mr. Meritt said that he had spoken to Mr. Howard. They had a meeting with MPO and Mr. Howard and others to iron out intersections they wanted studied. Mr. Howard was adamant that no light be at that intersection. The main thing with the study is either there will be a full access coming out to Epworth like it is shown or have a right in-right out and restrict it to where Epworth can't be crossed. The changes they expect from the study will either involve striping or a little curb pilon. He would like to have it approved contingent upon the traffic study being approved by Mr. Howard.

The Commissioners discussed with Mr. Sherwood the approval being contingent on the traffic impact study. Mr. Sherwood said that modification may need to be made when it comes back. Mr. Meritt had no issues with making any modifications when they received it. If something major comes back, he is also not opposed to coming back. They are just trying to keep it moving forward.

Ms. Barnhill asked if Mr. Howard had made any comments on the plans. Mr. Sherwood said that Mr. Howard thought it would be tabled this evening. Mr. Meritt said that he did not receive any comments in his email to the request. Ms. Barnhill also did not receive any comments.

Attorney Skinner said that they could table it or make it contingent on Mr. Howard's final approval and the completion of the traffic impact study and make sure maybe Mr. Howard doesn't have any other comments they are unaware of tonight.

Commissioner Dan Saylor made the motion to approve contingent on Mr. Howard's final approval and the impact study. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

ACTION AGENDA
APPROVAL OF MINUTES
NOVEMBER 25, 2024

Minutes for the November 25, 2024 Regular Session meeting were presented to the Commissioners for approval. Commissioner Bob Johnson made the motion to approve the minutes. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**BOARD APPOINTMENTS
WCCC ADVISORY BOARD
BUILDING CORPORATION**

This was tabled at the last meeting. Attorney Skinner said these can be removed as Mr. Wilson is going to serve until the end of the year. This is not something to fill until he is officially finished and no other action needs to be taken.

HEALTH BOARD

Attorney Skinner stated that Dr. Mauck has resigned. He then reviewed the statute that specifically deals with and sets out a procedure for filling a vacancy on the Health Board. That statute does not say that it's the City of Boonville it goes back to provide names. It actually goes to the Health Board to provide possible appointments. They provide a list of five individuals from a list of eleven different areas of specialty that the Health Board is to provide the County Commissioners. He reviewed the eleven areas. Of the five individuals, three of them have to have professional experience in one of these eleven areas and one has to be a physician. They have done this and have for the Commissioners review five individuals, two of which the City of Boonville provided, Mark Phillips and April Edwards. There were also two nurses in hospital administration and a physician. The Commissioners are to make an appointment from this list. There is an upcoming Health Board meeting so this appointment needs to be made. There was a brief discussion on each of the individuals on the list and their qualifications.

Commissioner Phillippe asked what their weakest core service on the Board? Attorney Skinner said that there was a discussion on the need for someone in pediatrics due to review board involving pediatrics that every County is required to participate in. Currently there is no one in that area on the Board. It was discussed that Ms. Taylor Fauerbach would fit that need as she is a fetal specialist for Deaconess. The other nurse is a general RN.

Commissioner Bob Johnson made a motion to approve the appointment of Ms. Taylor Fauerbach to the Health Board. Commissioner Dan Saylor seconded the motion. The motion carried 3-0. The appointment term will end at the end of 2026.

**COUNTY ADMINISTRATOR
CONSENT AGENDA**

The following items on the Consent Agenda were presented for approval:

- County Auditor Certified Claims Voucher 12/9/2024 (\$41,225,319.69)
- Payroll Voucher 11/29/24 (\$666,509.04)

There was no discussion. Commissioner Bob Johnson made a motion to approve the Consent Agenda. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**WARRICK TRAILS
RACE THE TRAIL EVENT (HALF MARATHON ROUTE)**

Ms. Courtney Tenbarge was present for this request. This will be the first half marathon for Warrick County and will be a big fundraiser for the Trails. It will also showcase the Trails. She reviewed the maps and where they would position off-duty deputy Sheriff's or volunteers and roads that would be closed.

Commissioner Saylor asked with the road closure, there is a resident that needs to get down through there. Most residents are aware of it and should be able to be get in and out. They will also be talking to businesses.

Commissioner Phillippe asked Sheriff Wilder if he was in the loop on this. He said he thought there was some discussion. She has also been in contact with officers and other individuals willing to volunteer. Ms. Tenbarge said there are many that are very excited about having a half marathon. The Board reviewed the map. She said that County Engineer Bobby Howard had seen the map and reviewed it. They had discussed additional signage as well.

There was a brief discussion with Sheriff Mike Wilder on the route. He said it is a very busy intersection and deputies need to be present for the busy intersections. She said they had budgeted for multiple on-duty deputies. He suggested if it was approved, it takes the Sheriff's Office's stamp of approval as well.

Commissioner Dan Saylor made a motion to approve the event contingent on the Sheriff and Mr. Howard and their approval upon review. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

**ACQUISITIONS ADMINISTRATOR
PRESENTATION OF CONTRACTOR BIDS FOR LYNNVILLE EMS STATION**

Acquisitions Administrator Sherrie Sievers presented bids for the Lynnville EMS Station. She contacted three contractors and two of the three presented bid prices.

- D&M \$52,917.84
- Mark Schmitt \$26,145.84
- Praxis They are too busy at this time.

All IC codes were stated and followed. A chart was given to the Commissioners on prices and services which Ms. Sievers reviewed. Commissioner Saylor asked about the difference in pricing. Ms. Sievers said that D&M

subcontracts out some of the work. Mr. Schmitt has people in his crew that do it in house. They wouldn't even be able to finish the project if they went with the higher cost. There was a brief discussion on other items she was still bidding out separate to these services. Both businesses were considered reputable.

Commissioner Bob Johnson made a motion to approve Schmitt Construction. Commissioner Dan Saylor seconded the motion. The motion carried 3-0. Commissioner Saylor asked if he is okay with getting payment after completion. Ms. Sievers will reach out to double check.

PRESENTATION OF ASPHALT BID FOR LYNNVILLE EMS STATION

Next, Ms. Sievers presented the Asphalt Bid for the EMS Station. She reviewed the IC Codes. This would be to repair and pave. Ms. Sievers said that she talked with Metzger Construction, who has the Warrick County Contract for bituminous, and they would pave it under the current contract which would be a significant savings. The quoted amount is \$12,594.55. All IC codes for the bid were listed.

There was a brief discussion on the sidewalk. Commissioner Bob Johnson made the motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**GRANT DEVELOPMENT DIRECTOR
ARPA**

Grants Development Director Debbie Bennett-Stearsman reviewed what is left in ARPA and in the interest. Today, they will just be looking at the regular dollars.

**NEW REQUESTS
REQUEST FOR CUBICLES TREASURER OFFICE**

The original quote for the cubicles for the Treasurer's Office was \$46,301.00. Ms. Sherrie Sievers met with the contractor and came up with a new proposal because the office didn't need as much as was thought. The amount was revised to \$28,222.00. This includes labor and removal of the old cubicles. Commissioner Bob Johnson said that the priority of the requests should be the Treasurer's Office.

Everything else is above the amount available. Commissioner Dan Saylor said he was good with the cubicles. Commissioner Johnson made a motion to approve the purchase of the workstations for the Treasurer's Office. Commissioner Saylor seconded the motion. The motion carried 3-0.

**ARPA TABLED ITEMS
PURCHASE BUILDING HEALTH DEPARTMENT
HIGHWAY DEPARTMENT EQUIPMENT**

Ms. Bennett-Stearsman had also reviewed the other requests:

Purchase Building Health Department	\$100,000.00
Highway Department Equipment	
a. Skid Steer	\$52,500.00
b. Dump Truck	\$60,000.00
c. Chipper	\$42,439.38

Ms. Bennett-Stearsman and Commissioner Bob Johnson discussed the leftover amount and if it could be used for the Humane Society. Ms. Bennett-Stearsman said that the money being discussed could only be used for County Offices and can't be used for the purpose he was questioning. There was a discussion on the leftover amount of about \$6,000.00. She will be looking though everything to see if they have any recaptured money. Many projects are starting to close down.

Commissioner Bob Johnson made the motion to remove all the other requests from the agenda, being the Health Department Building and the Equipment for the Highway Department, until further notice. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**COUNTY ATTORNEY
ORDINANCE APPROVAL
DRAINAGE MANAGEMENT ORDINANCE**

Attorney Skinner presented the Drainage Management Ordinance. It has been published, but he was unsure of the status. The Commissioners felt it still needs some work. Commissioner Dan Saylor made a motion to table. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

ORDINANCE AMENDMENT

ORDINANCE 2024-21, AMENDING CHAPTER 150 OF THE CODE OF ORDINANCES

Attorney Skinner presented an amendment to Ordinance 2024-21 amending Chapter 150 of the Code of Ordinances on harmful gasses. The intention was to be a restriction to mine reclamation sites and he read into the record the revised portion:

- (A) *General.* The following construction techniques are intended to resist harmful gases entry and prepare the building for post-construction harmful gases mitigation, if necessary. These techniques are required only in Mine Reclamation Sites, which are defined as land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal and land that is contiguous to land that has been mined using surface or underground mining methods

Commissioner Saylor asked if it is just amending the original Ordinance and adding this language to that. Attorney Skinner said it was.

Commissioner Johnson asked how that would be determined as they are unsure whether everything was documented as it should have been in the past accurately. But, he did agree with the verbiage in the Ordinance. Building Commissioner Dennis Lockhart said many of it can't be documented as it was so long ago. They are just trying to protect people.

Commissioner Phillippe said that it was his understanding that ground sampling is done before they build a house and they can tell if it is reclaimed ground. Mr. Lockhart said that was correct. Commissioner Dan Saylor made the motion to approve the amendment to Ordinance 2024-21. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

SHERIFF

SURPLUS DECLARATION REQUEST

Sheriff Mike Wilder presented two service weapons for surplus. One was for a retiree and the other was for Officer Wessel. Commissioner Dan Saylor made the motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

COMMISSIONERS ITEMS FOR DISCUSSION

COUNTY ATTORNEY TODD GLASS - FINE & HATFIELD.

County Attorney Todd Glass of Fine & Hatfield spoke. Fine & Hatfield have served for eleven (11) years as the County Attorney. They have been privileged to do this for this many years. With the significant growth of the County, the legal needs have also grown with it. He is proud of what they have been able to provide. They have always looked at their role as a way to provide the best legal services in the best interest of Warrick County. He feels they have achieved that. Attorney Glass discussed the County retainer and what it covered and also presented a handout on those services and the rates over the years. What they provided was well above in time and a lot less in hourly pay. They have donated over \$516,000.00 in legal services. It really has been a way to give back to the community that they love. There has been a lot of talk about the legal services as of late, but this shows the savings received with the excellent legal work provided.

Commissioner Johnson said that he appreciated all their time and effort and sticking by their side and taking care of things as well as they had. Commissioner Saylor also agreed and thanked both Attorney Glass and Attorney Skinner.

Attorney Skinner said that it was an honor to work with all three Commissioners.

ADJOURNMENT

The next Warrick County Commissioners' meeting will be held on Monday, December 23, 2024 in the Commissioners' meeting room at 10:00 AM. Commissioner Dan Saylor made the motion to adjourn. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

Meeting adjourned at 4:51 PM.

WARRICK COUNTY BOARD OF COMMISSIONERS

TERRY PHILLIPPE, PRESIDENT

ROBERT JOHNSON, JR., VICE PRESIDENT

DAN SAYLOR, MEMBER

ATTEST:

**MICHAEL J. DIETSCH, AUDITOR
WARRICK COUNTY, INDIANA**

Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary