

**WARRICK COUNTY BOARD OF COMMISSIONERS MEETING**

REGULAR SESSION  
COMMISSIONERS MEETING ROOM

107 W. Locust Street, Suite 303

Boonville, Indiana

May 8, 2023

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 John Goth and Administrator Heather Soberg were in attendance.

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

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

**PLEDGE OF ALLEGIANCE**

**AREA PLAN COMMISSION  
REQUEST FOR REDUCTION OF SURETY  
SPRING CREEK SUBDIVISION**

Area Plan Director Molly Barnhill presented a Request for Reduction of Surety for Spring Creek Subdivision, Spring Haven, LLC, by John Elpers, Manager. A letter of credit is being held for \$20,631.60 guaranteeing street, sidewalk and drainage construction. The developer is requesting a one-year extension at the reduced amount of \$4,030.00. They have had six years. The current letter of credit expires June 9, 2023. Assistant Engineer Steve Sherwood was present for County Engineer Bobby Howard and said Mr. Howard had signed off on the request. Commissioner Bob Johnson made the motion to approve the reduction. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

*(Spring Creek Reduction is located on Page 7 of these Official Minutes)*

**REQUEST FOR RELEASE OF SURETY  
DEER CREEK II**

Ms. Barnhill presented a Request for Release of Surety for Deer Creek II, John R. Camp and Linda K. Stoltz. The amount of \$3,151.00 is being held in escrow guaranteeing shared driveway construction. They have had one month. The surety expires April 18, 2024. County Engineer Bobby Howard has signed off that it's been done. Commissioner Dan Saylor made the motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

*(Deer Creek II Release is located on Page 8 of these Official Minutes)*

**STREET CONSTRUCTION PLANS  
PP-23-05 ALLEN MEDICAL SUBDIVISION**

Ms. Barnhill presented Street Construction Plans for PP-23-05, Allen Medical Subdivision, Section 2. The petitioner/owner is SWISH, LLC by Phillip Rawley, Registered Agent. It's approximately 30.813 acres located on the north side of Warrick Trail approximately 925' east from the intersection formed by Warrick Trail and Epworth Road. It is Lot 3 in the Allen Medical Subdivision and recorded in Document #2017R-006701 in the Warrick County Recorder's Office, Ohio Township 20-6-9. It was advertised in the Standard, April 27, 2023. They are requesting no improvements to Warrick Trail. Mr. Jim Farney with Lochmueller Group was present to represent the owner and passed out copies of the plat. They needed to do a replat and went over why they were requesting that no streets be required. Steve Sherwood stated that Mr. Howard said no improvements were needed to Warrick Trails and the existing four lane asphalt streets. He did say that as lots are developed, they will be required to get commercial driveway permits to access the roadways. Commissioner Saylor asked if the sidewalks were affected. Mr. Farney said nothing was on the north side; everything is on the south side in this section. It was stated again that Mr. Howard was good with it. Commissioner Dan Saylor made a motion to approve the plans. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

*(PP-23-05 is located on Pages 8 through 10 of these Official Minutes)*

**PP-23-06, BLUEGRASS SUBDIVISION**

Ms. Barnhill presented another set of Street Construction Plans for PP-23-06, Bluegrass Subdivision. The petitioner/owner is Campbell Township, LLC by Jerry Aigner, Member. It's approximately 483.15 acres located on the north side of Ayrshire Road and south of Kansas Road between Stevenson Station Road and Asbury Cemetery Road. It's in Campbell Township 29, 28, 21; 20-5-9. It was advertised in the Standard, April 27, 2023. They are requesting no improvements to Ayrshire Road, Kansas Road, Stevenson Station Road, or Asbury Cemetery Road. Jim Morley, Jr was present to discuss these plans. Ms. Barnhill stated that she didn't have a sign off on these plans. Mr. Morley said that his client had asked for no road improvements but, through conversations, would be willing to post a bond to pay for damages to the road. He said that Mr. Howard had a number of \$26,500.00 which would be half the cost of a double chip and seal with a two-inch rock base. Steve Sherwood concurred with what Mr. Morley stated for the three-

quarter mile roadway. Mr. Sherwood said this would post as a surety so they could redo the road when the Board would like it done. Ms. Barnhill questioned how it would be held, as a letter of credit or would it go into the donation fund. Mr. Sherwood said it could be done however the board wished. APC preferred it going into the donation fund to be used when needed and it wouldn't affect the subdivision. There was discussion on how this would be held and when and how it would be paid. Mr. Morley stated the issues with writing a check for half was it could end up not costing as much and he doubted they could be reimbursed. The Commissioners asked if tabling for further discussion would be possible, but Mr. Morley needed the plat approved tonight. They decided to circle back to this agenda item so he could make a call to his client.

**ACTION AGENDA  
APPROVAL OF MINUTES  
APRIL 24, 2023 REGULAR MEETING MINUTES**

The minutes from the April 24, 2023 Regular Session Meeting were presented. Commissioner Bob Johnson made the motion to approve the minutes as presented. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**COUNTY ADMINISTRATOR  
CONSENT AGENDA**

County Administrator Heather Soberg presented the following items on the Consent Agenda:

1. County Auditor Claims Voucher Report Date 05/03/2023
2. Payroll Voucher Date 05/05/2023
3. Clerk's Monthly Report March 2023
4. Five Star Security Panic Button Proposal
5. Tournament of Roses Parade Week Proclamation
6. Run Victoria Temporary Road Closure May 27<sup>th</sup>

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

*(Claims are located on Pages 11 through 13 of these Official Minutes)*

*(Payroll is located on Page 13 of these Official Minutes)*

*(Clerk's Report is located on File in the Auditor's Office)*

*(Five Star Proposal is located on Page 13 of these Official Minutes)*

*(Proclamation 2023-01 is located on Page 16 of these Official Minutes)*

**COUNTY ATTORNEY  
ORDINANCE ESTABLISHING SPECIAL EVENTS PERMITS CHAPTER  
ORDINANCE 2023-10**

Attorney John Goth presented Ordinance 2023-10, an Ordinance establishing a Special Events Permits Chapter. This is to give the Health Department a heads up and supervision for certain events going on throughout the county. Examples given were farmer's markets or where there will be a lot of food vendors, food trucks, or caterers coming to the event so the Health Department is aware and whether something needs to be done. Attorney Goth stated that this puts some responsibility on the event organizer. There are no fees are involved with the permits that are issued. Commissioner Phillippe asked about getting the word out especially since there would be fines if events did not have the required permit. Attorney Goth said that it would have to be published because there are fines attached to it for violations. Commissioner Bob Johnson made the motion to approve Ordinance 2023-10. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

*(Ordinance 2023-10 is located on Pages 14 through 15 of these Official Minutes)*

**BAIRD ENGAGEMENT LETTER**

Attorney Goth told the Commissioners that the Baird Engagement Letter tabled from the April 24, 2023 Commissioner Meeting needs to be tabled again. Commissioner Dan Saylor made the motion to table to the May 22, 2023 meeting. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

**ACQUISITIONS ADMINISTRATOR  
REVIEW PROPOSALS FOR COUNTY FIRE PROTECTION**

Acquisitions Administrator Sherrie Sievers presented bids for the fire protection of Warrick County buildings. Bids were done pursuant to IC 5-22-6. There are ten different county properties that were in the bid for protection. She reached out to four different companies and three responded. She announced the following bids:

- |                              |            |
|------------------------------|------------|
| 1. Koorsen                   | \$4,065.00 |
| 2. Tri-State Fire Protection | \$3,627.00 |
| 3. Alpha Energy              | \$6,815.00 |

Commissioner Saylor asked what services they were getting. Ms. Sievers stated that each property had different services they required. She handed out a detailed report of the services for each property. She also stated that none of the properties are under contract for services currently. Commissioner Phillippe asked about subcontracting. As far as she was aware, Tri-State Fire Protection did the work themselves. The only one she was aware that subcontracted is Alpha. Koorsen does everything in house. She also wanted to make note that as far as labor charges, Tri-State was considerably cheaper and fire extinguishers were discounted as well. After a brief discussion, Commissioner Dan Saylor made the motion to award to the lowest bidder, Tri-State Fire Protection, pending legal review. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

*(Tri-State Fire Protection Proposal is located on File in the Auditor's Office)*

**PP-23-06, BLUEGRASS SUBDIVISION CONTINUED**

Mr. Jim Morley came back before the Commissioners on the Street Construction Plans for PP-23-06, Bluegrass Subdivision. His client was good with the payment to the Highway Donation Fund, but requested that the donation be for the road frontage in front of what he records. So, if he records in two halves, he turns in \$13,000.00 the first time and \$13,000.00 the second time. Steve Sherwood stated that there were twenty-four lots to be platted tonight, in addition to the five larger ones. They are very large lots and he's asking for no drainage improvements to those lots until they come back before the Board to be developed. All of Ayrshire Road fronts the twenty-four lots. Mr. Morley said that when the client records a plat, he's asking that if \$26,000.00 is for the whole, that he would donate the prorated amount and that ultimately the Commissioners will get the total. It's just he won't take that big of a hit before he sells his first lot. Commissioner Phillippe asked what the time frame was for the second half of development. Mr. Morley said it depended on how fast the first half sold. Commissioner Johnson pointed out that the road wouldn't be redone in sections, but as a whole. Mr. Morley felt it still wouldn't be done until all the platting was done. But, he knew that the donation couldn't be done at the very end. Mr. Sherwood stated that the County would control the paving and the timing of the paving. Commissioner Saylor stated that he just didn't want to see two years from now there being a bunch of houses built and then they have to go chip and seal the whole thing. Mr. Sherwood, that's why he's asking that the money be im-platted, prorated over that amount and then the rest of the road can be maintained in the shape that the County chooses. Commissioner Phillippe said that the main thing is that they get the money for the road whether it be in installments or the full amount, just so the money is there when it is needed. Commissioner Saylor made the motion to approve payment being paid to the Highway Donation Fund as it is platted for a total of \$26,530.00 for the project. Commissioner Johnson seconded the motion. The motion carried 3-0.

*(PP-23-06 is located on Pages 10 through 11 of these Official Minutes)*

**GRANT DEVELOPMENT DIRECTOR  
COUNTY ARPA PROJECTS**

Grants Development Director Debbie Bennett-Stearnsman brought before the Commissioners reports on all the County ARPA Projects. She went over the paperwork in their packets with all the balances and information on what has been done. She also had numbers available for the contingency and interest funds and touched on the discussions of the Core Group. Ms. Bennett-Stearnsman said that for the most part, things are moving along as they should in the project areas.

**TABLED PROJECTS  
COMPUTER SOFTWARE**

Next items she reviewed were the Tabled Projects. These were projects that needed to be addressed to get them to either move forward or remove them from the books. The first was for the Computer Software for \$450,000.00. This was tabled from September 26, 2022. The Commissioners stated that this had been funded in another way and that it could be removed. Commissioner Bob Johnson made the motion to remove. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**WARNING SIRENS**

The Warning Sirens for EMA for \$200,000.00 were tabled September 26, 2022. EMA Director Jake Greer came up and spoke to it. It was stated that the money doesn't come close to covering the \$800,000.00 to \$1,000,000.00 plus that would be needed for this project to replace all the sirens in the County. They then discussed different aspects of the project. Mr. Greer stated that it takes about \$3,500.00 per pole for the sirens. That doesn't include the equipment. There are several in disrepair or past their life cycle. Commissioner Johnson asked if this money could replace just the poles on all the sirens and fix the siren in Heilmar. Mr. Greer said that it might. There has been discussion about not having the sirens anymore, but the EMA Board would like them kept and updated. Commissioner Phillippe would rather do all of them at once instead of one at a time. There was a brief discussion on the replacement parts and components. Then there was a discussion on applying for additional Federal grants. Commissioner Phillippe felt like

as far as emergency plans, it was in order: Sirens, Code Red, and Weather Apps that people use on their phones. He spoke of the layers of redundancy if an emergency comes. Commissioner Saylor liked the idea of going after grants or low interest loans for doing the project. Commissioner Phillippe said he would like to see the money allocated toward the affording of a bigger plan. Commission Johnson said they should approve it then hold it. Ms. Bennett-Stearnsman said that this money was never obligated, it's just an open application. Ms. Bennett-Stearnsman said she could bring USDA down to talk with them and they can borrow all the money, or use some of this towards it. But, she doesn't think the County is in a position to get any grant money from them because of the income levels. But a low interest loan would be possible. They decided to obligate the money and if not used in six months to revisit. Commissioner Dan Saylor made the motion. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

### **CONTRACT WITH LAMAR – HEALTH DEPARTMENT**

The contract with Lamar for the Health Department was discussed. It was tabled at the April 24, 2023 meeting. It was called into question the work that was done not too long ago during the Courthouse renovation and some of the items on Lamar's list. The requested amount is \$14,800 and the funding was already approved. Tonight is just to approve the contract as they are already doing work and a signed contract needs to be put in place. Legal Counsel has reviewed the contract. Commissioner Saylor made the motion to approve the contract. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

Commissioner Johnson asked where they were at with the Lamar bid for the Animal Shelter. Ms. Bennett-Stearnsman stated that it was \$52,600.00, so, she didn't even bring that up.

### **NEW CORE COMMITTEE RECOMMENDATIONS WARRICK BUCKS**

Economic Development would like to do another round of the Warrick Bucks for small businesses they are calling, Mom's, Dad's and Grads Warrick Bucks. It would be for the amount of \$100,000.00. For every \$100.00 you spend you get \$50.00. Commissioner Dan Saylor made the motion to approve the \$100,000.00 for the Warrick Bucks Program. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

### **4-H FAIRGROUND BUILDING IMPROVEMENTS**

The amount of \$100,000.00 was requested for the improvements to buildings at the 4-H Fairgrounds. They had presented a list of those improvements that needed to be made. The Core Group recommended a not to exceed \$100,000.00 to do the improvements needed. Amanda Mosiman, Center Board liaison; and Jim Williams, Center Board past president, spoke to the request. They have taken some bids and there are a lot of repairs that need to be made. They have priced a new floor for the ALCOA building at \$60,000.00. The boards around the exhibit building are also in need of work for about \$20,000.00. They also need to do electrical updates and drops for the livestock projects for fair. She also had some lower priority items on the list. There was a brief discussion on how rentals were handled for the fairgrounds. She reviewed the Center Board, consisting of twenty-two people, and some of the processes with rentals and repairs and how it functions. All income generated by the fairgrounds goes back into the fairgrounds. She also had reports on their losses due to COVID. President Phillippe had concerns with some sewer issues that they were involved in. Jim Williams spoke to that. President Phillippe said they were told there was a \$50,000.00 unpaid sewer bill at the fairgrounds although he doesn't believe that is accurate. There was a brief discussion on the history of the line. Mr. Williams then said they were not aware of any outstanding bills. All of their bills are current and they have not received anything as far as a delinquency notice. The Commissioners awarded the money with the stipulation that the money can only be used for repair work. Commissioner Bob Johnson made the motion to approve the \$100,000.00 for improvements. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

### **COMPETITIVE APRA PROJECTS NEW CORE RECOMMENDATIONS STUDIO BEE**

Studio Bee had requested \$3,000.00. They will put in an additional \$1,000.00 to take children to an Otters game. There are about three hundred twenty-five children slated to go. Commissioner Saylor made the motion to approve the \$3,000.00. Commissioner Johnson seconded the motion. The motion carried 3-0.

### **CHANDLER PARK SIDEWALKS**

The Chandler Parks were asking for \$100,000.00. The project total is \$140,000.00 to put in new ADA compliant sidewalks in two different areas, the park and around the community center. Misty Dink and Tonya Wester were present from the Town of Chandler to answer questions. Commissioner Johnson made the motion to approve the request. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**J D SHETH**

JD Sheth Foundation has asked for \$50,000.00. They provide affordable and safe housing for low-income families and veterans. They are currently in Vanderburgh County and would like to start a similar program in Warrick County. They raise the funds, get land donated, build and sell the homes. The money for the sale goes back into the foundation to build additional homes. The original request was \$500,000.00. The Core Group recommended \$50,000.00 and asked what they could do with that. Their contact with the group answered that it could contribute to the project, she only needed to know when it had to be spent by. She was told by the end of 2026 which didn't seem to be a problem. Commissioner Phillippe made the request that she talk to Jed Gamble the Warrick VA Officer. Commissioner Bob Johnson made the motion. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

*(Competitive ARPA Contracts are located on File in the Auditor's Office and the Grants Department)*

**E-REP CONTRACT AMENDMENT  
ADMINISTRATION OF GRANT FUNDS FOR SMALL BUSINESS**

Ms. Bennett-Stearns brought before the Commissioners the amended contract with E-REP to cover their work with the newest round of COVID-3 Grants for small businesses. It was reviewed by Counsel. Commissioner Dan Saylor made the motion to approve the contract. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

*(E-Rep Contract Amendment is located on Page 15 of these Official Minutes)*

**AWARDING OF COVID-3 GRANT FUNDS TO SMALL BUSINESSES LIST IN  
WARRICK COUNTY**

Ms. Bennett-Stearns presented a list of business for the newest round of grant funds. She said it had changed slightly since she sent it out by email. One business on the list was actually in Newburgh and when moved from the list, it changed the figures just a bit making the breakdown \$5,250.00, \$4,250.00, and \$3,750.00 for the matrix that was used to score. There are forty-eight business that employ one hundred forty-three full time equivalent new jobs. That doesn't mean that's how many jobs there are; that means full time equivalent. There's more like two hundred jobs. Most of those are to low-income persons. Ms. Bennett-Stearns went over the process for the businesses and the scoring and application review. Attorney Goth stated that the new amended list could be approved as presented. Commissioner Dan Saylor made the motion to approve the list. Commissioner Bob Johnson seconded the motion. The motion carried 2-0-1 with Commissioner Terry Phillippe abstaining.

The Commissioners thanked Ms. Bennett-Stearns for all her work and President Phillippe's call to the Statehouse. Commissioner Saylor praised the teamwork of all those in the Commissioner's Office.

*(Contracts for the Awarded Businesses are located on File in the Auditor's Office)*

**COUNTY ENGINEER/HIGHWAY  
TELEPHONE ROAD RIGHT OF WAY ACQUISITION DISCUSSION ON REMAINING  
PARCELS**

Mr. Ed Slaton with Lochmueller Group was present to review the remaining parcels in the Telephone Road Project. They are still in negotiations with the remaining unsettled parcels. They aren't filing on all of them yet, but they need to start the condemnation process with sending the ten-day letters on the parcels that have not yet signed. Some will settle before the deadline. Currently, there are seventy-four total parcels and they have settled sixty-six. He reviewed some of the parcels left. Attorney Goth will start the filing process with the approval. Mr. Slaton said that the court process takes time so they need to stay on top of it to keep the project on schedule. Commissioner Dan Saylor made the motion to approve the Right-of-Way Acquisitions. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

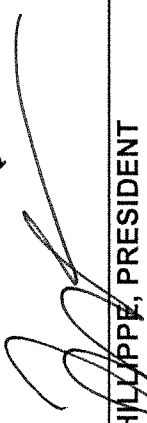
**BAIRD ENGAGEMENT LETTER - SECURITY CENTER PROJECT BONDS**

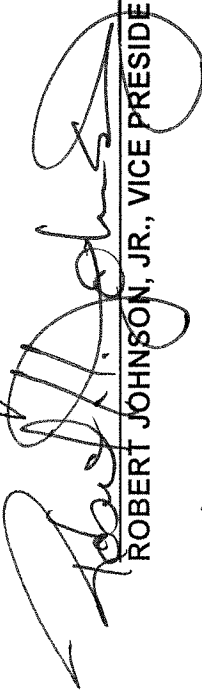
This was tabled on April 24, 2023 and again at today's meeting under the Attorney's items.

**ADJOURNMENT**

The next Warrick County Commissioners' meeting will be held on Monday, May 22, 2023 in the Commissioners' meeting room at 4:00 PM. Commissioner Bob Johnson made the motion to adjourn. Commissioner Dan Saylor seconded the motion. The motion carried 3-0. Meeting adjourned at 5:23 P.M.

**WARRICK COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
TERRY PHILIPPE, PRESIDENT

  
\_\_\_\_\_  
ROBERT JOHNSON, JR., VICE PRESIDENT




  
\_\_\_\_\_  
DAN SAYLOR, MEMBER

ATTEST:   
\_\_\_\_\_  
MICHAEL J. DIETSCH, AUDITOR  
WARRICK COUNTY, INDIANA

Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary

**Reduction of Surety**  
Spring Creek PUD Sec 1 Subdivision  
Knight Creek, LLC  
May 8, 2023

BOARD OF COMMISSIONERS:

\_\_\_\_\_  
President  
  
\_\_\_\_\_  
Member  
  
\_\_\_\_\_  
Member  
ATTEST:   
Auditor  
Date: 5-9-23



April 27, 2023

Warrick County Area Plan Commission  
107 W. Locust Street  
Courthouse - Room 201  
Boonville, IN 47601

RE: Spring Creek Subdivision  
Newburg, IN  
Our Project No.: 16-2558

On behalf of the developer, Spring Haven LLC, we request that the current letter of credit for street construction in the amount of \$550,000 be extended for one year for Spring Creek Subdivision.

If you have any questions, please do not hesitate to contact me.

Sincerely,

DASH WAGNER & ASSOCIATES, P.C.

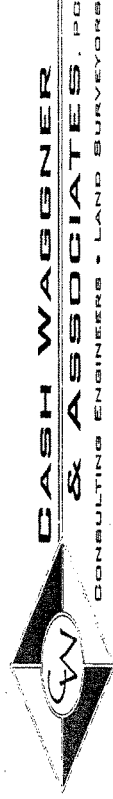
Glen Merritt, Jr., P.E.  
Project Engineer

Cc: File

*[Handwritten signature]*

FILED  
APR 27 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION

414 BILKETS DRIVE, SUITE 201, BOONVILLE, IN 47601  
PHONE: 812.461.5553 FAX: 812.461.5553  
EMAIL: GLEN.MERRITT@DASHWAGNER.COM WWW.DASHWAGNER.COM



April 27, 2023

Warrick County Area Plan Commission  
107 W. Locust Street  
Courthouse - Room 201  
Boonville, IN 47601

RE: Spring Creek Subdivision  
Drainage Certification  
Our Project No.: 16-2558

A portion of the drainage improvements required for Spring Creek Subdivision are in place and have been constructed in relative conformance with the approved drainage plan.

Items remaining to be completed:

- 1. Flush and Clean Storm Sewer System - \$1,500
- Sub-total Cost to Complete Storm Sewer Construction = \$1,500.00
- 10% Contingency = \$150.00

**Total Remaining Cost to Complete Storm Sewer Construction = \$1,650.00**

We ask that you inspect the improvements and approve the cost estimate.

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

Sincerely,

DASH WAGNER & ASSOCIATES, P.C.

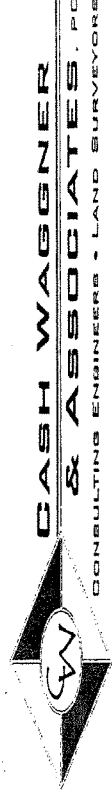
Glen Merritt, Jr., P.E.  
Project Engineer

Cc: File

*[Handwritten signature]*  
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5-8-2023

FILED  
APR 27 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION

414 BILKETS DRIVE, SUITE 201, BOONVILLE, IN 47601  
PHONE: 812.461.5553 FAX: 812.461.5553  
EMAIL: GLEN.MERRITT@DASHWAGNER.COM WWW.DASHWAGNER.COM



April 27, 2023

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

RE: Spring Creek Subdivision  
Sidewalk Certification  
Project No.: 16-2558

A portion of the sidewalks have been constructed within Spring Creek Subdivision.

Items remaining to be completed:

- 1. 122-LF of 4' sidewalk on Wyatt Court @ \$15.00/LF - \$1,830.00

**Total Cost to Complete Sidewalk Construction = \$1,830.00**

We ask that you approve the sidewalk cost estimate.

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

Sincerely,

DASH WAGNER & ASSOCIATES, P.C.

Glen Merritt, Jr.  
Project Engineer

Cc: File

*[Handwritten signature]*

FILED  
APR 27 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION

Deer Creek II  
Request for Release of Surety  
May 8, 2023

BOARD OF COMMISSIONERS:

President  
*[Signature]*

Member  
*[Signature]*

Member  
*[Signature]*

ATTEST:  
Auditor  
Date: 5/8/23



April 20, 2023  
Warrick County Engineer's Office  
Allen, Bobby Howard, P.E.  
107 W. Locust Street, Suite 208  
Boonville, IN 47601

RE: Deer Creek II  
Engineer's Certification  
Our Project #12219-4.001-C

Dear Bobby,

On behalf of our client, we are requesting the release of the surety for the shared driveway of the proposed construction located on the shared driveway between the shared driveway and Ayshire Road. We have inspected the shared driveway, and it has been constructed in general compliance with the approved construction plans.

Thank you,

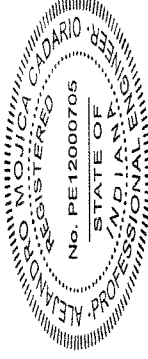
*Alejandro Mojica*  
Alejandro Mojica, P.E.

812.464.8585 office 812.464.2514 fax  
4400 Rosebud Ln., Newburgh, IN 47630  
FINLEYcorp.com

APR 20 2023

WARRICK COUNTY  
AREA PLAN COMMISSION

*[Signature]*  
Bobby



Cc: Warrick APC - Molly Barnhill  
John R Stoliz  
File

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PP-23-05

WARRICK COUNTY, INDIANA  
Board of County Commissioners  
Court House  
Boonville, IN 47601

Allen Medical Sec. 2

**CERTIFICATE OF COMPLIANCE**  
Plan and Specifications: Street Construction

Submission Date: March 22, 2023  
Probable Start Construction: Summer 2023  
Probable Finish Construction: Summer 2023  
Project Location: Located on the North side of Warwick Trail 222, to 2000' East of the Intersection of Warwick Trail and Exmouth Road

Describe in detail type of street construction:

NONE

Storm Water Drainage Improvements Erosion Control Measures:

**Lots 3A & 3B Storm Drainage Improvements**

DESCRIPTION	CITY	UNITS	COST	TOTAL COST
Mess Excavation	43,348	CY'S	\$4.50	\$195,086
18" Pipe	25	LFT	\$72	\$67,520
24" Pipe	412	LFT	\$96	\$39,352
15' End Section	1	EA	\$600	\$600
24" End Section	1	EA	\$960	\$960
Seed	5000	TONS	\$4.50	\$22,500
Fertilizer	8	TONS	\$650	\$5,200
Mulch	40	TONS	\$400	\$16,000
				TOTAL \$

FILED  
APR 03 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION

**Lots 3C**

DESCRIPTION	CITY	UNITS	COST	TOTAL COST
Erosion Control	26,240	CY'S	\$4.50	\$118,080
15" Pipe	5	LFT	\$60	\$300
15" Pipe	5	LFT	\$60	\$300
15" Pipe	15	TONS	\$40	\$600
Seed	2000	LB'S	\$4.50	\$9,000
Fertilizer	4	TONS	\$650	\$2,600
Mulch	16	TONS	\$400	\$6,400
				TOTAL \$

Name the Streets the Area Plan Commission has required sidewalks and what is the estimated cost for this construction: (N/A)

Seed  
Fertilizer  
Mulch  
Total Estimated Cost of Street and Sidewalk Construction is \$



I/We the Owner/Owners of the above-named subdivision certify that the information given above is correct and I/We will build all Storm Water drainage improvements and erosion control measures accordingly and in compliance with the Drainage Plans.

Owner/Owners Name: Philip Rawley

(Typed)

Signature: PR

Address: 275 CAVALERA DRIVE, PARSONS, IN 47715

I certify that to the best of my knowledge and belief:

That these plans and specifications for this subdivision are in compliance with the Storm Water Drainage Act and the Erosion Control Ordinance for Warrick County, Indiana.

That the plans and specifications as presented and attached hereto are under my dominion and control and were created by my employees and me.

Signature: [Signature]

FILED

APR 03 2023

Typed Name: James A. Eamy

AREA PLAN COMMISSION

Engineer  Licensed Land Surveyor  Ind. Reg. No. 600 20434

Address: 6200 Yorkel Rd Evansville, IN 47715 Phone No.: 812-479-6200

SEAL

I will perform reasonable and periodic inspection of this project during construction to determine that such construction is in accordance with the plans and specifications for this project as approved by the Board of County Commissioners, Warrick County, Indiana, and attached hereto.

Signature: [Signature]

Typed Name: James A. Eamy

Engineer  Licensed Land Surveyor  Ind. Reg. No. 600 20434

Address: 6200 Yorkel Rd Evansville, IN 47715 Phone No.: 812-479-6200

SEAL

Reviewed By: Area Plan Commission

Date: \_\_\_\_\_ Comments: \_\_\_\_\_

Reviewed By: County Engineer

Date: \_\_\_\_\_ Comments: Approved

By: [Signature]

(If needed additional space provided on back page)

FILED  
APR 03 2023  
AREA PLAN COMMISSION

APPROVAL GRANTED BY THE BOARD OF COUNTY COMMISSIONERS THIS  
DAY OF \_\_\_\_\_ 20\_\_

[Signature]  
PRESIDENT  
ADMINISTRATIVE  
MEETING

ATTEST:  
[Signature]  
COUNTY CLERK

Additional Space for Comments: \_\_\_\_\_

FILED  
APR 03 2023  
WARRICK COUNTY COMMISSION  
AREA PLAN COMMISSION

Four (4) Copies of the Certificate of Compliance accompanied by four (4) copies of the plans and specifications for street construction shall be submitted to the Board of County Commissioners for approval. Approval of the certificate and plans and specifications shall be returned to the property owner. The County Engineer shall be retained by the Licensed Land Surveyor or Engineer and the property owner shall receive a copy.



6200 Vogel Road, Evansville, Indiana 47717, 812-479-6200

April 24, 2023

Warrick County Commissioners  
107 W. Locust Street, #301  
Boonville, Indiana 47601

FILED  
APR 24 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION

RE: Replat Lot 3 of Allen Medical Subdivision  
Lochmueller Project No: 122-0090-000

Dear Commissioners:

The owner of the proposed replat of Lot 3 of Allen Medical Subdivision, recorded in Document 2017R-00670 dated 08/03/2017 respectively requests that no street improvements be required. Lot 3 is being platted into three (3) lots all of which have frontage on Warrick Trail thus negating the need for new street construction.

If you have any questions or need additional information, feel free to contact me.

Sincerely,

LOCHMUELLER GROUP, INC.

*James A. Farny*  
James A. Farny, PE  
Senior Engineer 1 - Associate

WARRICK COUNTY, INDIANA  
Board of County Commissioners  
Court House  
Boonville, IN 47601

Certificate of Compliance - Blockpave  
Plan and Specifications - Street Construction

Submission Date: April 14, 2023

Probable Start Construction: May 2023

Probable Finish Construction: May 2023

Project Location: Property located North of Avshire Rd and South of Kansas Rd between Stevenson Station Rd and Asbury Cemetery Rd in Chandler, IN 47610.

Describe in detail type of street construction:

0 LF of 30" (Back-of-Curb to Back-of-Curb) roadway consisting of twenty-six (26) feet of concrete pavement or asphalt pavement with two (2) foot wide curb and gutter along each side. It shall have:

- 1) Concrete Pavement
- 2) 4" Granular Base - #53

----- Or -----

- 1) Asphalt Pavement
- 2) 1.5" Sand
- 3) 2.5" HAC binder - base
- 4) 4" granular base - #53

All storm sewers shall be High Density Polyethylene (HDPE), or Re-inforced Concrete Pipe (RCP) where specified.

All earthwork shall be compacted to 95% standard proctor.

Lawn area within the roadway right-of-way and all drainage ditches and swales to be seeded.

TOTAL Streets - \$0

TOTAL Signs - \$0

TOTAL Miscellaneous - \$0

TOTAL Storm Sewer - \$0

TOTAL Sidewalks - \$0

FILED  
APR 19 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION

J:\0000\9500-9999\9502\Civil 3D\Documents\Primary\9502 Primary Plat Certificate of Compliance.docx Page 1

I, the Owner of the above-named subdivision certify that the information given above is correct and I will build all named streets accordingly and in compliance with the plans and specifications as submitted and attached hereto.

Owner name: Jerry Alaner - Member Campbell Township, LLC

Signature: *Jerry Alaner*  
Address: 844 N Baker Rd, Boonville, IN 47601

I certify that to the best of my knowledge and belief:

That these plans and specifications for this subdivision are in Compliance with the Standards for road and street construction as set forth in the subdivision Control Ordinance for Warrick County, Indiana.

That the plans and specifications as presented and attached hereto are under my dominion and control and were created by me and my employees.

Signature: *James E. Morley*

Typed Name: James E. Morley

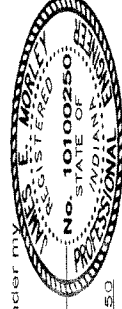
Engineer:  Licensed Land Surveyor

Address: 4800 Rosebud Lane, Newburgh, IN 47630

Ind. Reg. No. 10100250

Phone No. 812-464-9585

SEAL



I will perform reasonable and specific inspection of this project during construction to determine that each construction is in accordance with the plans and specifications for this project as approved by the Board of County Commissioners, Warrick County, Indiana, and attached hereto.

Signature: *James E. Morley*

Typed Name: James E. Morley

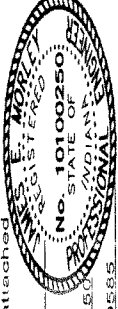
Engineer:  Licensed Land Surveyor

Address: 4800 Rosebud Lane, Newburgh, IN 47630

Ind. Reg. No. 10100250

Phone No. 812-464-9585

SEAL



J:\0000\9500-9999\9502\Civil 3D\Documents\Primary\9502 Primary Plat Certificate of Compliance.docx Page 2  
FILED  
APR 04 2023  
WARRICK COUNTY  
AREA PLAN COMMISSION



MEMBER	ADDRESS	PHONE	EMAIL	DATE	STATUS	DEPARTMENT	AGENCY	EMPLOYEE	DATE	STATUS	DEPARTMENT	AGENCY	EMPLOYEE
WARRICK COUNTY BOARD OF COMMISSIONERS	WARRICK COUNTY BOARD OF COMMISSIONERS	765.831.2345	board@warrickcounty.com	05/08/2023	Present	Public Works	Warrick County	David A. Leal	05/08/2023	Present	Public Works	Warrick County	David A. Leal
DAVID A. LEAL	4000 N. WARRICK BLVD.	765.831.2345	dleal@warrickcounty.com	05/08/2023	Present	Public Works	Warrick County	David A. Leal	05/08/2023	Present	Public Works	Warrick County	David A. Leal
CHRISTOPHER C. BURRIS	1515 N. WARRICK BLVD.	765.831.2345	cburris@warrickcounty.com	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris
CHRISTOPHER C. BURRIS	1515 N. WARRICK BLVD.	765.831.2345	cburris@warrickcounty.com	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris
CHRISTOPHER C. BURRIS	1515 N. WARRICK BLVD.	765.831.2345	cburris@warrickcounty.com	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris
CHRISTOPHER C. BURRIS	1515 N. WARRICK BLVD.	765.831.2345	cburris@warrickcounty.com	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris	05/08/2023	Present	Public Works	Warrick County	Christopher C. Burris



**ORDINANCE 2023-10**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, ESTABLISHING A NEW CHAPTER 137 OF THE CODE OF ORDINANCES OF WARRICK COUNTY, INDIANA**

**WHEREAS**, pursuant to Indiana Code 36-8-2-4, Warrick County may, by ordinance, regulate, construct, or use of possession of property, that might endanger the public health, safety, and welfare;

**WHEREAS**, the Warrick County Department of Health operates as an agency of local government administratively responsible for carrying out those duties and responsibilities as may be deemed necessary and appropriate by the Board of Commissioners of Warrick County;

**WHEREAS**, the Warrick County Department of Health recommends the Board of Commissioners of Warrick County establish a new chapter to the Warrick County, IN Code of Ordinances regulating certain special events held in Warrick County which may impact the health, safety, and welfare of the citizens of Warrick County;

**WHEREAS**, the Board of Commissioners of Warrick County, Indiana, desires to establish a new Chapter 137 of the Code of Ordinances of Warrick County, Indiana, for the purpose of regulating and permitting of food establishments operating in Warrick County, Indiana.

**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 Chapter 137, entitled "Special Events", which shall be as follows:**

§ 137.01 **PURPOSE.**

The purpose of this Chapter is to regulate certain events or gatherings in Warrick County at which food or beverage will be served or offered.

§ 137.02 **DEFINITIONS.**

For the purposes of this Chapter, the following terms shall have the following meanings unless otherwise designated:

**EVENT ORGANIZER** means a person, party, or entity that oversees, supervises, or organizes a Special Event and/or that has submitted an application for the registration of a Special Event under this Chapter.

**ORDINANCE 2023-10**

**FOOD ESTABLISHMENT** means any Food Establishment as that term is defined under § 134.01 of the Warrick County, IN Code of Ordinances.

**HEALTH DEPARTMENT** means the Warrick County Health Department.

**HEALTH OFFICER** means the Warrick County Health Officer, or its duly authorized representative.

**HOME BASED VENDOR** means any person who prepares and sells food products in accordance with Ind. Code 16-42-5.3, *et seq.*

**MOBILE FOOD VENDOR** means any Mobile Food Vendor as that term is defined under § 134.01 of the Warrick County, IN Code of Ordinances.

**PERSON** means, without limitation, any individual, partnership, limited liability company, corporation, non-profit organization, charitable organization, religious or educational institution, trust, or any commercial association or venture, however defined.

**SPECIAL EVENT** means an event or gathering, including farmers markets, that involves the sale or distribution of food or beverages on streets, sidewalks, alleys, or other public places or public property, or on private property where otherwise prohibited by law.

**TEMPORARY FOOD ESTABLISHMENT** means a Temporary Food Establishment as that term is defined under § 134.01 of the Warrick County, IN Code of Ordinances.

§ 137.03 **PERMITS.**

(A) *Permits Required.*

(1) It shall be unlawful for any Person to conduct, host, or organize a Special Event without registering with, and having a valid permit issued by, the Health Officer. Special Events organized without a valid permit issued by the Health Officer shall be subject to immediate closure.

(2) Any Person intending to organize or host a Special Event shall register the Special Event with the Health Department by completing and submitting the required application on the forms provided by the Health Department.

(B) *Application.*

(1) A Person desiring to organize, conduct, or host a Special Event shall register said Special Event by completing and submitting an application to the Health Department at least thirty (30) days prior to the start of the Special Event.

**ORDINANCE 2023-10**

(2) In addition to any other information sought by the application forms provided by the Health Department, a Person shall include:

- i. A comprehensive list of all Food Establishments, Home Based Vendors, Mobile Food Vendors, and/or Temporary Food Establishments who will at the Special Event and the Temporary Food Establishments who will be at the Special Event and shall include with existing streets, sidewalks, and buildings identified, showing the location of the Special Event and identifying where any Food Establishments, Home Based Vendors, Mobile Food Vendors, or Temporary Food Establishments will be located during the Special Event.
- ii.

(C) *No Permit Fee.* There shall be no fee charged to an Event Organizer for the submission of an application for a Special Event Permit nor the issuance of a Special Event Permit from the Health Officer.

(D) *Permit Duration.* A Special Event permit validly issued under this Chapter shall be valid only for the duration of the Special Event as identified on the application, except as otherwise may be determined by the Health Officer.

(E) *Responsibilities Event Organizer.* For the duration of a Special Event permit validly issued under this Chapter, an Event Organizer shall:

- (1) Comply with the provisions of this Chapter and all laws and rules adopted by reference herein;
- (2) Display a Special Event permit validly issued under this Chapter in a conspicuous location at the Special Event site;
- (3) Immediately notify the Health Department if an Imminent Health Hazard, as defined in 410 IAC 7-2-4-47, may exist;
- (4) Immediately notify the Health Department if there are any changes or alterations concerning the Special Event from what was submitted on the Event Organizer's application for a permit under this Chapter;
- (5) Allow the Health Department, their representatives, or agents, access to the Special Event at all reasonable times; and
- (6) Accept notices issued and served by the Health Department.

**ORDINANCE 2023-10**

§ 137.99 PENALTY.

Any Person who violates any of the provisions of this Chapter or who refuses to comply with any lawful orders, rules, or regulations issued and/or enforced by the Health Officer, as provided in this Chapter, shall incur a penalty as follows:

- (A) For a first offense, a fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00);
- (B) For a second and any subsequent offense, a fine not to exceed Two Thousand Two Hundred Fifty and 00/100 Dollars (\$2,250.00).

Each day in which a Person organizes, conducts, or hosts a Special Event while in violation of this Chapter shall constitute a distinct and separate offense.


**Passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 8<sup>th</sup> day of May, 2023.**

**WARRICK COUNTY BOARD OF COMMISSIONERS**

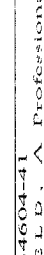
  
 Terry Phillippe, President  
 Robert H. Johnson, Jr., Vice President

Dan Saylor, Member

**ATTEST:**

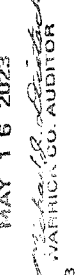
  
 Michael Dietrich, Auditor  
 Warrick County, Indiana

**APPROVED AS TO LEGAL FORM:**

  
 John L. Goff, Esq., #34604-41  
 FRENCH & HATHFIELD, A Professional Corporation  
 520 N.W. Second Street, P.O. Box 779  
 Evansville, Indiana 47705-0779  
 Telephone: (812) 425-3592  
 Warrick County Attorney

APPROVED MAY 08 2023

**FILED**  
MAY 16 2023

  
 WARRICK CO. AUDITOR

**CONTRACT ADDENDUM TO  
 CONTRACT FOR ADMINISTRATIVE SERVICES  
 OCRA COVID-19 RESPONSE PROGRAM - PHASE 3**

This Contract Addendum (the "Agreement") is effective May 8, 2023.

**BETWEEN:** Warrick County Commissioners, 107 W. Locust Street, Boonville, IN 47601 (Party A)

**AND:** Evansville Regional Economic Partnership, 318 Main Street, Ste. 400, Evansville, IN 47708 (Party B)

Collectively, Warrick County Commissioners and Evansville Regional Economic Partnership shall be referred to as the "Parties".

**WHEREAS,** the Parties entered in to a Contract for Administrative Services OCRA COVID-19 Response Program - Phase 3 (the "Contract") dated 5-27-21 for the purpose administering OCRA COVID-19 response grant funds; and

**WHEREAS,** the Parties desire to amend the Contract on the terms and conditions set for this in this Contract Addendum (the "Agreement"); and

**WHEREAS,** this Agreement is the first amendment to the Contract.

**NOW, THEREFORE,** the Parties agree amend their obligations in the existing Contract and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform and fulfill the promises, condition and agreements below:

**1. Amendments:**

**1.1 TIME OF PERFORMANCE:** The period of time performance listed in the Contract shall commence immediately upon the execution of this contract in order to assist with grant successful grantee suppliers. The period of time performance shall be the same as set forth in the original contract. The Parties shall be undertaken and completed in such sequence as to ensure the expeditious completion of the project, but in any event all of the services required hereunder shall be completed in a timely manner as required by the Grant Program.

**1.2 COMPENSATION:** Subject to an invoice for payment from Party B and amount in full for the grant, the fee for the Administrative Services shall be as follows: Party A and Party B hereby agree that the fee to be paid to Party B shall be an additional fixed fee price of not more than 2.5% (or \$5,250) of the total grant proceeds. This additional fixed price fee includes the cost of bookkeeping, salaries, supplies, inspections, file management, subcontractors, photos, and all general overhead expenses, such as phone, travel costs, insurance, and postage.

Party B shall invoice the fee of \$5,250 at release of funds as deemed by the grant program. The above fee includes all costs to be incurred by Party B. Upon depletion of the earmarked funds for administrative fees Party B will curtail the submission of invoices and will continue to operate the program until the project has been audited and closed out by program.

**2. NO OTHER CHANGES.**  
2.1 Except as otherwise expressly provided in this Agreement, all of the terms and conditions of the Contract remain unchanged and in full force and effect.

**IN WITNESS WHEREOF,** Parties have executed this Agreement as of the date first written above.  
**WARRICK COUNTY COMMISSIONERS:**

**ATTEST:**

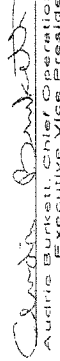
  
 Mike Dietrich, Auditor

Terry Phillippe, Commission President

Dan Saylor, Commissioner

  
 Robert Johnson, Commissioner

**EVANSVILLE REGIONAL ECONOMIC PARTNERSHIP:**

  
 Audria Bunkett, Chief Operations Officer,  
 Executive Vice President

**ATTEST:**

  
 Patrick Hickey, Program Coordinator



**PROCLAMATION OF WARRICK COUNTY, INDIANA  
CELEBRATING THE VISIT OF ALEX AND PAULA AGHAJANIAN,  
THE 2024 TOURNAMENT OF ROSES PARADE  
AND THE  
CASTLE HIGH SCHOOL BAND PROGRAMS  
Proclamation 2023 - 01**

WHEREAS, the Castle High School Marching Knights were selected as a Finalist in the 2022 Bands of America American Grand National Championships in Indianapolis, Indiana, and on November 12, 2022, finished 12<sup>th</sup> in the nation for all marching band programs in the nation; and

WHEREAS, this represented the third appearance of the Castle Marching Knights in the Bands of America Grand National Championship Finals, finishing in 10<sup>th</sup> place in 2016 and 8<sup>th</sup> place in 2017; and

WHEREAS, during the ceremony honoring the Finalists in the Grand National Championship Finals, the Tournament of Roses Parade Committee awarded the privilege and honor to participate and perform in the 2024 Tournament of Roses Parade in Pasadena, California, to the Castle Marching Knights; and

WHEREAS, the Tournament of Roses Association is an American icon and affectionately known to all communities across the nation. Founded originally in 1895, the annual parade that is impacted our community this year is only one of many significant events that it oversees on an annual basis, including a vibrant foundation that gives back to its community in significant ways all year long; and

WHEREAS, the president of the Tournament of Roses Association and his wife, Alex and Paula Aghajanian, have traveled to Warrick County to visit Newburgh and Castle High School, and to personally congratulate the youth of our community that participate in all facets of the Castle High School band and visual arts programs; and

WHEREAS, in honor of Mr. and Mrs. Aghajanian, the 2024 Tournament of Roses Parade and the Castle Marching Knights, the Board of Commissioners of Warrick County wish to recognize our distinguished visitors and the positive impact the Tournament of Roses Parade Committee has made on the youth of the Warrick County community, the music and visual arts programs that we support in our schools, by selecting and inviting the Castle Marching Knights to the 2024 Tournament of Roses events.

THEREFORE, the Commissioners of the County of Warrick, Indiana, in recognition of Mr. and Mrs. Aghajanian, the 2024 Tournament of Roses Parade and the Castle Marching Knights, hereby proclaim the week of May 8-12, 2023, as **THE TOURNAMENT OF ROSES PARADE WEEK IN WARRICK COUNTY** and thanks its citizens and communities throughout the County for joining us in the celebrating the achievements of Castle High School Band Programs and the impact of the Tournament of Roses Parade Committee on youth in Warrick County and across the nation.

In testimony hereof, we have hereto set our hands and caused to be affixed hereto the great seal of Warrick County at the County Commissioners' Chamber in Boonville, Indiana, this 8<sup>th</sup> day of May, 2023.

**WARRICK COUNTY COMMISSIONERS**

[SEAL]

*Perry J. Kuylenstierna*  
Perry J. Kuylenstierna, President  
*Robert H. Johnson, Jr.*  
Robert H. Johnson, Jr., Vice-President  
*Dan Saylor*  
Dan Saylor, Member

**ATTEST:**

*Michael Dietsch*  
Michael Dietsch, Warrick County Auditor

