

**WARRICK COUNTY BOARD OF COMMISSIONERS MEETING**

REGULAR SESSION  
COMMISSIONERS MEETING ROOM

107 W. Locust Street, Suite 303

Boonville, Indiana

February 8, 2021

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 Todd Glass and Administrator Roger Emmons were in attendance.

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

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

**PLEDGE OF ALLEGIANCE**

**REQUEST TO APPROVE PLANS FOR VICTORIA WOODS DRIVE**

**Commissioner Phillippe:** Alright. Thanks everyone. Got a decent crowd this evening. Welcome. First order of business this evening is our APC.

**Molly Barnhill:** Okay, our first thing on the agenda is a consensus on a new road possibly going in. This is requested by Morley's and Jordan Aigner's here to speak on it. And I know they've submitted plans to Bobby Howard, County Engineer.

**Bobby Howard:** I think this is on two (2) areas of the agenda actually. One's for consensus and one's for an acceptance or approval of the street plan, not acceptance, but approval of the street plans, is that correct? I'm not sure exactly, you said you need the approval?

**Jordan Aigner:** Yeah, so, Jordan Aigner, representing Oakland Holdings and Aigner Construction. I would prefer an approval and be happy to go into that now if you want to go through that on the agenda now. Or, or on the other one (1). It doesn't matter. But, what we're looking at there is, and I think you had the plans, you know. And I apologize, Bobby didn't get them in maybe in exactly enough time.

**Roger Emmons:** Jordan, let me interject for the Commissioners' benefit.

**Jordan Aigner:** Sure.

**Roger Emmons:** Terry was okay with listening to Jordan under Items for Discussion and subsequent to that, I discussed this with Molly. And this is why she's listed them as consensus items. And of course you explained in an email today the consensus on renaming a portion of Wethers Road. That requires an Ordinance. So, six (6) of one (1), half (1/2) dozen of the other if you want to take care of this issue now. That's up to the Board.

**Commissioner Phillippe:** Thank you.

**Jordan Aigner:** So, you want to do the, should I speak to the renaming or the whole, the whole enchilada, so to speak?

**Commissioner Phillippe:** Bobby, I'll let you, I'll defer to Bobby here. I wasn't tracking all of the emails today. So, I'm not a hundred percent (100%) up to speed here.

**Jordan Aigner:** Right, yeah.

**Bobby Howard:** In regards to the plan itself, there are things that we don't have, like what the hundred (100) year flood elevation is. We don't have the dimensions or the watershed for the two (2) structures. I know one's an existing replacement, but one (1) appeared to be new. So, there's some things like that that I'm willing to look at an approval subject to getting the rest of that information if something like that's doable?

**Jordan Aigner:** That's fine, Bobby. Yeah, that's fair.

**Bobby Howard:** I mean I think that would be, if that gets him what he needs and that will get us what we need on the, on the plans themselves for that entrance road. In regards to the utilities and approval of those utilities, I think that could be looked at as approved subject to, again, getting the road right-of-way permit. Something that says, yes, we'll allow this as long as you go through our procedures. Something like that.

**Jordan Aigner:** That's be fine, yeah. I think the main thing is, you know, to take them one (1) at a time for the roadway. You know, and you know, my predecessor was the previous developer, Greenlife, the out of town guys. They never got this far, right? So, I've got an opportunity to purchase some right-of-way that will be good for, you know, future development and also roadway entry. They never, they never were working with them before. But, I don't want to purchase that if I come back and say, hey guys, I've got you a sixty (60) foot right-of-way and you say, sorry, we're not doing anything unless it's sixty-five (65). I cannot buy sixty-five (65). He will not do it. So, I'm trying to work with what, the best we can. It will work. I did not design this roadway myself. Morley did it. And I thought it would be good to have, you know, a good design team on in. And we feel good about it. Bobby's got some, you know, valid concerns. If we do a 'subject to' that makes me feel good. What I can't do is go purchase and come back and not be able to put a roadway in cause I own sixty (60) foot of something that I can't use. So, you know, a motion that makes me feel pretty good would be, hey, we'll approve the roadway subject to the pipes if we need additional pipes. That's one (1) thing. But, if you can't fit the roadway in the right-of-way, really, that's what I'm looking at is, we like the roadway concept. We like the right-of-way width. But, we can play around with pipes and sizes and things like that. That's fine with me.



**Bobby Howard:** Yeah, I think our department's accepted, the right-of-way width is acceptable as, the roadway width itself is acceptable at this point in time. So, those things I don't think are an issue.

**Jordan Aigner:** More than fair.

**Bobby Howard:** It's just a matter of looking at the whole project and, and...

**Commissioner Saylor:** So, so in your mind, we don't need sixty-five (65) foot of right-of-way for a road?

**Bobby Howard:** No, for the road that he has designed for this location, the sixty (60) foot, it does fit inside there.

**Commissioner Saylor:** What, what width is that road, Jordan?

**Jordan Aigner:** Oh, forgive me. Jim? Twenty-four (24) lane?

**Bobby Howard:** Twenty-four (24) lane. Two (2) foot rock shoulders and one (1) foot dirt shoulder.

**Jordan Aigner:** We had it smaller then we added more.

**Bobby Howard:** He initially came in with eleven (11) foot, but I'd asked for a twenty-four (24) foot lane, total width, twelve (12) foot each lane instead of eleven (11). And they changed it.

**Commissioner Saylor:** Road, what's the road width of the new park road that goes in to the new, Friedman Park? Sorry. You know?

**Bobby Howard:** Like, I say, I don't recall. Is it the thirty (30) foot?

**Jim Morley, Jr.:** Jim Morley, Jr., Project Engineer with Morley. It is a thirty (30) foot curved road which is different than the way we do County roads which is un-curved with rock shoulders. I think, working off memory, but Oak Grove Road, when we put Oak Grove Road through, I think it's a twenty-four (24) foot road with rock shoulders if I remember right.

**Bobby Howard:** No, that is correct.

**Jim Morley, Jr.:** So, this would be the same road section so to speak as Oak Grove Road is.

**Jordan Aigner:** Thank you, Jim.

**Bobby Howard:** So, on the road itself, if you want to, I don't know if you want to handle these one (1) at a time and make a motion in regards to the road first.

**Commissioner Phillippe:** I'm okay if Bobby's okay.

**Commissioner Johnson:** (Inaudible).

**Todd Glass:** Separately.

**Commissioner Saylor:** Maybe handle one (1) at a time. Don't you? That way it's clear.

**Commissioner Phillippe:** So, I'll take a motion on the consensus of the new road first.

**Commissioner Saylor:** So, Bobby, you have no other, if, if you guys get it all worked out, you're good with the roadway there and...

**Bobby Howard:** Yeah, it's just subject to and I assume you've shown the hundred (100) year flood elevation. I'm sure you've got it above it.

**Jordan Aigner:** Yeah.

**Bobby Howard:** But, it's just not shown, so, just subject to showing that and drainage plans for the culverts.

**Commissioner Saylor:** Okay, I...

**Todd Glass:** What's the effect? Are you going to make a motion to approve or are you going to offer a consensus?

**Roger Emmons:** It's listed as a consensus. There's two (2) separate things.

**Todd Glass:** Because there's no action yet of the APC, correct, on the road plans?

**Bobby Howard:** Well, there wouldn't, there wouldn't be normally on the road plans cause it's not a part of a subdivision itself.

**Molly Barnhill:** Correct. Correct, they've done this separately from the new proposed subdivision north of this.

**Todd Glass:** Okay, so, it's not subject to anybody else's approval, these road plans, other than the Board?

**Bobby Howard:** Correct.

**Jordan Aigner:** That's why I was dealing with the Commissioners, cause it's nothing else but just a road in. Now, we've also filed the overall subdivision that comes behind this and should this not be approved tonight, or ever, I got, I've got to go a different route. You know? And...



**Commissioner Saylor:** So, the motion would be the consensus to, for the new road. Right?

**Todd Glass:** Motion would be to approve the proposed road plans.

**Bobby Howard:** Subject to...

**Jordan Aigner:** Subject to...

**Todd Glass:** Subject to...

**Jordan Aigner:** Drainage and flood plan, or flood plain.

**Bobby Howard:** (Inaudible) per the County Engineer's Office.

**Todd Glass:** Per the County Engineer's Office, subject to drainage and permit approval from the County Engineer's Office.

**Commissioner Saylor:** Right, so I make that motion and, as Council stated.

**Commissioner Johnson:** I'll second.

**Commissioner Phillippe:** Got a first and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

#### **CONSENSUS ON RIGHT-OF-WAY**

**Jordan Aigner:** So, to speak to, thank you, to speak to the right-of-way, again, Bobby, all these points that Bobby has made are good points and he should, as the County Engineer, for you. My issue with the right-of-way is, as we all know, sometimes utilities can be a little fickle and they want to be in their own spot and everybody stay in their same lane and there's only so much to do that. So, having the ability to be in the right-of-way, you know, under certain circumstances, at least gives me a route in. Somebody can't block me out and say, sorry, you know, get your water and sewer somewhere else. Now, I've got to put those, those water and sewer facilities in the right-of-way in the manner that Bobby and the Board wants, but I at least need some type of direction, I'm hoping tonight, that says, yeah, you can be in the right-of-way, but you've got to bring plans to us and we'll do it. But, I at least need the approval to be there.

**Commissioner Saylor:** Bobby, didn't Greenlife have some of the same requests because of the uniqueness of the project?

**Bobby Howard:** They might have had some along, along those routes. I, it's hard to remember exactly what it was.

**Jim Morley, Jr.:** Jim Morley, Jr., Greenlife, for what it's worth, is you all will see in the subdivision before you next month, this is a different looking project than what Greenlife was originally. Greenlife had a much more modified road system than what you'll see next month. And, so, this is, this road system is much closer...

**Commissioner Saylor:** More traditional.

**Jim Morley, Jr.:** Yeah, more traditional road system, road construction than what Greenlife's project was. So, it's a, this is a whole lot closer to your current standards. I think what Mr. Aigner's seeking, is just, the reality of it is, is everywhere in Warrick County, utilities have, Warrick County is giving the utilities the option of running in the right-of-way if they want to, if they get a permit. And that permit, gets filed with the County Engineer's Office. And I think what Mr. Aigner's just kind of seeking is saying, we're still good with that. You know, is that still Warrick County's mentality that if a utility company comes to Warrick County and says, hey, we want to run in the right-of-way from the end of our existing infrastructure to the development, is that okay? And I think that's what, that's what Mr. Aigner's seeking because on some of these places, he doesn't own the property to get easements. Sorry, my mask keeps falling. And so, just trying to make sure before too much dollars is invested, is there a legal path to get utilities from where they stop now into the project. And in both situations at the north entrance and the south entrance they have to come down a road right-of-way. There'd be Jenner Road, Baker Road, or this new road extended, they have to come down a road, they have to come down a road, sorry, have to come down a road right-of-way that is not currently, it's not like a subdivision that has six (6) foot public utilities on easement, you know, already there. Those easements would have to be purchased from adjoining and that kind of thing. So, I think we're just seeking the ability to go there, subject to those utilities, providing utility plans and permits to the County.

**Commissioner Saylor:** And part of what's causing this issue is the actual width of the, he can't buy any more. Is that's what's causing this issue?

**Jim Morley, Jr.:** No, not really to the extent that, given utilities preference, they would prefer to be outside the right-of-way. If that right-of-way was a thousand (1,000) feet wide, they'd say, can we be ten (10) feet outside of it. Because when a utility goes inside the right-of-way, if they ever have to move, the utility has to move on the utility's dime. If they set an easement right outside of the right-of-way and ever have to move, then the County has to pay to move them. And so they really prefer to be outside the right-of-way. But, in some situations, it's just not feasible because somebody wants (inaudible) easement or whatever. So, in this situation, it's not really a right-of-way width issue, it's the lack of existing easements outside of the right-of-way is the issue. And so, I mean we have a lot of utilities that run in County right-of-way, you know, all over the County. It's really only in the last twenty (20) years that it became kind of in vogue to be outside the right-of-way. Fifty (50) years ago, all the utilities were in the right-of-way. And then they got tired of paying to relocate their utilities, so they said, hey, if we get easements outside the right-of-way, we don't have to do that. And that's their preference. However, in this situation, because there are not, there aren't existing easements



outside the right-of-way, we just kind of wanted assurance from the County that if utilities get the proper permitting and the proper plans and everything but the County's still open for business so to speak of utilities inside the right-of-way. Is that fair?

**Jordan Aigner:** That's fair. The only thing, thank you, Jim. So, the only clarification I would say, just, let's get real specific for water. I'm utilizing the City of Boonville. And we're going to have to connect over around Huffman Road, okay, south on ALCOA Highway 61 there. Across (Hwy) 61, state highway, and then come down Jenner Road there heading towards the property. So, it's about, let's call it fifty-five hundred (5,500) feet of off-site water that I've got to get there. By not having some type of an action to say, well, yeah, under the proper circumstances and permits that you can be in the right-of-way, I might be held up on Boonville and saying, hey, well, you don't have a route. We got to do in a domain or under this. At least I have a route.

**Commissioner Saylor:** So, Greenlife didn't secure that route already?

**Jordan Aigner:** No, no. That route, that route's there because you've got the right-of-way.

**Commissioner Saylor:** Um hum.

**Jordan Aigner:** And so, I'm just, it's a little bit here nor there for the County if you ask me, cause like Jim said, it happens everywhere. Okay? What this does, it allows me to go to the City and other utilities and say, hey, guys, you don't have to be in your own, Warrick County says you can be in the right-of-way, you've just got to do it their way. So, that helps me keep the project moving and not get held up in red tape with easements.

**Bobby Howard:** And these will all be public utility extensions. They will not be private utilities, correct?

**Jordan Aigner:** Correct. Correct. They're main extensions and again that's going to bring water to those people along that route. Tap water for even more development. So.

**Commissioner Saylor:** That's good.

**Bobby Howard:** Our normal procedure is, is to approve these any they're, they just apply for permit and it goes through my office normally. And if there's an issue I can bring it to the Board. So, I see no issue with granting it subject to following the working road right-of-way permit, County standards.

**Commissioner Phillippe:** So, is this a consensus then?

**Bobby Howard:** There's nothing to really approve per se.

**Todd Glass:** If you say it's routinely granted.

**Bobby Howard:** Yes, there's been no, we've never denied a utility to use our right-of-way. We may have said we need to go underground or, instead of on poles or something along those lines. But, we've always allowed the utilities (inaudible) to my knowledge.

**Jordan Aigner:** Would the Board mind if we did have a motion as such that lets me go to the City and say we have an action?

**Todd Glass:** I don't know if the Board needs to be doing extra ordinary things outside of its normal routine.

**Jordan Aigner:** I wouldn't disagree with you there, Todd. The only thing I'm saying is I'm dealing with another entity and having an action already wipes away any concern of, 'well, you don't have easements'. I'm trying to clear hurdles that Greenlife couldn't get. That's what I'm trying to do.

**Todd Glass:** If the County Engineer is indicated that it's routinely granted and the Commissioners give a unanimous consensus that they are in approval of it, seems like that's what we'd want to do.

**Jordan Aigner:** Consensus would be fine.

**Todd Glass:** It'd be a part of the public record of the Board of County Commissioners.

**Jordan Aigner:** That would be great. That would be great. Yeah.

**Commissioner Phillippe:** I'm fine with it.

**Todd Glass:** Plus, we've got stated the County Engineer's support as also.

**Jordan Aigner:** Yeah, that's great.

**Commissioner Phillippe:** I'm good.

**Commissioner Johnson:** I'm good.

**Commissioner Saylor:** So, show that there's a consensus then.

**Jordan Aigner:** Okay, thank you.

### **CONSENSUS ON RENAMING A PORTION OF WETHERS ROAD**

**Jordan Aigner:** And just so I don't have to come back and bother you again, we mentioned potentially renaming the road, okay?



**Jordan Aigner:** This would be Wethers, so...

**Bobby Howard:** South of Oak Grove to Vann.

**Jordan Aigner:** Correct. It's just that short section where the County or the Trails guys put that trail there. It was just brought up in our meeting, in our sub-review meeting that we might want to consider that. That's fine with me. It makes sense. That I don't need an action tonight unless it makes sense to do it. I just, it was kind of one (1) of those things where we're talking about this road. We should be thinking about it. And I'm, I don't have any pressing reason to ask for it. But, if it's up for discussion, maybe now's a good time.

**Commissioner Saylor:** That's what I was going to ask. What's the significance to rename that road? I was just curious more than anything.

**Jordan Aigner:** Cause you would, so let's say you're on Vann Road and you're going to be heading up north. You already have several road names in that area, but when you turn left off of Vann, you'd be on Victoria Woods Drive. That would eventually come up that we're constructing. Because that's where it's heading, you know. There are no, no residences on that short section.

**Commissioner Saylor:** Right. That Wethers Road's not going to be, what would that, would that be named Victoria Drive?

**Jordan Aigner:** We'd just, you would just, where there's, it's, there's a sign that says Victoria this way. So, it kind of makes sense a little bit.

**Commissioner Saylor:** So, you'd come from two (2) different areas and be on Victoria Drive?

**Jordan Aigner:** Right.

**Commissioner Saylor:** I understand.

**Jordan Aigner:** And to the south, it's Wethers. Just, you know...

**Commissioner Saylor:** South of Vann?

**Jordan Aigner:** South of Vann, exactly.

**Commissioner Phillippe:** How long is that section?

**Jordan Aigner:** Probably thirteen-twenty (1,320) I'd say.

**Molly Barnhill:** It's in your packets if you need to see it. It's circled in green. About the sixth page. So, Jordan, it would be Victoria Woods Drive?

**Jordan Aigner:** Correct, yes. And again, I'm, if, I mean, unless Jim or anybody else thinks differently, I'm happy to, we can wait until we get to, if we have an approval on the development next month and when that's before you. You know? But, it was just something that we at least wanted to talk about. I'm happy if you want to wait 'til then. That's fine, too.

**Bobby Howard:** Do you have the procedure, Molly?

**Molly Barnhill:** If the Commissioners are agreeable to it, it takes an Ordinance. That means I have to advertise. I have to send out notice. That's something our office will do. So, we could have it ready to come to the March meeting if that's what you'd like.

**Jordan Aigner:** Yeah, again, it probably makes sense to wait until the sub is approved or not approved for that matter, right, before we would do that.

**Molly Barnhill:** Okay.

**Jordan Aigner:** Unless you disagree. But, I think that might be best.

**Commissioner Phillippe:** I think it's on the radar now.

**Jordan Aigner:** Okay.

**Commissioner Phillippe:** That's good.

**Jordan Aigner:** At least it was up for discussion. You know, while we're here, might as well talk about it. If you've got any questions on that, certainly, let me know. So, those two (2) actions take care of me. So, thank you. Appreciate it.

**Commissioner Phillippe:** Thank you.

**Roger Emmons:** Thanks, Jordan.

**REQUEST FOR EXTENSION OF SURETY  
WOODFIELD SUBDIVISION SECTION 2**

**Molly Barnhill:** The next item for the APC would be a Request for Extension of Surety. We have Woodfield Subdivision, Section 2, by Woodfield Development, LLC. Steve Blankenberger, Member. We're holding nine thousand three hundred six dollar (\$9,306.00) letter of credit for sidewalk construction. They're requesting a modification from the Subdivision Control Ordinance to have a one (1) year extension. And their estimated cost has gone down to three



thousand three hundred eighty-two and fifty cents (\$3,382.50) to complete construction. They've had a letter of credit for fourteen (14) years and eight (8) months posted. This one (1) expires March 4, 2021. And the County Engineer has visited the site and signed off on this dollar amount.

**Bobby Howard:** The dollar amount is sufficient.

**Commissioner Phillippe:** I'll entertain a motion.

**Commissioner Johnson:** Make a motion to approve the extension of surety for Woodfield Subdivision, Section 2.

**Commissioner Saylor:** I'll second that.

**Commissioner Phillippe:** First and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

*(Woodfield Subdivision Section 2 is located on Pages 21 through 22 of these Official Minutes)*

### **WOODFIELD SUBDIVISION SECTION 3**

**Molly Barnhill:** Have Woodfield Subdivision, Section 3, Woodfield Development, LLC, by Steve Blankenberger, Member. We're holding eleven thousand six hundred ninety-eight and fifty cents (\$11,698.50) for sidewalk construction. They're requesting a modification from the Subdivision Control Ordinance to have a one (1) year extension with the reduction to one thousand six hundred fifty (\$1,650.00), however, after inspection by the County Engineer, he suggested holding six thousand seven hundred and two and thirty cents (\$6,702.30). We've had this letter of credit for twelve (12) years and three (3) months and it expires March 4<sup>th</sup> of '21.

**Bobby Howard:** The amended dollar amount is sufficient. We've found a couple other sidewalks that weren't installed yet upon our inspection, so we adjusted the dollar amount.

**Commissioner Phillippe:** Okay. I'll entertain a motion.

**Commissioner Johnson:** Make a motion to approve the extension of surety for Woodfield Subdivision, Section 3.

**Commissioner Saylor:** I'll second that, but I've got discussion, Mr. President. Steve, how, how, is all your lots sold in there? Pretty well getting filled up?

**Steve Marchand:** All sold. Got one (1) under a purchase agreement, so basically, yes.

**Commissioner Saylor:** Yes? Okay.

**Commissioner Phillippe:** Very good. Got a first and a second, all in favor say, aye.

**Commissioner Johnson:** Aye.

**Commissioner Saylor:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0). Thank you.

**Steve Marchand:** Okay, thank you.

**Commissioner Saylor:** Thank you, Steve.

*(Woodfield Subdivision Section 3 is located on Pages 22 through 23 of these Official Minutes)*

### **STREET CONSTRUCTION PLANS PP-21-01 ARABELLA SUBDIVISION**

**Molly Barnhill:** We have Street Construction Plans. It's Primary Plat PP-21-01. It's Arabella Subdivision. Petitioner is Chamness Surveying by Mark Chamness the owner. The owner is Gina Meckler and Richardt Family, LTD. Partnership by Julie Herrera, Member. It's fourteen point four-three-seven (14.437) acres located on the east side of Lynn Road, zero (0) feet east of the intersection formed by Lynn Road and Fairview Drive. Ohio Township, 35-6-9, complete legal on file. This was advertised in the Standard January 28, 2021 and they have submitted a request for no improvements to Lynn Road and the County Engineer has signed off on the request.

**Commissioner Phillippe:** Okay.

**Mark Chamness:** Mark Chamness, Chamness Land Surveying, representing Gina Meckler and Richardt Family.

**Commissioner Phillippe:** (Inaudible), questions, Gentlemen?

**Commissioner Johnson:** No.

**Commissioner Phillippe:** Okay, with that, I'll entertain a motion.



**Commissioner Johnson:** Second.

**Commissioner Phillippe:** Got a first and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Mark Chamness:** Thank you.

**Molly Barnhill:** That's all we have. Thank you.

*(PP-21-01 is located on Page 23 of these Official Minutes)*

**APPROVAL OF MINUTES  
JANUARY 25, 2021**

**Commissioner Phillippe:** Alright, next item on our agenda is the Approval of the Minutes for the January 25, 2021 meeting.

**Commissioner Saylor:** I make a motion to approve the January 25, 2021 Minutes.

**Commissioner Johnson:** I'll abstain.

**Commissioner Phillippe:** Alright, I've got a first and I will second. All in favor signify by saying, aye.

**Commissioner Saylor:** Aye.

**Commissioner Phillippe:** Aye. So we've got two (2) in favor and one (1) abstention (2-0-1). Bob was not here at the last meeting.

**CONSENT AGENDA  
ENCROACHMENT AGREEMENTS WITH VECTREN  
BHS STUDENT WORKER SERVICE AGREEMENT  
REVISED 2021 DISASTER RECOVERY AGREEMENT**

**Commissioner Phillippe:** Next item on the agenda is our Consent agenda.

**Roger Emmons:** Thank you, Mr. President. First two (2) items are Encroachment Agreements with Vectren for Warrick Wellness Pathways and Castle South Middle School Trail along Casey Road. Terry and Dan gave their consensus for these. Dan signed A, which is Warrick Wellness Pathways and Terry signed Castle South Middle School Trail. Next item is the BHS, Boonville High School Student Worker Service Agreement. It was under the Career Information/Career Exploration Program. And Counsel revised that. And I did learn from Clerk Patty Perry today who whose office this student is working in, she did sign the revised one (1) and I have a copy of that. Third and final is the revised 2021 Disaster Recovery Agreement. That was with CSI and Counsel confirmed on February 5<sup>th</sup> that this could be fixed as a scrivener's error because on the original one (1) approved, it was for 2020 and it's now been corrected for 2021. So, with that, you can approve all these by motion for ratification.

**Commissioner Phillippe:** (Inaudible) I've got a question about number two (2), the Student Worker Service Agreement.

**Roger Emmons:** Yes.

**Commissioner Phillippe:** We've already got at least one (1) to my knowledge, student working in another office. So, is this agreement, which has revisions, the same as the prior agreement that we signed? I think they should all be congruent.

**Roger Emmons:** Well, unless the Department Head/Office Holder tells me, I was only aware of this one (1). But, we would use the same agreement.

**Commissioner Phillippe:** Alright.

**Roger Emmons:** Really, I don't know if all the high schools in the County have this CICE Program. I'm sure it's available to them. But, I wasn't aware of the second student. Which Office?

**Commissioner Phillippe:** Debbie, don't you have a student in your office?

**Auditor Stevens:** I do.

**Commissioner Phillippe:** Did we sign an agreement with him?

**Auditor Stevens:** Debbie Stevens, Warrick County Auditor. No, we did not. Actually, he started working part time in our office during the summer.

**Commissioner Phillippe:** Okay.

**Auditor Stevens:** He started in June. And he is in a work study program through the school, but we just do an eval once a month for him.



Commissioner Saylor: He's just a part time employee.

Commissioner Phillippe: Okay.

Roger Emmons: Okay.

Auditor Stevens: There was never any kind of agreement or I'm not familiar with that at all.

Commissioner Phillippe: So, he's not within the same program. Very good.

Auditor Stevens: Okay.

Commissioner Phillippe: Thank you.

Auditor Stevens: You're welcome.

Commissioner Phillippe: Alright, so that's the last item on the consent agenda?

Roger Emmons: Yes.

Commissioner Saylor: I make a motion to approve the Consent Agenda as presented.

Commissioner Johnson: Second.

Commissioner Phillippe: First and a second. All in favor say, aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye.

Commissioner Phillippe: Motion carries three, zero (3-0). Aye.

*(Vectren Encroachment Agreements are located on File in the Auditor's Office)*

*(BHS Student Worker Agreement is located on Page 24 of these Official Minutes)*

*(2021 Disaster Recovery Contract is located on Pages 24 through 26 of these Official Minutes)*

### **ITEMS FOR DISCUSSION** **DISCUSS PUBLIC INFORMATION MEETINGS FOR THE WARRICK COUNTY-OCRA** **SMALL BUSINESS GRANT PROPOSAL**

Roger Emmons: Want me to proceed with Items for Discussion, Mr. President?

Commissioner Phillippe: Please.

Roger Emmons: First item listed is Debbie Bennett-Stearnsman with the Coalition to discuss the Public Information Meeting or Meetings for the Warrick County OCRA, that's the Office of Community and Rural Affairs, Small Business Grant Proposal. But, Debbie has another commitment, so Steve Marchand is at the podium and will present this for her. Steve, did you have some handouts you wanted to give the Board?

Steve Marchand: I do. Yes.

Commissioner Johnson: Thank you.

Roger Emmons: Thank you. Do you need one (1) for your presentation?

Steve Marchand: No, I'm okay, thank you. Thank you for inviting us here today and again, I'm Steve Marchand of the Economic Development Coalition. Here to kind of offer up some information about the COVID Relief Grant through OCRA that the County will be applying for. The, it's the Office of Community and Rural Affairs or OCRA announced in December that they, another round of COVID Relief funding would be presented, an opportunity there. This is the third such round and this round is a competitive grant application process. The County has decided to pursue the maximum award amount of two hundred fifty thousand dollars (\$250,000.00), with no local match required, to be used as grants to small business with the goals of job retention of employees who meet certain low to moderate income levels set by HUD. What I've handed you there is kind of the time line of that process. And I'll talk about that here in a second, as well as in that packet, kind of what the application's going to look like whenever business goes online to apply. But, for right now, some of the guidelines for businesses to be eligible, most businesses are going to be eligible to apply, regardless of how they're set up, LLC, (inaudible), partnership. Self-employed individuals could also be eligible although they will need to have filed taxes and such. So, this is kind of to eliminate cash under the table arrangements that some people have. They must, employer had employed a hundred (100) full-time employees or less prior to the COVID pandemic. They must demonstrate the correlation of their business disruption to COVID in an impact letter. Have a physical location within Warrick County Corporate limits as well as provide documentation of income eligibility of employees in order to achieve the required fifty-one percent (51%) low to moderate percentage. And that will be calculated across all applicants. So, in the aggregate, if the County meets the fifty-one percent (51%), that's what we're shooting for, so the individual business can (inaudible) off there. To kind of talk about the time line when all this is going to happen, the proposals were due January 29<sup>th</sup>. That was submitted successfully. The first Public Hearing will be February 18, 2021, which is a Zoom meeting set up for that. And we can also talk about this information again for businesses that are interested in applying and want to know how that process works. The grant applications are due



apply for the grant funds. So, that's kind of an important date there for, for you all to know and also businesses to know that the grant applications, we're going to proceed at the Coalition as if we're going to get the award. So, we'll be set up and ready, so, if we open that up to applications the following week. Once the County is awarded, and we do get applications open, businesses will go online to fill out an application. On the website along with the application, we'll have a frequently asked page, or frequently asked questions page set up to hopefully ask some of the questions people have as well as some general information about the grant. As part of the application, basic information will be required pertaining to the business, such as the name of the owner, number of years in business, number of employees, business address, etcetera, as well as a little bit of specific documentation required. There'll be plenty of provided information to determine that low to moderate income requirements are met which will include their employee's initials, their job position and then a calculated annual wage just for that employee, not the whole household. The first round, it was a little more strict in what they required. The employee had to get with the whole household and get all that information. That's changed. It's a lot easier this time. They'll need to provide an impact statement outlining how the business has been impacted by the COVID Pandemic and why being awarded the grant is needed for continued operations. A statement verifying that the business intends to retain the listed jobs, particularly those held by the low to moderate income persons. So, once that application season, we're hoping to have those open approximately a week. After that closes, at the Coalition, we will go through, compile the list. We'll check for threshold kind of requirements. Are they within the County limits, do they qualify under OCRA's definitions of small business and so forth. Once we have that list compiled, we will forward that to the County for final decision on awards. We also have to compile all the low to moderate income information and send that information to OCRA to approval. They will also approve it. Once we get the approval back from OCRA, our office, once our office gets approval back from OCRA, and, and the County, you all, then we can contact the grant recipients, let them know. And then also put in for release of funds which we're hoping for, you know, sometime in May 2021, this year. They usually take ten (10) to fourteen (14) working days to turn that around, get the money to the County. At which point, we will work closely with the County Auditor to turn around and cut checks to the businesses there. Which hopefully, that will also be in May in that timeline. In-between there, we will have a second Public Hearing as well to discuss, discuss again this information for those who weren't able to get this info, how to apply, that sort of thing. So, that's kind of the overall timeline, how the applications are going to work. In the meantime, if, if we can get the word out for businesses that want to send in letters of support, showing their need is there. Why they need it? Why this money would be greatly needed? That will help the application along as well. And those can be sent to our office. My email if you want to email it is my first initial last name. I'll spell it. S-M-A-R-C-H-A-N-D@southwestindiana.org. So, that was, that was kind of the overview on what we're looking at for you to have that information in case you get a question asked, what's (inaudible). But, the key thing is that the applications for businesses will not be open until the County does get confirmed it receives an award after April 15<sup>th</sup>.

**Commissioner Phillippe:** Very good.

**Roger Emmons:** Steve, if the Commissioners want to have informal meetings, which that's what we've got listed here, and we did discuss that, for businesses that might be interested in learning more about the process prior to the applications. At what point would you recommend that be?

**Steve Marchand:** Well, we can do them in tandem with the Public Hearings.

**Roger Emmons:** Okay.

**Steve Marchand:** Or we can set up something separately. We're open to whatever is needed. So the, they'll be the, the first Public Hearing is, we've already scheduled for February 18<sup>th</sup>. That's next week.

**Roger Emmons:** Okay. And that's at 11:00 AM.

**Steve Marchand:** Yes. Yes, Sir. And then the second one (1) will probably be in May sometime. So, that will be another good time to do as well.

**Roger Emmons:** Okay.

**Steve Marchand:** Cause it's a little closer to the application time.

**Commissioner Saylor:** Steve, this is being viewed online and stuff, so that Public Hearing is here, right?

**Steve Marchand:** We've got it set up as a Zoom meeting.

**Roger Emmons:** Zoom.

**Commissioner Saylor:** A Zoom meeting?

**Steve Marchand:** Or the first one (1) anyway. I mean we can look at doing the second one (1) in person or...

**Commissioner Saylor:** Okay. It's just the Zoom? Okay.

**Commissioner Phillippe:** So, the key dates for the businesses of Warrick County to look on are February 18<sup>th</sup> for the first Public Hearing and the week of April 19<sup>th</sup> to fill out and turn in the applications? Correct?

**Steve Marchand:** Right. Right.

**Commissioner Phillippe:** Very good.

**Steve Marchand:** After, we'll work with the County to start getting the word out as soon as we find out the award has been granted to the County. You know, through Facebook and social media and all that good stuff to let people know it's going to be opening up.

**Commissioner Phillippe:** Very good. Thank you.

**Steve Marchand:** Okay.



**Commissioner Johnson:** Thanks.

**Roger Emmons:** I'm sure Economic Development Director Steve Roelle has a database. Shari Sherman's with the Warrick County Chamber of Commerce. That would be beneficial as well for them to get the word out to local businesses.

**Steve Marchand:** Absolutely.

**Roger Emmons:** Okay.

**Steve Marchand:** Absolutely.

**Roger Emmons:** Thank you, Steve.

**Steve Marchand:** Thank you, again.

### **LEAVE OF ABSENCE FOR STORM WATER**

**Roger Emmons:** Okay, we've already discussed Jordan's items. Next, we have a leave of absence without pay request. The employee handbook states that Section 4.9 that a leave of absence without pay shall be submitted in writing to the HR Director and shall specify the reason for the request. And then the HR Director submits it to the County Administrator and the County Commissioners for consideration. I know you covered this in your Storm Water Meeting, but just to, Heather, our HR Manager, advised that that's been done and I do have a copy of the email where it's in writing.

**Commissioner Phillippe:** Very good. That's something that does not need approval?

**Roger Emmons:** I'm sorry?

**Commissioner Phillippe:** That's something that does not need approval?

**Roger Emmons:** No, you should approve that by motion.

**Commissioner Phillippe:** Okay, alright. So, I'll entertain a motion.

**Commissioner Johnson:** I'll make a motion to approve the, I'm sorry, Terry. Did I interrupt you?

**Commissioner Phillippe:** No.

**Commissioner Johnson:** Make a motion to approve the leave of absence for the Storm Water team member.

**Commissioner Saylor:** Second.

**Commissioner Phillippe:** Got a first and a second. All in favor signify by saying, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Roger Emmons:** Thank you.

### **ADDITIONAL 2021 APPOINTMENTS**

**Roger Emmons:** Next, we have additional 2021 Appointments. I have those down as Brandon Hayes to be appointed to the Redevelopment Commission. He, you appointed him to EDAC, but he now needs to be on the RDC as well. I believe he took, Tom Slade, yeah, I believe he was unable to fill. After you appointed him to replace Jeff Mulzer, then Mr. Slade could not do it as well. And then the, I've got the Ohio Township Public Library Board, it's actually Newburgh/Chandler Public Library Board and then your current appointee is Sue McCool.

**Commissioner Saylor:** (Inaudible) for a motion?

**Commissioner Johnson:** Go ahead.

**Commissioner Phillippe:** Do we need to do one (1) each?

**Todd Glass:** You don't have to, no.

**Commissioner Phillippe:** So, entertain a motion for both appointees. One (1) being Brandon Hayes and the other being Sue McCool.

**Commissioner Saylor:** So moved.

**Commissioner Johnson:** I'll second.

**Commissioner Phillippe:** First and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.



**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Roger Emmons:** Thank you very much.

### **HVAC/PUMP REBUILD IN JUDICIAL CENTER FOR BOILERS**

**Roger Emmons:** I have one (1) item, other item. And I informed you about it last Friday, February 5<sup>th</sup> and has to do with the Judicial Center boiler repairs. I was not aware of this until long after the fact. And actually, we received an invoice from the Chandler company. What's the name of that? Straeffer, Straeffer Pump and Supply. And I asked what that was and Brad told me it was a pump rebuild and, which also included a new motor. The Judicial Center has two (2) boilers and they both have to be functioning properly in order to pump the water through the boilers to keep the HVAC System going. So, Brad had the pump rebuilt at that company in Chandler. The motors could not be rebuilt so a new one (1) was purchased from that same company. Total is five-sixty-two-forty (\$562.40). After that, Trane installed both of those on January 19<sup>th</sup> at a cost of one thousand seven hundred and forty-six dollars (\$1,746.00). So, the total cost was two thousand three-o-eight-forty (\$2,308.40). That will be paid from the Cum Cap JCH line item. As a matter of fact, the Chandler invoice is on the docket on the claim voucher for your approval today. And my point in putting this on, in order to submit the claim for payment to the Auditor's Office, and knowing the work had been done, I signed the work authorization on behalf of the Commissioners. So, I would appreciate the Board's, at least, acknowledgement or approval after the fact so that's on the record.

**Commissioner Saylor:** Terry, I've got something to add to this.

**Commissioner Phillippe:** Yep.

**Commissioner Saylor:** Brad took it upon himself to take that pump in himself into a local company and get it rebuilt rather than Trane do it. Because if Trane did it, it probably been double. So, some cost savings there to Brad, you know, Brad knew...

**Roger Emmons:** Right, he knew.

**Commissioner Saylor:** It'd be cheaper. So, he took it upon himself to do that.

**Commissioner Phillippe:** Very good.

**Commissioner Saylor:** Just wanted to put that in the record.

**Commissioner Phillippe:** So, I'll go ahead and entertain a motion to approve that even though that's been done.

**Commissioner Saylor:** I'll make a motion to approve the Judicial Center boiler repairs that have been completed.

**Commissioner Johnson:** I'll second.

**Commissioner Phillippe:** Got a first and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0). Thank you, Roger.

**Roger Emmons:** Thank you, Mr. President.

*(Straeffer Pump Supply Invoice is located on Page 27 of these Official Minutes)*

### **SHERIFF**

### **DECLARE HANDGUNS SURPLUS**

**Roger Emmons:** Commissioners, Sheriff Wilder's gonna present that Gun Surplus Request.

**Commissioner Phillippe:** Very good. Sheriff.

**Sheriff Wilder:** Sheriff Mike Wilder.

**Roger Emmons:** Oh, I didn't mean for him to come up now. I'm kidding. You can take him.

**Sheriff Wilder:** Yeah, I do have, I believe you have the letters there. It's requesting that a Glock, Model #17, 9MM, with the serial number listed be declared surplus. This was the duty weapon of Mike Dietsch. Deputy Dietsch is retiring. And per our SOP guidelines, anyone that has over twenty (20) years that retires, their gun is given to them as part of their thing. It just needs to be surplus. And then the other two (2) guns that are being asked to be surplus is the handgun, Glock, Model #43, 9MM, with the serial number that's listed and a Colt patrol rifle, (Colt) #223, with the serial number listed. Both of these are also was Deputy Dietsch's duty weapons. He's asked, requested to purchase these. In the past, we have allowed them to at the cost it would cost for us to replace those weapons. So, it's kind of a win for us. They want to keep their guns they've carried for many years and we'll get a brand new gun to give to the next guy to use. So, those are what those three (3) requests are.

**Commissioner Phillippe:** Questions, comments, Gentlemen? I'll entertain a motion.

**Commissioner Saylor:** I make a motion to approve the, the transfer of the Glock #17 to, to Mike and the purchase of the #43 and the #223 Colt.



Commissioner Johnson: I'll second.

Commissioner Phillippe: Got a first and a second. All in favor say, aye.

Commissioner Saylor: Aye.

Commissioner Johnson: Aye.

Commissioner Phillippe: Aye. Motion carries three, zero (3-0).

Sheriff Wilder: Thank you.

Commissioner Phillippe: Sorry to throw you out of line, Sheriff.

Roger Emmons: Thank you, Sheriff.

*(Gun Suplus is located on Page 27 of these Official Minutes)*

**DEPARTMENTAL REPORTS  
COUNTY ATTORNEY  
ESTABLISHING PANDEMIC RELIEF FUND  
ORDINANCE 2021-13**

Commissioner Phillippe: Alright, next, next item on the agenda is our County Attorney.

Todd Glass: Okay, thank you, Mr. President. First item on my agenda is Ordinance 2021-13. I've handed you copies of, of the two (2) Ordinances and Resolutions that we'll be talking about. But, the first one (1) is the Second Reading of Ordinance 2021-13. That's an Ordinance of the Board of County Commissioners of Warrick County, Indiana, establishing the Pandemic Relief Fund. You approved this Ordinance on First Reading at the last meeting when Commissioner Johnson was out.

Commissioner Johnson: Is this a Resolution or an Ordinance? I'm sorry.

Todd Glass: This is an Ordinance creating a new fund. And this would be the Second Reading by motion. It is to amend and include a new Section 37.24 in the Warrick County Code of Ordinances entitled Pandemic Relief Fund in which an amount of two hundred fifty thousand dollars (\$250,000.00) will be placed in the Pandemic Relief Fund from the Expense COVID line item under the Commissioners' budget to provide for the Pandemic Relief Fund for Non-Profit Organizations in the form of grant awards to be approved in amounts determined by the Board of County Commissioners of Warrick County, Indiana. There's going to be grant agreements and applications that will be necessary to be submitted. And the Board of Commissioners are to adopt the rules from time to time that are associated with the review of those grant applications and the submission of those for approval to the Board of County Commissioners. This is kind of a sister program to the OCRA program that Steve was describing for small businesses. And this would be on Second Reading and then ready to go.

Roger Emmons: Todd, I just would notice on my copies of the Ordinance it states 2021-12. I guess it's just a typo? Cause this is '13?

Todd Glass: I think that's right. Because it's, the printed Ordinance says '12. So, maybe in the agenda...

Roger Emmons: I think '12 was the twenty-five hundred dollar (\$2,500.00) fixed asset.

Kristine Georges: '12 was the amendment to the fixed assets adding the furniture and fixtures. So, this would be '13.

Roger Emmons: Right. Right.

Todd Glass: The correct one (1) is '13? 2020-13? Thank you, Roger.

Roger Emmons: 2021.

Commissioner Saylor: 2021.

Todd Glass: 2021-13. I'll get it eventually.

Commissioner Phillippe: Very good. I'll entertain a motion.

Commissioner Saylor: I will make a motion to approve Ordinance 2021-13.

Commissioner Johnson: And I'll second.

Todd Glass: Show off.

Commissioner Phillippe: Any further discussion on that?

Commissioner Saylor: No, Sir.

Commissioner Phillippe: I've got a first and a second. All in favor say, aye.

Commissioner Saylor: Aye.



**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Commissioner Saylor:** (Inaudible).

**Todd Glass:** Thank you, Mr. President.

*(Ordinance 2021-13 is located on Page 28 of these Official Minutes)*

**RECOGNIZING WARRICK COUNTY AS A  
SECOND AMENDMENT SANCTUARY COUNTY  
ORDINANCE 2021-14**

**Todd Glass:** Next item, let me get the correct version of it in front of me. Is a new Ordinance number?

**Kristine Georges:** It would be 2021-14.

**Todd Glass:** And I have the copies in front of the Commissioners. That is a proposed Ordinance of the Board of Commissioners of Warrick County, Indiana, recognizing Warrick County as a Second Amendment Sanctuary County. Instead of reading the entire Ordinance, Mr. President, I would suggest I describe it and then read the new additions to the Warrick County Ordinances into the record.

**Commissioner Phillippe:** Very good.

**Todd Glass:** Mr. President, this is an Ordinance proposed by the Warrick County Commissioners recognizing the various rights and privileges that are available to all American citizens including citizens of Warrick County. Those are stated in the Second Amendment to the Constitution of the United States in addition to the Ninth and Tenth Amendments to the Constitution of the United States whereby the rights and privileges of the Second Amendment cannot be infringed upon by State and Local Governments. Also the due process of privileges and immunities clauses of the Fourteenth Amendment to the Constitution of the United States. It's also cites the Indiana Constitution provisions that provide for the same rights and privileges to every Indiana citizen and also the Supreme Court decisions that have been consistently rendered through the years in our juris prudence affirming and substantiating those rights provided in the Constitution. So, Mr. President, this Ordinance proposes a new Section 39.13 in the Code of Ordinances of Warrick County to be entitled the Second Amendment Sanctuary County Clause. And it will state as follows:

(A) The right to keep and bear arms is a fundamental individual right, and shall not be infringed. All local, State, and Federal acts, laws, orders, rules, or regulations regarding firearms, firearms accessories, and ammunition enacted or promulgated that violate the fundamental individual right to keep and bear arms infringe upon the Second Amendment of the Constitution of the United States, and Article 1, Section 32, of the Indiana Constitution.

(B) The individual right to keep and bear arms predates the Constitution of the United States and the Indiana Constitution. It encompasses the right to legal ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, shooting range activities, private property shooting, and training. Therefore, be it hereby **ORDAINED** by the Board of Commissioners of Warrick County, Indiana, that the right of the citizens of Warrick County to keep and bear arms shall not be infringed by any agent or representative of Warrick County or any other person.

**Todd Glass:** Passed and adopted by the Board of Commissioners of Warrick County, Indiana, the 8<sup>th</sup> day of February, 2021. Signed by the Commissioners and attested as to legal form.

**Commissioner Phillippe:** Very good. Thank you. With that, I'll entertain a motion. Do we have any comments or discussion that needs to happen first?

**Commissioner Johnson:** No, I'm just very happy to get, finally get this completed. We started this almost a year ago from, for making Warrick County a Sanctuary County and then COVID hit us. And it kind of threw us into a tailspin. But, it makes me very proud to know that we're taking care of Warrick County citizens and continuing to uphold our Constitutional rights and making sure that our folks can exercise their Second Amendment privileges.

**Commissioner Phillippe:** Very good.

**Commissioner Johnson:** And on that, I'll make a motion.

**Commissioner Saylor:** I second the motion and my sentiments are the same as Commissioner Johnson's stated for the record. So, I can't really add any more to what Commissioner Johnson did.

**Commissioner Phillippe:** Sounds like we all unanimously agree. I have a first and a second. All in favor?

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Todd Glass:** And Mr. President, I have two (2) originals for signature by the Commissioners after the meeting.

**Commissioner Phillippe:** Very good. Is that it?

**Todd Glass:** No. That is not it.



*(Ordinance 2021-14 is located on Page 29 of these Official Minutes)*

**RESOLUTION PROVIDING FOR THE REIMBURSEMENT OF PUBLIC SAFETY AWARENESS COSTS WITH CARES ACT FUNDING RESOLUTION 2021-03**

**Todd Glass:** The next item, Mr. President, I have is Resolution number 2021 dash....

**Kristine Georges:** '03.

**Todd Glass:** And Mr. President, this is a Resolution of the Board of Commissioners of Warrick County, Indiana, providing for the reimbursement of Public Safety Awareness costs with CARES Act funding. This a motion that is somewhat ministerial in nature, but it mirrors the Resolution you passed just a few meetings ago, in, which was the request, I would say, of the State Board of Accounts to transfer monies in the 8900 line item into the General Fund. In discussing with Auditor Stevens, I think perhaps that was capable of being done without this Resolution. I don't think there's any harm in it and it was requested of us. This does the same thing for the additional. What is that amount? Two hundred and two thousand dollars (\$202,000.00). I apologize. I don't have the actual number in front of me. Recently transmitted from the IFA to Warrick County for Public Awareness reimbursement. That is the remaining ten percent (10%) that was held back from the Coronavirus Relief Fund. Another two hundred two thousand (\$202,000.00) and some change. Again, I apologize. It's sitting in the Fund 8900 and this Resolution adopted by the Board simply directs the Auditor to proceed on with transferring those funds to the General Fund. That's all it does. From there we go and request the County Council for an appropriation of those funds. That's all this Resolution does.

**Commissioner Phillippe:** I apologize. What was the number again?

**Todd Glass:** 2021-03.

**Commissioner Phillippe:** With that, I'll entertain a motion.

**Commissioner Johnson:** Make a motion to approve Resolution 2021-13.

**Commissioner Saylor:** That's 2021-03, right?

**Commissioner Johnson:** I'm sorry. '03.

**Commissioner Saylor:** I second that motion.

**Commissioner Phillippe:** Very good. First and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

*(Resolution 2021-03 is located on Page 30 of these Official Minutes)*

**PANDEMIC RELIEF COMMITTEE RECOMMENDATION APPROVALS REIMBURSEMENT TO OHIO TOWNSHIP, SHERIFF, NEWBURGH/CHANDLER LIBRARY, AND PROSECUTOR'S OFFICE**

**Todd Glass:** And lastly, Mr. President, I have a report and recommendation from the Pandemic Relief Fund Committee consisting of County Council President Greg Richmond and Commissioner Dan Saylor. The Expense COVID line item balance is one million four-ninety-seven-three-twenty-six (\$1,497,326.00). The, if I'm stating this correctly, those funds were uploaded into the Gateway system and approved by the DLGF and, so those funds are in process, if not perhaps already processed into the fund and available. But, the committee reviewed those expenses that are fully documented. The first approvals consist of those expenses that were actually submitted to the IFA last fall. But, then got bottlenecked in the process. Those represent expenses for COVID expenditures from Ohio Township shown as listed on the report totaling two hundred fifty-eight thousand three hundred and twenty dollars and forty-five cents (\$258,320.45). Newburgh/Chandler Public Library totaling five thousand six hundred and twenty-nine dollars and four cents (\$5,629.04). The Sheriff's Office totaling eighty-four thousand one hundred twenty-one dollars and eight cents (\$84,121.08). And the Prosecutor's Office for three hundred sixty-seven dollars and fifty cents (\$367.50). For a total of approved expenses from the committee recommended to this Board of three hundred fifty-five thousand six hundred and thirty dollars and eight cents (\$355,630.08). The committee recommends the Board approve those expenses to be disbursed and satisfied by claim out of the Expense COVID line item. And that would be the first recommendation from the committee and then there's a second one (1).

**Commissioner Phillippe:** Got it.

**Roger Emmons:** Okay. Second one (1) is the Non-Profit?

**Todd Glass:** Um hum, which is different.

**Roger Emmons:** Okay, gotcha.

**Commissioner Phillippe:** Guys, just a minor detail here. I don't, I don't think I realized this was all coming to us today so, having said that, there's some minor details in here that I perfectly accept the details of the committee's review. But quite frankly, I wanted to discuss a little further. So, I'll entertain a motion to approve the expenses and I think I'm going



**Commissioner Johnson:** Make a motion to approve the expenses.

**Commissioner Phillippe:** Very good.

**Commissioner Saylor:** I'll second.

**Commissioner Phillippe:** Okay, got a first and a second. And I'll abstain. So, the motion carries two, zero. (2-0-1 with Terry Phillippe abstaining).

**Roger Emmons:** Two, zero, one (2-0-1).

**Commissioner Phillippe:** I'm sorry. Two (2) to one (1).

**Commissioner Saylor:** Two (2), zero (0), one (1).

**Roger Emmons:** Two (2), zero (0), one (1).

**Todd Glass:** We're good to move forward?

**Commissioner Phillippe:** Yep.

*(COVID Relief Fund Report is located on Page 31 of these Official Minutes)*

### **REIMBURSEMENT TO NON-PROFITS IN WARRICK COUNTY**

**Todd Glass:** Then the second committee recommendation is a recommended, recommended expenditures from the Non-Profit Pandemic Relief Fund that you have created. And these again are for Non-Profit Organizations that got bottlenecked last fall. Although, you just passed that program and now we're going to get the word out to all the Non-Profits in Warrick County. These are carryovers from last fall. It includes the Castle Band Boosters, four thousand three dollars eighteen cents (\$4,003.18). Warrick Wellness Pathways, one thousand five hundred and eighteen dollars and seventy cents (\$1,518.70). St. Luke's Lutheran Church, five hundred fifty-four dollars and ten cents (\$554.10). And the 4-H Center, one thousand one hundred sixteen dollars and three cents (\$1,116.03). For a total of COVID Expense requested reimbursement of seven thousand one hundred ninety-two dollars and one cent (\$7,192.01). Mr. President, once all the final details are worked out with the Pandemic Relief Fund with the Auditor's Office. If you approve those, we will work with the Auditor's Office to get those claims submitted appropriately for that amount.

**Commissioner Phillippe:** Very good. I'm good with that.

**Commissioner Saylor:** Need a motion?

**Commissioner Phillippe:** Yeah.

**Todd Glass:** Yes, a second motion.

**Commissioner Phillippe:** So, I'll entertain a motion.

**Commissioner Saylor:** I make a motion to pay the Non-for-Profit Pandemic Relief Fund claims for the Non-for-Profit Organizations.

**Commissioner Johnson:** And I'll second.

**Commissioner Phillippe:** Very good. I've got a first and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Todd Glass:** And with that, Mr. President, that leaves two hundred forty-two thousand eight hundred seven dollars and ninety-nine cents (\$242,807.99) left in the Non-Profit Pandemic Relief Fund. I will be submitting the final updates on the forms and the process for that grant program. We have a conference call tomorrow with Steve or Debbie or both of them. We're going to consult with them as to some finer details on that grant program making sure that we have everything in there that needs to be in there.

**Commissioner Phillippe:** Okay.

**Commissioner Saylor:** You know, I'd like to say something. You know, our Non-of-Profit's in this County have been, their fundraising efforts have been stifled and they still have expenses. So, you know, I hope they're, they're listening or watching and they, they reach out to this and apply, make application for this fund. I think the money is, is going to be helpful to those groups and those organizations.

**Commissioner Johnson:** Absolutely.

**Todd Glass:** Thank you, Mr. President.

**Commissioner Phillippe:** Very good.



**COUNTY AUDITOR  
CERTIFIED CLAIMS**

**Commissioner Phillippe:** Next item on the agenda is our County Auditor.

**Auditor Stevens:** Alright. Let's start off with Certified Claims. Have a total of eight hundred seventy-nine thousand two hundred twenty-nine dollars and ninety-three cents (\$879,229.93). Eight-seven-nine-two-two-nine-point-nine-three (\$879,229.93). All Certified.

**Commissioner Saylor:** I'll make a motion to pay the Claims.

**Commissioner Johnson:** Second.

**Commissioner Phillippe:** Got a first and a second. All in favor say, aye.

**Commissioner Johnson:** Aye.

**Commissioner Saylor:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Auditor Stevens:** Alright. Thank you.

*(Certified Claims are located on Pages 31 through 32 of these Official Minutes)*

**NON-CERTIFIED CLAIMS**

**Auditor Stevens:** I have one (1) Non-Certified. A claim for, well, the total, total claim, seven...seventy-four dollars and sixty-three cents (\$74.63) for facial tissues and cups. Fifty-five dollars and eighty-nine cents (\$55.89) for cups. Eighteen-seventy-four (\$18.74) for the tissues. That was all that was on that.

**Commissioner Saylor:** I make a motion to pay the Non-Certified Claims.

**Commissioner Johnson:** Second.

**Commissioner Phillippe:** First and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

*(Non-Certified Claims are located on Page 33 of these Official Minutes)*

**PAYROLL**

**Auditor Stevens:** Next, I have Payroll, one (1) Payroll submission. Payrolls don't necessarily coordinate with your meetings very well any longer because of the Payroll dates changing and due dates on different dates and paydays on Mondays. So, most of the, what we're finding is that we're not really on the same rotation of getting these to you. Like, we're getting paid Friday, well, that Payroll submission hasn't even happened yet. So, we don't have anything to present to you in this meeting. It will be next meeting. So, something that we didn't think about when we changed our pay days. But, but we do have one (1) Payroll submission for your approval tonight with Non-Certifieds for Clerk, Sheriff, Prosecuting Attorney, Courthouse, Central Dispatch, Jail, Child Support, Storm Water, Pre-Trial, VOCA, and Office of Prosecuting Attorney. Some were for non-supporting documentation. But others were, we're still getting some COVID pays. And so, we're really seeking, I sent an email dated February 8<sup>th</sup> just seeking more clarification. Some, some people qualify, some people who are, you know, what is that scenario where who determines they've exhausted their COVID pay from 2020. What was allowed under 2020, we don't, that's not really included for 2021. But, if they still had days left, I'm assuming that's still who would qualify. We really don't have what we need to get these things certified. When they come to us with COVID pay, why does this employee qualify for COVID pay compared to another employee who may be off for COVID, but they don't qualify. It's, it's just a little, there were three (3) different, let's see, and there were three (3) different descriptions. Eligible employees who continue to receive benefits under Resolution 2020-03. Employees who have exhausted benefits under the 2020-03 and then a third group, will be required to use their sick/vacation leave for time away from work. So, we had just requested a little help with clarifying that. I'm just letting you know. They're on your voucher, so they're yours to approve these Payroll Voucher Claims.

**Commissioner Saylor:** Debbie, you have listed Courthouse and I assume that's us, the Commissioners.

**Auditor Stevens:** It's, yeah, part, one (1), one (1) section of your staff.

**Commissioner Saylor:** We didn't have anybody, I don't think, did COVID. Why are we, why are we highlighted there? Did we?

**Auditor Stevens:** They're all, just find out who it was. Not going to tell you out loud who it was. I'll just tell, for Courthouse, there's five (5) paid COVID days for one (1) of your employees.

**Commissioner Saylor:** Five (5) paid COVID days?

**Auditor Stevens:** Um hum. It would be in housekeeping. But they're all here for you to review. Do you?



**Commissioner Phillippe:** Counselor, help me out here. I apologize, I don't want to make this any more difficult than, than what it is. But, if you know, it seemed to me that this should be pretty simple, the COVID pay. It's two (2) weeks. We've got different mechanisms to use, Ordinance, State, Federal guidelines.

**Todd Glass:** Should be simple. I just have to know from the Auditor what she needs for certification, know what's normally submitted, what you're missing.

**Auditor Stevens:** We may be able to determine, well, why is this employee, has the same scenario but they're not eligible for COVID pay but this one (1) is. I think we just, we need to do a better job working together to get these things resolved before they come to you for your payroll submission.

**Commissioner Phillippe:** So, help me out, what is it that you need to see? I mean there's two (2) circumstances, I think, that are at play here. Either you have COVID or you're quarantined for social distancing purposes.

**Todd Glass:** I mean, may I ask it differently?

**Commissioner Phillippe:** Sure.

**Todd Glass:** What is the Auditor's Office needing to process Payroll from the Human Resources Department?

**Auditor Stevens:** I think just who, who are these, like, what is the situation when you're saying they're eligible employees who continue to receive benefits. They're ineligible employees who have exhausted benefit. Meaning...

**Commissioner Phillippe:** So, it seems somebody legitimately has COVID-19 and disclosing that information would be a HIPPA violation.

**Todd Glass:** Well, that's why I'm just trying to figure out what needs to be communicated to the Auditor's Office. I don't necessarily understand what that is but I'm happy to speak with the Auditor and figure it out.

**Auditor Stevens:** Okay, that's fine. That's fine. And you'll see, they're all tagged here. They'll need a signature because they're all Non-Certified. So, you'll be able to see what department, who the employee was, what was determined that they could be paid.

**Commissioner Phillippe:** Debbie, I apologize if you said the amount already. I didn't write it down.

**Auditor Stevens:** I have not. Total Payroll, and this is Payroll, pay date, with the pay date of Monday, February 1<sup>st</sup>. Five hundred forty-one thousand one hundred fifty-six dollars and ninety-seven cents (\$541,156.97). Excuse me, five-four-one-one-five-six-point-nine-seven (\$541,156.97).

**Commissioner Saylor:** I make a motion to pay the payroll claim.

**Commissioner Johnson:** Second.

**Auditor Stevens:** Alright.

**Commissioner Phillippe:** First and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Auditor Stevens:** Thank you, that's all I have.

**Commissioner Phillippe:** Thank you.

*(Payroll is located on Page 33 of these Official Minutes)*

### **COUNTY ENGINEER/HIGHWAY**

**Commissioner Phillippe:** Next item on our agenda is County Highway Engineer.

**Bobby Howard:** I have nothing tonight. Thank you.

**Commissioner Phillippe:** Very good.

### **COUNTY PURCHASING JAIL CELL WINDOW REPLACEMENT PROJECT**

**Commissioner Phillippe:** Next item is County Purchasing.

**Joe Grassman:** Joe Grassman, Purchasing Manager. We had some issues at the Jail again with some of the windows cracking. That's an issue because I think Sheriff Wilder will attest, it's not an issue of someone going through one (1) of those windows because they're only six and a half (6 ½) inches wide. But, the prisoners find some type of an instrument and poke holes in the cracks and open the crack enough where contraband can be put in through that hole into the, from the outside into the cell. So, we have six (6) windows cracked. This is the third issue with the windows. We had an issue in 2016 and we replace four (4) of them in August of 2016. Again, in November, we replaced more. And now we're here in February of 2021 and we have six (6) again that are cracked. I solicited bids from three (3) different companies, Siemers Glass, Henry County Glass, and Kentucky Mirror. Received two (2) quotes back. I can tell you a couple things. The glass that we're, that needs to be purchased, it's a specialty glass obviously. It's a bulletproof, multilayered. I don't know, these things have...



**Commissioner Saylor:** Can we get poke, poke proof glass? I think Sheriff does a pretty good job keeping guns out of the Jail. We just need to keep...

**Sheriff Wilder:** (Inaudible) all over from an inmate doing damage. Some of it were settlement over, these are, the Jail's thirty (30) years old. So, some it's just settlement of the building and some are damage from an inmate trying to...

**Commissioner Saylor:** Pick at it.

**Sheriff Wilder:** (Inaudible) the crack starts from the settling, but then they...

**Joe Grassman:** Then they go after it, yeah.

**Commissioner Johnson:** Concrete will fix that.

**Sheriff Wilder:** (Inaudible) lighting by standards.

**Joe Grassman:** But anyway, this, again, it's multi-purpose, bulletproof, multi-layered. Shows six (6) or seven (7) different layers of polycarbonate, urethane, and other items that go into this glass. So, building up to that fact that it's expensive glass. It's been averaging about thirteen hundred dollars (\$1,300.00) a pane for installation, for glass installation. So, that being said, I'm going to read you the bids I got from the two (2) different, two (2) of the different companies. The first one (1) here is Henry County Glass and Mirror. They are by the way the company that have done all the windows up to this point. Their total price is for the windows and labor to install or remove the old and install new, is eight thousand three hundred twenty-two dollars (\$8,322.00). Second bid, Siemers Glass. Same items, eight thousand three hundred and fifty-two dollars (\$8,352.00). Let me say a little bit about the lowest bidder in this case. Albeit, it's only thirty dollars (\$30.00), you know. Indiana Code doesn't specify how much the lowest bid is, it's just the lowest bid. So, I can tell you, we've got, like I said, Henry County has done all the windows before. And they, the reason we started with them was because when, when the first time we started researching in 2016 is they were the only ones that really seemed to know what they were doing to be quite honest with you. They really had the experience and knowledge and knew exactly what we were talking about. Of course, we, they were also highly recommended from Crowder Detention and from the Indiana Department of, what is OC?

**Commissioner Saylor:** Corrections?

**Joe Grassman:** Yeah, Indiana Department of Corrections highly recommended these people. Just trying to lay some groundwork to let you know, they, they know what they're doing. They do a good job. And they've done all those in the past. So, that being said, again, like I want to reiterate, this quote is a Public Works Project. It's Indiana Code 36-1-12-4.7 which simple states the award should be to the lowest responsible and responsive quoter. In this case, in my opinion it's be Henry County Glass and Mirror. But, it's up to you guys. That's all I have.

**Commissioner Saylor:** Sheriff, do you have any reason not to use that vendor?

**Sheriff Wilder:** No, that's the one (1) we use previously. Correct?

**Joe Grassman:** Yes.

**Commissioner Saylor:** Okay.

**Sheriff Wilder:** I mean, they did a good job then. So.

**Joe Grassman:** I think Kruse was...

**Sheriff Wilder:** Yeah, Brett (inaudible).

**Joe Grassman:** And I have even a statement from him that recommends them back when we did it.

**Sheriff Wilder:** (Inaudible) windows that they replaced, are the ones we're replacing again?

**Joe Grassman:** No.

**Commissioner Phillippe:** Very good.

**Roger Emmons:** That's almost fourteen hundred dollars (\$1,400.00) a window.

**Commissioner Saylor:** Sheriff, can I ask how, is this, is this in your budget? Or how...?

**Sheriff Wilder:** Well, that's what I was about to ask.

**Commissioner Saylor:** Dag-gone it.

**Commissioner Phillippe:** Wait a minute.

**Sheriff Wilder:** I mean, it's the Commissioners' building, right? But, no, we do have a budget in our Jail. We're given thirty-five (\$35,000.00) to forty thousand (\$40,000.00) in my Jail. But, actually, I'm going to go in front of the Council for the next meeting and have to already ask for an additional appropriation cause we had to fix the hot water heater which was thirty thousand dollars (\$30,000.00). We had an emergency. So, I paid that. I'm paying that out of the Jail Maintenance. But, that, that exhausts that fund for that one (1) item. Normally, that fund, we, that funds us throughout the year. We don't normally have that, such a large, now we have a second large. So, rather, you have a way of funding it or I need to fund it and I'll have to ask for an additional with the Council.



**Sheriff Wilder:** I think it falls, because I do have a budget for Jail and Jail Maintenance Building, it probably falls under me. But, I don't think, there is Council members present so they're hearing some of this. But, you know, if there was an issue it might not be better that the Commissioners or Joe's there when we explain some of these items, these large items that we're purchasing. I think they understand. They know we have a thirty (30) year old Jail. Unfortunately, things go wrong, you know, and unfortunately, we got a couple things here that we need this year already.

**Commissioner Saylor:** Yeah.

**Sheriff Wilder:** But, I think it does fall under my Jail budget. It's just clearer that way of what's...

**Commissioner Saylor:** And we're getting a nod from our County Administrator. I don't want to throw him under the bus. Mike, I don't disagree with you. You have, you've had a couple large expenses. This being one (1) of them. But, obviously you can't budget for and you have no idea and it's, I mean, my suggestion is when you go to the Council just say I got these two (2) items. I mean, we've got the Council President sitting here obviously hearing it. So, I know he doesn't like to spend money. But, neither do we. But, we've got to, we've got to fix these things. So.

**Sheriff Wilder:** Right. And I, you know, obviously during times throughout the year you have to ask for additional appropriations. I know I, by myself, don't want to go in February, I guess it'd be March, their next meeting already have to ask for money. But, there are really things that you have to fix. Hot water, you know, inmates, the building. This is a security risk. It's the price of having a Jail.

**Commissioner Phillippe:** Routine maintenance is a little higher when your building's thirty (30) years old.

**Commissioner Saylor:** Exactly.

**Commissioner Phillippe:** Alright, so, having said all that, I'll entertain a motion.

**Commissioner Johnson:** I'm back to concrete.

**Sheriff Wilder:** But, we may not want to approve the work, Joe, until we do have the money from the Council. Cause I don't have the money, I won't currently have the money to pay for it to do the work and pay without an additional appropriation.

**Joe Grassman:** That's fine. Whatever you...

**Sheriff Wilder:** I mean I don't know, you know...

**Joe Grassman:** Whenever you're ready.

**Sheriff Wilder:** Yeah, I just don't know if we should go ahead and ....

**Roger Emmons:** In the past, Boards have approved these things subject to Council funding. So, you know, that way it lets the Company, the Henry County Company know...

**Commissioner Saylor:** And that way he doesn't have to come back.

**Roger Emmons:** Yeah.

**Commissioner Saylor:** So, I mean, I, I like that. I mean, you okay with that, Greg?

**Roger Emmons:** We have Councilman Metzger here tonight, too.

**Councilman Richmond:** Subject to Council approval...

**Commissioner Saylor:** Yeah, I'll make a motion to, to do these repairs subject to the County Council's approval of the appropriation.

**Commissioner Johnson:** Second.

**Commissioner Phillippe:** Alright, I have a first and a second. All in favor say, aye.

**Commissioner Saylor:** Aye.

**Commissioner Johnson:** Aye.

**Commissioner Phillippe:** Aye. Motion carries three, zero (3-0).

**Commissioner Saylor:** Thank you, Joe.

**Joe Grassman:** Yeah.

**Commissioner Phillippe:** Very good. Thank you, Joe.

*(Henry County Glass and Mirror Paperwork is located on File in the Auditor's Office)*



**COUNTY SHERIFF**

Commissioner Phillippe: Sheriff, any other business?

Sheriff Wilder: No, I don't have anything.

Commissioner Phillippe: Thank you.

**COMMISSIONER ITEMS FOR DISCUSSION  
RECOGNITION OF SERVICE FOR MIKE DIETSCH**

Commissioner Phillippe: Commissioner Saylor?

Commissioner Saylor: I'd just like to recognize Mike, um, I can't think of his last name. Dietsch, Mike Dietsch. I wrote down the wrong name, for his years of service to the Warrick County Sheriff's Office and citizens of this County. I think Mike has served in several roles and he's, I think he's been a great officer and just appreciate his service.

Commissioner Phillippe: Very good. Thank you. Commissioner Johnson?

Commissioner Johnson: No, Sir.

Commissioner Phillippe: Entertain a motion to adjourn.

Commissioner Johnson: Make a motion to adjourn.

Commissioner Saylor: Second.

Commissioner Phillippe: All in favor?

Commissioner Saylor: Aye.


Commissioner Johnson: Aye.

Commissioner Phillippe: Aye. Motion carries three, zero (3-0)

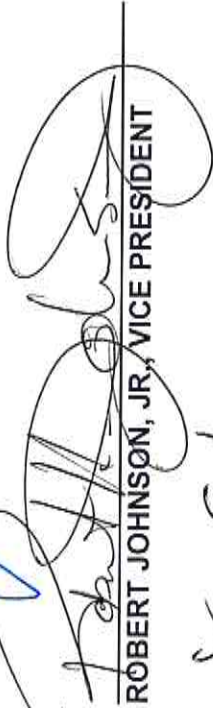
ADJOURNMENT: Meeting adjourned at 5:20 P.M.

WARRICK COUNTY BOARD OF COMMISSIONERS

TERRY PHILLIPPE, PRESIDENT

  
\_\_\_\_\_

ROBERT JOHNSON, JR., VICE PRESIDENT

  
\_\_\_\_\_

DAN SAYLOR, MEMBER

  
\_\_\_\_\_

ATTEST:

DEBORAH K. STEVENS, AUDITOR  
WARRICK COUNTY, INDIANA

  
\_\_\_\_\_



Woodfield Subdivision See II  
Woodfield Development, LLC  
Steve Blankenbender  
2/8/2021

BOARD OF COMMISSIONERS:

From: *[Signature]*  
Member  
To: *[Signature]*  
Member

ATTEST:  
*[Signature]*  
Auditor  
Date: 9/8/2020



W W W . N E I K I R K E N G I N E E R I N G . C O M

January 26, 2021  
Mr. Sheri Rector  
Warrick County Board of Commissioners  
Warrick County Area Plan Commission  
107 W. Locust Street, Courthouse Room 201  
Boonville, Indiana 47601

*[Signature]*

RE: Letter of Request for Extension  
of Construction Period  
Woodfield Subdivision Phase II

Dear Ms. Rector:

This letter is to certify that a portion of the outstanding sidewalk in Phase II have been completed. Therefore, we request the amount of the ILCC be reduced from \$9,306.00 to \$3,382.50 for the remaining Sidewalk Construction for Woodfield Subdivision Phase II.

On behalf of Steve Blankenbender of Woodfield Development, LLC, we respectfully request the remaining improvements in said Subdivision. We respectfully request a one (1) year time extension to allow the continuation of the sidewalk improvements as lots are sold and houses are constructed.

The attached ILCC improvement cost breakdown is attached for review and record. Please place any questions or comments, please feel free to contact me. Thank you for your time and consideration.

Respectfully Submitted:  
*[Signature]*  
Michael E. Neikirk, P.E.  
Indiana Registration No. PE10000080  
Neikirk Engineering, LLC  
C/o: Steve Blankenbender, Woodfield Development, LLC



FILED  
JAN 29 2021  
MICHIGAN  
NOTARY PUBLIC  
KYLE M. BROWN

4915 Lincoln Avenue  
Evansville, Indiana 47715  
812-202-3429

306 North Market Street  
Mt. Carmel, Illinois 62863  
618-263-4100



W W W . N E I K I R K E N G I N E E R I N G . C O M

January 26, 2021  
Warrick County Area Plan Commission  
107 W. Locust Street, Courthouse Room 201  
Boonville, Indiana 47601

RE: Letter of Credit Estimate  
for Sidewalk Construction  
Woodfield Subdivision Phase II

Engineers Cost Estimate  
Sidewalk:  
205 ft. at \$15.00/ft.  
Subtotal for sidewalk:  
10% Contingency

\$ 3,075.00  
\$ 3,075.00  
\$ 307.50  
\$ 3,382.50

Total amount for remaining Sidewalk Construction:

Engineer's Estimate prepared by and respectfully submitted:

*[Signature]*  
Michael E. Neikirk, P.E.  
Indiana Registration No. PE10000080  
Neikirk Engineering, LLC

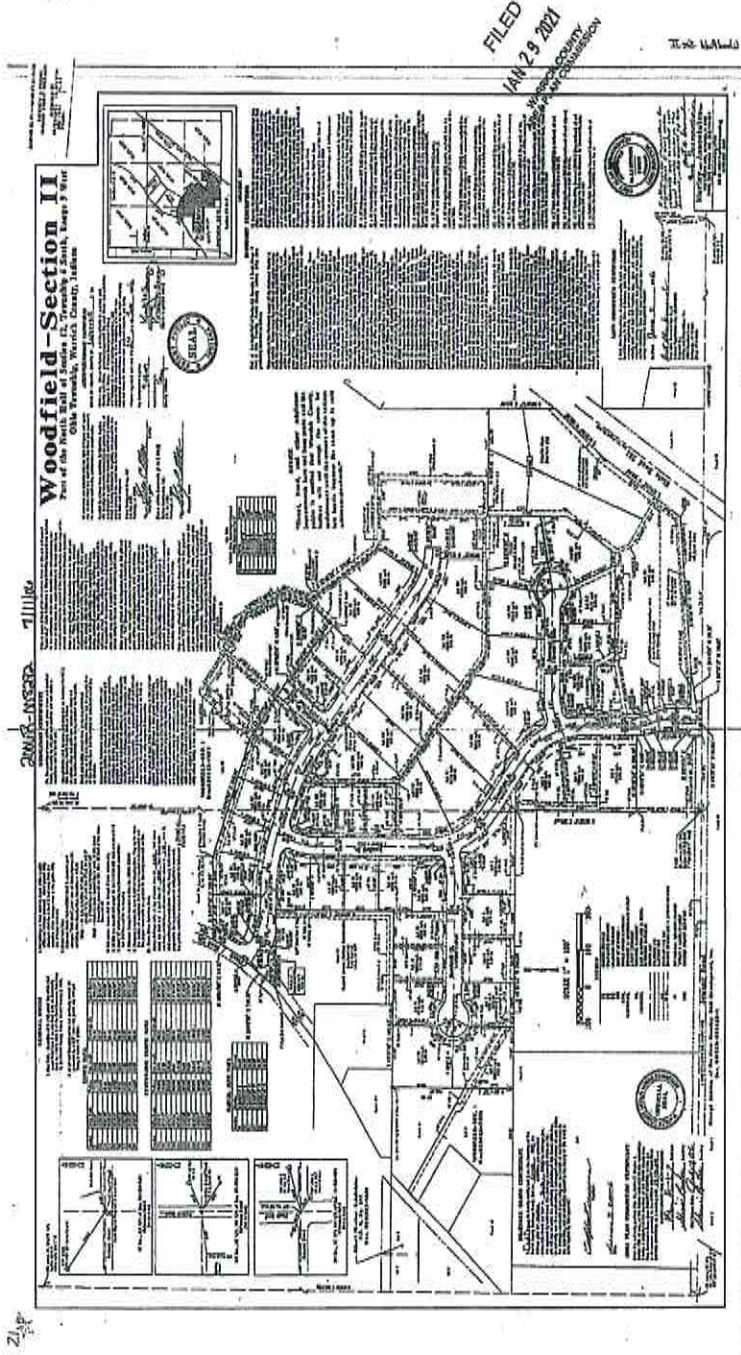


FILED  
JAN 29 2021  
MICHIGAN  
NOTARY PUBLIC  
KYLE M. BROWN

4915 Lincoln Avenue  
Evansville, Indiana 47715  
812-202-3429

306 North Market Street  
Mt. Carmel, Illinois 62863  
618-263-4100





Woodfield-Subdivision-Set, III  
Woodfield Development, L.L.C.  
5/8/2021  
Steve Blankenbeger

BOARD OF COMMISSIONERS  
WARRICK COUNTY, INDIANA  
JAN 29 2021  
Steve Blankenbeger  
Date: 2/1/2021

ATTEST:  
Steve Blankenbeger  
Date: 2/1/2021



W W W . N E I K I R K . E N G I N E E R I N G . C O M

January 26, 2021  
Ms. Sherri Rector  
Executive Director  
Warrick County Area Plan Commission  
415 East 18th Street, Courthouse Room 201  
Boonville, Indiana 47601

Steve Blankenbeger

RE: Letter of Request for Reduction  
SUDOC 02-0005113285  
Woodfield Subdivision Phase III

Dear Ms. Rector:

This letter is to certify that a portion of the outstanding sidewalks in Phase III have been completed. Therefore, we request the amount of the ILOC be reduced from \$11,698.50 to \$1,650.00 for the remaining Sidewalk Construction for Woodfield Subdivision Phase III. On behalf of Steve Blankenbeger of Woodfield Development, L.L.C., we respectfully request the amount of the ILOC be reduced to \$1,650.00. We also request that you allow for the extension of improvements in said Subdivision to allow the continuation of the sidewalk improvements as lots are sold and houses are constructed.

The attached ILOC improvement cost breakdown is attached for review and record. Please place this request on the next available meeting agenda and please notify us accordingly. If you have any questions or comments, please feel free to contact me. Thank you for your time and consideration.

Respectfully Submitted:

Michael E. Neikirk, P.E.  
Michael E. Neikirk, P.E.  
Neikirk Engineering, L.L.C.



4915 Lincoln Avenue  
Evansville, IN 47715  
812-202-3429

Cc: Steve Blankenbeger, Woodfield Development, L.L.C.  
306 North Market Street  
Mt. Carmel, Illinois 62863  
618-263-4100  
Southern Engineering Corporation  
415 East 18th Street, Courthouse Room 201  
Johnston City, Illinois 62951  
618-983-4165

FILED  
JAN 29 2021  
WARRICK COUNTY







CAREER INFORMATION/CAREER EXPLORATION  
(Under the supervision of Warrick County Career Exploration Corporation)

This is an AGREEMENT made between Warrick County, Indiana, by and through the Board of Commissioners of Warrick County, (the "Employer") and the CICE through Warrick County School Corporation.

The parties agree as follows:

1. Monitoring and Support Services - The CICE will provide personnel to monitor student's performance level, as well as provide any support services deemed necessary in accordance to the job specifications of Warrick County.
2. Personnel - The CICE will provide to the Employer one or more student workers [Cameron Titzer to [redacted] for the next school year] for the duration of the training program. The days per week will be scheduled by the Employer and the student worker(s). The CICE shall be responsible for the training, supervision and all Employer and the student worker(s). The student worker(s) at the worksite shall comply with the personnel and conduct policies and procedures established by the Employer. The CICE personnel and student worker(s) shall comply with all federal, state, local, & safety policies. The Employer shall provide to the student worker(s) space, materials, supplies, equipment and payment due for work performed. The Employer represents that it operates in compliance with Title IX, the Americans with Disabilities Act of 1990, the Equal Opportunity Act of 1964, and does not practice discrimination on the basis of race, color, national origin, sex, or age. The Employer shall provide a meeting between the CICE personnel and the student worker to discuss the progress of the training program. The Employer agrees to provide a written progress report to the program representative at least once each month for the duration of the training program.
3. Completion of the Training - In the event CICE and the Employer determines a specific student worker is ready for competitive employment, the CICE will discuss with the Employer the criteria for the student worker the consideration of employing the student worker in an appropriate position when an opening arises. The Employer may furnish a recommendation for a CICE student worker provided the student worker meets the criteria for the position. The CICE shall be responsible for the training, supervision and all Employer and the student worker(s). The student worker(s) at the worksite shall comply with the personnel and conduct policies and procedures established by the Employer. The CICE personnel and student worker(s) shall comply with all federal, state, local, & safety policies. The Employer shall provide to the student worker(s) space, materials, supplies, equipment and payment due for work performed. The Employer represents that it operates in compliance with Title IX, the Americans with Disabilities Act of 1990, the Equal Opportunity Act of 1964, and does not practice discrimination on the basis of race, color, national origin, sex, or age. The Employer shall provide a meeting between the CICE personnel and the student worker to discuss the progress of the training program. The Employer agrees to provide a written progress report to the program representative at least once each month for the duration of the training program.
4. Terms - This Agreement will take effect on 01/19/2021 and shall remain in effect until either party decided to terminate it by giving two (2) weeks prior notice in writing. Periodic review and evaluation will take place every two (2) weeks. The agreement shall not be changed or amended without prior written approval of both parties. Either Party may terminate this Agreement, for any reason or for no reason, by giving the other Party two (2) weeks prior written notice.
5. Supervision of Work - At all times during this Agreement, the Employer shall retain sole responsibility for supervising and monitoring the work of any student worker(s) to ensure any services performed by said student worker(s) are fulfilled to the satisfaction of the Employer.
6. Additional Arrangement.

Accepted by:  
*[Signature]*  
Employer

Accepted by:  
*[Signature]*  
Employment Specialist

DISASTER RECOVERY SERVICES AGREEMENT

This Disaster Recovery Services Agreement (hereinafter "Agreement") is between CSI - Computer Systems, Inc. (hereinafter "CSI"), and the Warrick County, IN Clerk (hereinafter "Clerk").

The parties hereto agree as follows:

- I. DEFINITIONS  
The following terms, as used herein shall have the following meanings:  
1. Licensed Software - means such software (in executable form), documentation, file layouts and other tangible or intangible information included in CSI's JTS applications and related to the operation thereof which are the intellectual properties of CSI.  
2. System Software - means such software, documentation and other tangible or intangible information constituting the network server or personal computer operating system, device drivers, database development software, word processing, and help report packages, or any other non-CSI developed software; and related to the operation thereof which are licensed to CSI, or others for redistribution and sublicensing and as have been or are hereafter delivered or disclosed by CSI to Clerk or Clerk's employees.  
3. Backup - shall mean a copy of all Licensed Software data and electronic images.  
4. Cloud - shall mean the storage solutions provided with various capabilities to store and process data in off-site data centers.  
5. Cloud Access System - A storage solution that provides a user with remote and secure access by the internet to the Licensed Software and System Software with data and images recovered from the Backup.  
6. Disaster - shall mean any unplanned event or incident that prevents access to the data and images necessary to resume critical business operations after a natural or human-induced event or incident.  
7. DRAaS - shall mean Disaster Recovery as a Service and is a cloud based repository and backup of all Licensed Software data and images and the recovery process of regaining access to the data and images necessary to resume critical business operations after a natural or human-induced disaster.  
8. Media Copy - shall mean the objects on which data and images can be stored. These objects include tapes and hard drives. The term 'media' will be used interchangeably with tape and hard drive backup.
- II. AGREEMENT TERM  
1. The Agreement Term is effective only upon the execution by the parties and will continue for a term of one (1) year from January 1, 2021 through December 31, 2021. Thereafter, this Agreement must be renewed by mutual agreement. If either party may cancel this Agreement as detailed herein or elect not to renew this Agreement.
- III. DRAaS PRICING  
1. DRAaS pricing is based upon the volume all data and images that are stored in the CSI Cloud Backup. The Agreement will establish a Base Cloud Backup Volume



and an Agreement Term that will be reviewed annually to determine the actual volume of data stored in the CSI Cloud.

- 2. DRaaS Pricing
  - 1. Base Year Term - \$575 per Year for the Base Cloud Backup Volume.
  - 1. Base Cloud Backup Volume - 45 GB.

**IV. PAYMENT TERMS**

- 1. Payments for the DRaaS Agreement Term are due annually beginning January 1 of each calendar year and are to be paid in advance. CSI can prorate the annual payment to coincide with a January 1 to December 31 calendar year.
- 2. Late fees for this Agreement become delinquent by more than sixty (60) days. This Agreement shall be subject to a 1.5% per month plus collection and attorney fees.

**V. CSI RESPONSIBILITIES**

- 1. CSI will provide DRaaS services for the pricing and term per the Agreement detailed herein.
- 2. Backup. The Cloud Backup will store data and images that can be recovered up to the number of days specified in the Agreement.
- 3. Local Backup. CSI will setup a local Backup system on the media recommended by CSI. The Local Backup system will be the primary source for DRaaS services.
- 4. Software. Software maintenance. CSI will provide all maintenance of Licensed Software as detailed in a separate agreement upon payment by Clerk of such maintenance fees.
- 5. DRaaS Services. CSI will begin to provide DRaaS services within 4 hours of Security Check of a disaster.
- 6. Security. CSI will encrypt all the data and images at the local server and transfer the data and images using a secured connection and stored encrypted data and images in the Cloud Backup.
- 7. Monitoring. CSI will monitor the Backup Monday thru Friday each week for any problems. CSI will restore the Backup on Friday each week.
- 8. Testing Services. CSI will test the restore of the Backup to a CSI server twice during the term of this Agreement.
- 9. Disaster Recovery. In the event that the Licensed Software and System Software cannot boot, CSI may provide a Cloud Access System for the Clerk. If CSI provides for the Cloud Access System and once the Licensed Software and System Software have been restored to the local production server, CSI will restore the data and images from the Cloud Access System to the local production server.

**VI. CLERK RESPONSIBILITIES**

- 1. Clerk will provide at least one local Backup on the media recommended by CSI.
- 2. Incident Detection. Clerk is responsible to notify CSI in the event of an incident of lost data and of any disaster and loss of access to Licensed Software data and

CSI - Computer Systems, Inc.

Page 2 of 7

Revised October 2020

- 3. Images. responsible for the restoration of the Licensed Software, System Software and hardware in the event of a disaster before CSI can provide DRaaS services.
- 4. Clerk will provide CSI remote and secure access to the local Backup and production server that is operating the Licensed Software and System Software.
- 5. CSI will provide Cloud Access System for the Clerk to access the Licensed Software and System Software.

**VII. WARRANTIES AND LIMITATIONS**

- 1. DRaaS services. CSI is not responsible for any cost or damage associated with any breach or hacking of the CSI Cloud Backup, Cloud Access System or any data stored on the Licensed Software or any other resources, loss of business or profits, any loss of data, backup or Cloud Access System, third party claims, or costs associated with a breach or hacking of the CSI Cloud Backup or Cloud Access System.
- 2. CSI warrants that it has full power and authority to grant the rights granted by this Agreement to Clerk with respect to Licensed Software, System Software and DRaaS services without the consent of any other person, and that the performance of services by CSI does not constitute a violation of any copyright, trade secret, trademark, patent, invention, proprietary information, nondisclosure or other rights of any third party.
- 3. CSI warrants that it has full power, qualifications, and warranties under this Agreement shall extend through and survive the term of the lease agreement entered into by Clerk in conjunction with the Licensed Software, and services provided under this Agreement, notwithstanding any action by Clerk or any other party to rescind, terminate, or discontinue the use of the Licensed Software properly possessed and used by Clerk.
- 4. CSI's Liability to the Clerk for damages from any cause whatsoever and regardless of form shall be limited to the amount of the CSI Cloud Backup stored in the cloud, payable for one (1) year of DRaaS that is the subject matter of or is directly related to the cause of action arose. This limitation will not apply to claims for personal injury, death, or property damage. No action (whether in contract or in tort, including negligence) arising out of the performance of CSI under the Agreement may be brought by either party more than eighteen (18) months after the cause of action has arisen except an action for payment.
- 6. In no event will CSI be liable for any cost or damage associated with the loss of use of the Licensed Software, System Software, or hardware, or any cost of substitute programs or any other special, indirect or consequential damages even if CSI has been advised of or should have known of the possibility of such damages or for any claim against the Clerk by any other party. This includes the conversion by CSI of

CSI - Computer Systems, Inc.

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Revised October 2020

- 7. data from another system to the Licensed Software, conversion of existing data to new releases or enhancements of Licensed Software, or any data transferred to Licensed Software whether provided by CSI or converted by CSI. CSI will take all reasonable precautions to ensure that the vast majority of data, responsibility for all data contained in Licensed Software. CSI agrees to assist Clerk in correcting any errors identified by Clerk as a result of any conversion or transfer of data to the Licensed Software. Any errors as a result of the transfer or conversion of data to the Licensed Software shall be the responsibility of the Clerk. CSI shall not be responsible for any errors or omissions. CSI may agree to assist Clerk at CSI's then current hourly rate. CSI assumes no responsibility for obsolescence of the Licensed Software programs or documentation.
- 7. CSI makes no representation or warranty express or implied with respect to the accuracy of the information provided to CSI for any claims by third parties which are occasioned by or arising from CSI's performance pursuant to instructions of the Clerk including DRaaS services for Clerk.
- 8. In providing service, CSI does not assure uninterrupted operation of the Licensed Software. CSI shall not be responsible for any damage to the Clerk's system software, hardware and/or equipment for which the Licensed Software is to function on.
- 9. CSI makes no other representations or warranty express or implied with respect to any software or hardware furnished by CSI for any intended use. CSI shall have no liability hereunder for any incidental or consequential damages arising out of this Agreement or out of the Licensed Software.
- 10. CSI MAKES NO OTHER WARRANTIES OF ANY KIND WHATSOEVER, EXPRESS OR IMPLIED AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE WHICH EXCEEDS THE WARRANTIES PROVIDED HEREIN ARE HEREBY DISCLAIMED BY CSI AND EXCLUDED FROM THIS AGREEMENT.

**VIII. SOFTWARE LICENSES, CONFIDENTIALITY AND MAINTENANCE**

- 1. Licensed Software: In accordance with the terms herein, CSI hereby grants to Clerk a non-exclusive license to use the Licensed Software as developed or otherwise delivered under the provisions of this Agreement. The Licensed Software license rights include only the executable versions. The Licensed Software shall be operated only at the location specified in the Agreement. The Licensed Software file layouts subject to the execution of an acceptable Non-Disclosure Agreement between CSI, Clerk and any third-party agent of Clerk. Any use of or access to the Licensed Software file layouts are subject to the terms and conditions of the Non-Disclosure Agreement. The Licensed Software Workstations may be located elsewhere, provided that the Licensed Software reside in Clerk's Facility. The Licensed Software license rights temporarily will be extended for use on backup equipment located other than in Clerk's Facility for

CSI - Computer Systems, Inc.

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Revised October 2020







# Straeffer Pump & Supply, Inc



Remit Payment To:  
PO Box 99  
Chandler, IN 47610  
Tel: 812-897-3075, FX: 812-476-5164  
www.straefferpump.com

Bill To  
Warrick County Parks & Recreation  
800 W. Main St.  
Boonville, IN 47601  
3, 187 - EMAIL

INVOICE  
Date: 11/3/2020 Invoice #: 31303  
Ship To (Same As Bill To unless noted)  
Gerry Delivered

Pump S/N	10671783	Terms	Net 30	TAC:	Job No	Main Job #	Job Name	Ter
Kfm Job #	Audrey Persinger <th>Buyer</th> <td>Kevin Doane <th>Description</th> <th>Price Each</th> <th>Amount</th> </td>	Buyer	Kevin Doane <th>Description</th> <th>Price Each</th> <th>Amount</th>	Description	Price Each	Amount		
Qty	1	HY HPGH300M2-2	Hydraulic Grinder Pump, 3hp, 230 volt, single phase, 4.25" STD SST Impeller, MS 4861017	3,994.00	3,994.00	3,994.00		
1	HY 804450625	Freight	Change	229.10	229.10	229.10		
1				106.87	106.87	106.87		
<b>Total</b>						<b>\$4,329.97</b>		

**DUE TO THE RISING COST OF CHARGE CARD PROCESSING FEES, EFFECTIVE SEPTEMBER 1, 2015, WE WILL BE ADDING A 3% CHARGE CARD PROCESSING FEE TO ALL PAYMENTS MADE VIA CREDIT CARD.**  
TERMS: NET 30 DAYS, 1.12% PER MONTH SERVICE CHARGE WILL BE ADDED TO PAST DUE ACCOUNTS AS WELL AS ALL COSTS AND EXPENSES INCURRED IN COLLECTING ANY AMOUNTS DUE, INCLUDING ATTORNEY'S AND COLLECTION FEES. PLEASE PAY FROM THIS INVOICE. NO STATEMENT WILL BE ISSUED.

Account # 7027



## WARRICK COUNTY SHERIFF'S OFFICE SHERIFF MICHAEL WILDER

P.O. Box 487 • 100 SR 62 West • Boonville, Indiana 47601 • (812) 897-6180  
FAX: (812) 897-3654 • www.warrickcountysheriff.com

To: Terry Phillippe, President  
Warrick County Board of Commissioners  
From: Michael Wilder  
Warrick County Sheriff

Subject: Declaring handgun surplus

I am writing to request permission from the Board of Commissioners to declare one of our handguns, one Glock model 17, 9mm caliber semi-automatic serial number **BCM381**, as surplus. It is the tradition of the Warrick County Sheriff's Office to allow a deputy who retires from active duty, with over eight years of service, to keep their issued handgun. The weapon above is issued to Deputy Mike Dietsch, Deputy Dietsch was hired as a Warrick County Deputy Sheriff on 09/03/1999 and he will retire on 02/12/21. Please grant this request to allow Deputy Dietsch to keep the weapon and for me to be able to remove it from my inventory.

Respectfully,

Sheriff Michael Wilder  
*(Signature)*

Terry Phillippe, Commissioner

Approved by motion on 2/5/21



## WARRICK COUNTY SHERIFF'S OFFICE SHERIFF MICHAEL WILDER

P.O. Box 487 • 100 SR 62 West • Boonville, Indiana 47601 • (812) 897-6180  
FAX: (812) 897-3654 • www.warrickcountysheriff.com

To: Terry Phillippe, President  
Warrick County Board of Commissioners  
From: Michael Wilder  
Warrick County Sheriff

Subject: Declaring weapons surplus

I am writing to request permission from Board of Commissioners to declare one handgun and one patrol rifle with aimpoint pro sight as surplus. Handgun Glock, model 31, serial number **BKDC884**, patrol rifle Colt, model 990, serial number **LBDD007877** and one handgun, model 3311538. The weapons are currently issued to Deputy Mike Dietsch, Deputy Dietsch was hired 09/03/1999 and is retiring 02/12/21.

The above weapons and sight are not normally given to the deputy upon retirement. Deputy Dietsch has agreed to pay for replacement cost of weapons and sight for the Sheriff's Office so that Deputy Dietsch can retain the issued weapons. This assists our agency in keeping new weapons in our inventory to be issued to new deputies.

Respectfully,

Sheriff Michael Wilder

*(Signature)*  
Terry Phillippe, Commissioner

Approved by motion on 2/5/21



ORDINANCE 2021-13

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA ESTABLISHING THE PANDEMIC RELIEF FUND

WHEREAS, Indiana's Home Rule statute (Ind. Code 36-1-3, et seq.) grants the Board of Commissioners of Warrick County, Indiana, the power, by ordinance, to create funds that are necessary to conduct the affairs of the County;

WHEREAS, on January 7, 2021, the Warrick County Council appropriated \$1,497,326 to Fund No. 1000.3116.000.0068, a line item to be used in the County's budget for the Board of Commissioners of Warrick County in ongoing efforts to respond to, and mitigate against the effects of, the novel Coronavirus 2019 ("COVID-19") throughout Warrick County;

WHEREAS, Warrick County recognizes and acknowledges the difficulties and hardships sustained by non-profit organizations within Warrick County as a result of COVID-19;

WHEREAS, the Board of Commissioners of Warrick County has determined there is a need to establish a fund in order to provide financial relief in the form of grant monies to certain non-profit organizations within Warrick County; and

WHEREAS, the Board of Commissioners of Warrick County desire to establish the Pandemic Relief Fund to allocate to said Fund a specific portion of those monies in Fund No. 1000.3116.000.0068 to be used to provide financial relief to non-profit organizations in Warrick County who have been negatively impacted by the effects of COVID-19 on the local economy.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana as follows:

The Code of Ordinances of Warrick County, Indiana, is hereby amended to include a new Section 37.24, entitled "Pandemic Relief Fund", as follows:

- (A) The Board of Commissioners of Warrick County hereby establishes the Pandemic Relief Fund for the purpose of providing financial assistance to non-profit organizations in Warrick County in order to respond to, and mitigate against the effects of, COVID-19.
- (B) An amount of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) shall be placed in the Pandemic Relief Fund from Fund No. 1000.3116.000.0068. The application of monies in the Pandemic Relief Fund shall be according to the discretion of the Board of Commissioners of Warrick County.
- (C) The Pandemic Relief Fund shall remain in effect until June 1, 2021, or until such time as the public health emergency, as declared by the Governor of the State of Indiana on March 6, 2020, expires or is otherwise rescinded.

ORDINANCE 2021-13

whichever occurs first. Following such termination of the Pandemic Relief Fund, the remaining fund balance, if any, shall revert to Fund No. 1000.3116.000.0068.

- (D) Such financial assistance to non-profit organizations from the Pandemic Relief Fund shall be in the form of grant awards to each approved non-profit organization, in amounts to be determined by the Board of Commissioners of Warrick County. Warrick County shall enter into a grant agreement with each non-profit organization that is provided financial assistance from the Pandemic Relief Fund, which shall specify that said non-profit organization's use of such monies may be audited by Warrick County. The Board of Commissioners of Warrick County, from time to time, adopt other rules and procedures regarding the administration and/or provision of any financial assistance to non-profit organizations from the Pandemic Relief Fund.

This Ordinance shall be effective upon passage.

*[Remainder of page intentionally left blank]*

ORDINANCE 2021-13

Passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 8<sup>th</sup> day of February, 2021.

ATTEST:

Deborah K. Stevens, Auditor  
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

Todd I. Glass, Esq., #11982-18  
FINE & ATTORNEYS, A Professional Corporation  
520 N.W. Second Street, P.O. Box 779  
Evansville, Indiana 47705-0779  
Telephone: (812) 425-3592  
Warrick County Attorney

WARRICK COUNTY  
BOARD OF COMMISSIONERS

Terry Phillips, President  
Robert H. Johnson, Jr., Vice President  
Dan Saylor, Member



ORDINANCE 2021-14

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, RECOGNIZING WARRICK COUNTY AS A SECOND AMENDMENT SANCTUARY COUNTY

WHEREAS, acting via the Constitution of the United States, the American people created a government with few defined powers, reserving rights to life, liberty, and property;

WHEREAS, the Second Amendment to the Constitution of the United States, ratified in 1791, provides that "a well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed;"

WHEREAS, the right of American citizens to keep and bear arms is further protected from infringement by state and local governments under the Ninth and Tenth Amendments to the Constitution of the United States, and the "Due Process" and "Privileges and Immunities" clauses of the Fourteenth Amendment to the Constitution of the United States;

WHEREAS, Section 1 of the Fourteenth Amendment to the Constitution of the United States provides that "no State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws;"

WHEREAS, Article 1, Section 32 of the Indiana Constitution states "the people shall have a right to bear arms, for the defense of themselves and the State;"

WHEREAS, Article 15, Section 4 of the Indiana Constitution states "every person elected or appointed to any office under this Constitution, shall, before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office;"

WHEREAS, the Supreme Court of the United States, in *Marbury v. Madison*, 5 U.S. 137, 177 (1803), stated "certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must, that an act of the legislature, repugnant to the constitution, is void;"

WHEREAS, the Supreme Court of the United States, in *Miranda v. Arizona*, 384 U.S. 436, 491 (1966), held "where rights secured by the Constitution are involved, there can be no rulemaking or legislation that would abrogate them;"

WHEREAS, the Supreme Court of the United States, in *Distriet of Columbia v. Heller*, 554 U.S. 570, 592 (2008), declared "we find that [the textual elements of the operative clause of the Second Amendment] guarantees the individual right to possess and carry weapons in case of confrontation. This meaning is strongly confirmed by the historical background of the Second Amendment;"

1

ORDINANCE 2021-14

WHEREAS, the Supreme Court of the United States, in *McDonald v. Chicago*, 561 U.S. 742, 791 (2010), found that "we, therefore, hold that the Due Process Clause of the Fourteenth Amendment incorporates the Second Amendment right recognized in *Heller*;"

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana, that:

The Code of Ordinances of Warrick County, Indiana, is hereby amended to include a new Section 39.13, entitled "Second Amendment Sanctuary County", as follows:

- (A) The right to keep and bear arms is a fundamental individual right, and shall not be infringed. All local, State, and Federal acts, laws, orders, rules, or regulations regarding firearms, firearms accessories, and ammunition enacted or promulgated that violate the fundamental individual right to keep and bear arms infringe upon the Second Amendment of the Constitution of the United States, and Article 1, Section 32, of the Indiana Constitution.
- (B) The individual right to keep and bear arms predates the Constitution of the United States and the Indiana Constitution. It encompasses the right to legal ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, shooting range activities, private property shooting, and training. Therefore, be it hereby ORDAINED by the Board of Commissioners of Warrick County, Indiana, that the right of the citizens of Warrick County to keep and bear arms shall not be infringed by any agent or representative of Warrick County or any other person.

[Remainder of page intentionally left blank]

2

ORDINANCE 2021-14

Passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 8<sup>th</sup> day of February, 2021.

ATTEST:

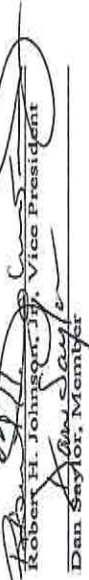
  
Deborah K. Stevens, Auditor  
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

  
Todd I. Glass, Esq. W13982-18  
FINE & HATFIELD, A Professional Corporation  
200 N.W. Second Street, Suite 400, Box 779  
Ellettsville, Indiana 47420-0779  
Telephone: (812) 425-3592  
Warrick County Attorney

WARRICK COUNTY BOARD OF COMMISSIONERS

Terry J. Phillips, President

  
Robert H. Johnson, Jr., Vice President

Dan Saylor, Member

3



RESOLUTION 2021-03

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, PROVIDING FOR THE REIMBURSEMENT OF PUBLIC SAFETY AWARENESS COSTS WITH CARES ACT FUNDING**

**WHEREAS**, in response to the national health emergency caused by the novel Coronavirus 2019 ("COVID-19"), the United States Congress enacted the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), which allowed for the United States Treasury to distribute Coronavirus Relief Funds ("CRF"), and to be used for those purposes set forth in Section 601(a) of the Social Security Act, as added by Section 5001 of the CARES Act;

**WHEREAS**, the State of Indiana received a direct distribution of CRF, and, on November 13, 2020, the Governor of the State of Indiana allocated additional CRF monies for local governments to support the public awareness, education, and compliance with those requirements and restrictions for counties as laid out in Executive Order 20-48 (the "Safety Awareness Program");

**WHEREAS**, under the Safety Awareness Program, Warrick County was allocated \$202,991.00 (the "Allocation Amount"), of which Warrick County requested distribution of the full amount from the Indiana Finance Authority ("IFA") on December 30, 2020;

**WHEREAS**, on February 2, 2021, the IFA approved Warrick County's request for its full allocation amount under the Safety Awareness Program;

**WHEREAS**, upon receipt of the Allocation Amount from the IFA, such funds shall be applied towards the purchase and acquisition of materials, equipment, supplies, and other items which are vital and necessary to Warrick County's COVID-19 response;

**WHEREAS**, Warrick County has designated CARES Act Fund \$900, through which such CRF disbursements are received ("Fund \$900");

**WHEREAS**, as a result of the Governor of Indiana's public health emergency, as declared on March 6, 2020, alternative process is permitted to transfer all or a portion, as determined appropriate by the governing body of Warrick County, of disbursed Safety Awareness Program monies into the general fund;

**WHEREAS**, as a result of Governor's alternative process, the Allocation Amount can be used specifically to reimburse Warrick County for COVID-19 expenses already incurred in 2021 as part of the County's ongoing effort to combat COVID-19, as well as those future contractual obligations and other commitments of the County, so as to ensure that Warrick County and its citizens are prepared and equipped to respond to COVID-19;

**WHEREAS**, following the transfer of the Allocation Amount into the general fund, it is the purpose and intent that such monies be appropriated to Fund No. 1000.3116.000.0068, so as to appropriately and sufficiently facilitate Warrick County's ability to allocate its resources to wards pertaining to COVID-19 throughout the County, including, without limitation, the payment of any contractual obligations incurred in 2021, as well as providing vital assistance to

RESOLUTION 2021-03

those non-profit organizations in Warrick County who have been negatively impacted by the effects of COVID-19 on the local economy.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Warrick County that the following alternative process is hereby established in order to utilize the Allocation Amount of Safety Awareness Program funds allocated to Warrick County:

1. Following the IFA's disbursement of the Allocation Amount, said monies shall be initially received into Fund \$900;
2. Thereafter, instead of moving expenditures from the originating fund to the Fund \$900, a claim shall be created against Fund \$900 for the amount, up to the Allocation Amount, that Warrick County determines shall be received into the general fund;
3. The monies claimed shall be received into the general fund, at which point the normal appropriation procedures shall apply to the expenditure of the Allocation Amount; and
4. Thereafter, it is the intent of the Board of Commissioners of Warrick County that such funds be appropriated to Fund No. 1000.3116.000.0068, as determined by the Warrick County Council, with such monies to be used and applied according to the purposes of said Fund.


This Resolution shall be effective as of February 8, 2021.

*[Remainder of page intentionally left blank]*


RESOLUTION 2021-03

Passed and adopted by the Board of Commissioners of Warrick County this 8<sup>th</sup> day of February, 2021.

ATTEST:

  
Deborah K. Stevens, Auditor  
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:

  
Todd I. Glass, Esq. #13982-18  
FINE & HATFIELD, A Professional Corporation  
520 N.W. Second Street, P.O. Box 779  
Evansville, Indiana 47705-0779  
Telephone: (812) 425-3992  
Warrick County Attorney

WARRICK COUNTY  
BOARD OF COMMISSIONERS

  
Terry Williams, President  
  
Robert H. Johnson, Jr., Vice-President  
  
Dan Saylor, Member










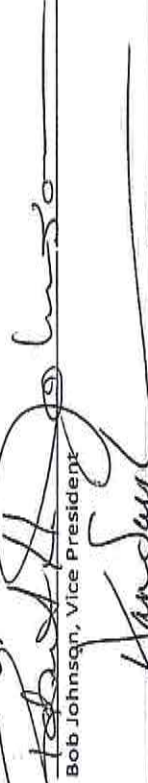




Warrick County Claims for Payment  
 Commissioner's Meeting - Monday, February 8th, 2021

APPROVED FEB 0 8 2021

Office Depot (Area Plan)

Total: \$ 74.63 Tissues, Cups  
 \$ 74.63

Terry Philippe, President  
  
 Bob Johnson, Vice President  
  
 Dan Saylor, Member  
  
 Debbie Stevens, Auditor  


WARRICK COUNTY, INDIANA

Governmental Unit

Monday, February 1, 2021

ACCOUNTS PAYABLE VOUCHER REGISTER

Notes: (1) Use both sides of form; if needed, Signatures of preparer and certifier are required. (2) The Memorandum column is for entering action on accounts payable meeting of governing board, or for other pertinent information.

Filed	Name of Claimant	Department	Amount of Voucher	Amount Allowed	Warrant#	Certified
	CLERK	1000-0001	\$ 25,924.62			No confirmation from HR on COVID pay
	AUDITOR	1000-0002	\$ 16,811.92			
	TREASURER	1000-0003	\$ 6,874.47			
	RECORDER	1000-0004	\$ 6,378.80			No confirmation from HR on COVID pay
	SHERIFF	1000-0005	\$ 104,764.64			
	SURVEYOR	1000-0006	\$ 3,852.68			
	CORNER	1000-0007	\$ 4,228.60			
	ASSESSOR	1000-0008	\$ 12,697.71			No supporting documentation
	PROSECUTING ATTORNEY	1000-0009	\$ 19,503.28			
	EXTENSION OFFICE	1000-0011	\$ 1,807.35			
	VETERAN'S AFFAIRS	1000-0012	\$ 2,673.73			
	COUNTY COUNCIL	1000-0061	\$ 4,772.37			
	COMMISSIONERS	1000-0068	\$ 11,507.65			
	AREA PLAN COMMISSION	1000-0079	\$ 7,382.05			No confirmation from HR on COVID pay
	COURT HOUSE	1000-0162	\$ 6,603.22			
	SUPERIOR COURT #1	1000-0201	\$ 14,488.22			
	SUPERIOR COURT #2	1000-0202	\$ 31,425.59			
	CIRCUIT COURT	1000-0232	\$ 12,615.76			
	PUBLIC DEFENDER	1000-0271	\$ 7,285.23			
	EMERGENCY MANAGEMENT	1000-0302	\$ 5,747.88			
	CENTRAL DISPATCH	1000-0303	\$ 21,911.66			No confirmation from HR on COVID pay
	JAIL	1000-0380	\$ 35,696.25			No confirmation from HR on COVID pay
	CHILD SUPPORT	1000-0660	\$ 4,081.66			No supporting documentation
	ECONOMIC DEVELOPMENT	1112	\$ 12,847.48			
	CUM BRIDGE	1195	\$ 5,241.45			
	CUMULATIVE DRAIN	1141	\$ 2,481.20			
	HEALTH DEPT.	1159	\$ 18,078.78			
	LOCAL HEALTH MAIN	1168	\$ 979.12			
	HIGHWAY DEPT.	1173	\$ 16,475.58			
	MISDEMEANANT	1175	\$ 1,545.68			
		1176-0530	\$ 9,861.19			
		1176-0531	\$ 23,963.67			
		1176-0533	\$ 4,549.40			
		1176-9604	\$ 7,115.33			
	HIGHWAY DEPT.	1181	\$ 378.00			
	PLAT		\$ 2,272.87			
	RECORDER PERPETUATION	1189	\$ 13,000.84			No confirmation from HR on COVID pay
	STORMWATER MANAGEMENT	1197	\$ 384.80			
	GAL-CIRCUIT COURT	1211	\$ 1,680.80			
	ELECTION	1215	\$ 11,003.32			
	PARKS DEPT.	1219	\$ 6,410.35			
	PROPERTY REASSESSMENT	1224	\$ 897.74			
	SUPERIOR #1/CIRCUIT PROBATION	2000	\$ 32.85			
	CIRCUIT COURT - PROBATION	2001	\$ 2,854.74			No supporting documentation
	PRETRIAL DIVERSION	2504	\$ -			
	COMMUNITY CORRECTIONS	4901	\$ 3,919.35			
	BUILDING COMMISSION	4908	\$ 4,033.12			
	DD/DC PROG INCOME	4921	\$ 2,963.80			No supporting documentation
	VOCA	8075	\$ 1,490.38			
	COM CORR-Drug Court	8150	\$ 5,047.48			No supporting documentation
	OFFICE OF PROSECUTING ATT	8895	\$ 3,748.40			
	CASA	9121	\$ 739.20			
	CASA	9141	\$ 6,831.09			
	COMMUNITY CORRECTIONS	9205	\$ 1,264.42			
	ADULT COMM BASED SUP - DC	9210	\$ 541,156.97			
		Total	\$ 641,156.97			



I hereby certify that each of the above listed vouchers and the invoices, or bills attached as indicated in the Certified column hereto, are true and correct and I have audited the same in accordance. Claims without supporting documentation cannot be certified as true and correct.

Monday, February 1, 2021

Debbie Stevens, Fiscal Officer

ALLOWANCE OF VOUCHERS IC 5-11-10-2 permits the governing body to sign the accounts payable voucher register, consisting of one (1) page, and except for vouchers are not allowed as shown on the register such vouchers are allowed in the total \$ 541,156.97

  
Dan Saylor, County Commissioner

  
Robert Johnson, County Commissioner

  
Terry Phillips, County Commissioner

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