

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
July 26, 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 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 TO EXTEND SURETY
COMMERCIAL ENTRANCE C-2020-052**

Commissioner Phillippe: Okay, the first order of business this evening is Area Plan.

Molly Barnhill: Okay, we have one (1) Request to Extend Surety. It's a commercial entrance. The permit number is C-2020-052 by Phenix Specialty Films, LLC. We're holding twelve thousand eight hundred fifty-six and eight cents (\$12,856.08) in an escrow for entrance construction at 11600 Noble Chapel Road. They've had one (1) year and are asking for a one (1) year extension at the same dollar amount. The surety expires August 5, 2021. The County Engineer has signed that this dollar amount would be sufficient.

Commissioner Saylor: I make a motion to extend surety.

Commissioner Johnson: I'll second.

Commissioner Phillippe: I have a first and a second. All in favor?

Commissioner Johnson: Aye.

Commissioner Saylor: Aye.

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

(C-2020-052 [C-18-016] is located on Page 10 of these Official Minutes)

APPROVAL OF MINUTES

Commissioner Phillippe: Next order of business is the Approval of Minutes from the last meeting.

Commissioner Saylor: Thank you, Molly.

Molly Barnhill: Thank you.

Commissioner Johnson: I make a motion to approve the minutes.

Kristine Georges: Oh.

Commissioner Saylor: Second.

Kristine Georges: We, we don't have any minutes.

Roger Emmons: No, there's none. Normally, it'd list the dates on there. It's just a standard thing on the agenda.

Commissioner Phillippe: Sorry about that.

Kristine Georges: But, I appreciate the vote of confidence.

Roger Emmons: None to approve. Okay.

CONSENT AGENDA

Commissioner Phillippe: And there's no consent agenda, right? Is there a Consent Agenda, Roger?

Roger Emmons: No, Sir.

Commissioner Phillippe: Okay.

**ITEMS FOR DISCUSSION
DEPARTMENT REPORTS
COUNTY ADMINISTRATOR
DECLARATION OF SURPLUS STATUS FOR THREE (3) SHERIFF'S VEHICLES AND
CORRECTION TO VEHICLE DECLARED SURPLUS**

Commissioner Phillippe: Alright, so the next item is the County Administrator Business.

Roger Emmons: Thank you, Mr. President. The one (1) item I have listed on the agenda is the Declaration of Surplus Status for Three (3) Sheriff's Vehicles and to correct one (1) vehicle that was previously declared surplus due to an incorrect Vehicle Identification Number, the VIN. And I copied you on my July 23rd email to Susie about this agenda item. But, Sheriff Wilder forwarded, was it an email, forwarded his email, it was a forward of Lieutenant Waters email wherein Brian realized that the 2011 Crown Vic with the VIN ending in 155797, that needs to be reinstated. It was supposed to be 155795, I think. Is that correct, Sheriff?

Sheriff Wilder: Yeah, the VIN's exactly the same VIN except for the very last digit.

Roger Emmons: Yeah, the very last digit.

Sheriff Wilder: It was just a misprint when he was looking at the...

Roger Emmons: So, make a motion to declare the...

Sheriff Wilder: And that's not one (1) that we sold. I believe that's one (1) that I gave to...

Commissioner Johnson: Highway.

Sheriff Wilder: The Highway Department. Anyways...

Commissioner Saylor: Sheriff, how many Crown Vics do you have left in your inventory?

Sheriff Wilder: Crown Vics?

Commissioner Saylor: Yes.

Sheriff Wilder: I don't know if we have any. If we do, it's one (1).

Commissioner Saylor: So, one (1)? So, Roger, when you get time, cause I know you've got a lot of time. Can we just verify that we're not insuring any, only one (1) Crown Vic for the Sheriff? Cause that's been kind of some overlap that we've caught here.

Sheriff Wilder: Yeah, we went through that, we can go it again. And it gets confusing all them cars. I mean, it needs to be done right cause you're insuring (inaudible).

Commissioner Saylor: Well, it should be easy just to check the Sheriff and see.

Roger Emmons: Yeah.

Commissioner Saylor: But, we still have Crown Vics cause of...

Sheriff Wilder: Highway.

Commissioner Saylor: How many Crown Vics do you have, Bobby?

Bobby Howard: I think three (3).

Commissioner Saylor: So, there's four (4).

Roger Emmons: And then our local insurance agent, Rita, she sends me each, the listings, not only for the Sheriff but then there'll be one (1) for the Commissioners and, like that. And I go down and check the VINs.

Commissioner Saylor: So, if we've got more than four (4), we need to start asking questions.

Roger Emmons: Okay.

Commissioner Saylor: Thanks.

Commissioner Phillippe: Anything else there, Sheriff?

Sheriff Wilder: No, I'll wait 'til...

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

Commissioner Saylor: So moved.

Commissioner Johnson: Second.

Commissioner Phillippe: Have a first and a second. All in favor?

Commissioner Saylor: Aye

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

Commissioner Johnson: And that was to add the, declare three (3) surplus and add the one (1) back for the Highway Department, correct?

Roger Emmons: Correct. Okay, thank you.

APPROVAL OF REQUEST FOR PANDEMIC RELIEF FUNDS

Roger Emmons: Commissioners, I have two (2) other items if you would listen to those. First is approval of Non-Non-Profit Request for Pandemic Relief Funds. These are previously been approved by Commissioner Saylor and Council President Greg Richmond, (Request) #21-39, was Commissioners for the June 29,2021 COVID 19 legal services in the amount of four thousand eight hundred thirty-one dollars (\$4,831.00) and (Request) #21-40, also from the Commissioners for the Sprint hotspots, three hundred forty dollars and ninety-one cents (\$340.91). Now, Councilman Richmond stated regarding this, which I had indicated in my email, that since we no longer, I don't know if we're needing any hotspots to continue or not. It was initially put in for remote work, I believe. But, there's some other departments that may have cell phones that are using that. I don't know if that's still needed for COVID related issues or not.

Commissioner Phillippe: I think we need to make a blanket decision or conduct some sort of a survey. Some departments have turned some of those off individually.

Roger Emmons: Okay.

Commissioner Phillippe: Some haven't.

Roger Emmons: Alright, I'll contact those. Cause we've got a listing of the, Susie prepared on the Sprint. It's got all the different offices and some references of personnel. I can check that against the, to see who's still using.

Commissioner Phillippe: So, the option is if they want to continue to use them, they can pay for them out of their own budget.

Roger Emmons: Yes.

Commissioner Phillippe: Got it.

Roger Emmons: Unless it's covered under the Commissioner's cell phone budget. Okay, I will do that.

Commissioner Phillippe: Entertain a motion to approve the Non-Non-Profit Claims.

Roger Emmons: Yes.

Commissioner Johnson: I'll make that motion.

Commissioner Saylor: Second.

Commissioner Phillippe: 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).

(Pandemic Relief Fund Summary is located on Page 10 of these Official Minutes)

ENVIRONMENTAL MANAGEMENT CONSULTANTS AGREEMENT

Roger Emmons: Last item I have is the specific services agreement with Environmental Management Consultants, INC. Forwarded the agreement to the Board and the Counsel and others on July 23rd. I sent another email to you around 10:00 AM today. It does need to be approved in order to pay the most recent invoice for EMC services for IDEM reporting. John Goth, the County Attorney, he did review it and he did have a couple of questions. I sent those questions to Matt Feller and Roger Cohen at Environmental Management Consultants. They have not replied. The first one (1) is paragraph two (2) references a Facility Quality Assurance Plan and I checked a small file I have, I could not find the QAP nor have either Matt or Roger responded. However, paragraph four (4) wherein it says, asks if I'm able to confirm that EMC sends semi-annual monitoring reports and digital data of the well monitoring samples and the gas detection probes, etcetera to IDEM on the Board's behalf. I do, I am able to confirm that because I have those reports, the copies of the reports that are sent directly to IDEM.

Todd Glass: Yeah, those were the only two (2) comments we had on it.

Roger Emmons: So, I think there is a Quality Assurance Plan, it could have been in another file and just didn't have time to, to find it. But, I feel confident that we can come up with that if you wish to approve the Selective Services Agreement, Specific Services Agreement, I'm sorry.

Commissioner Saylor: So, other than that, it's in order?

Todd Glass: Yes.

Commissioner Saylor: I make a motion to approve the Environmental Management Consultants Agreement.

Commissioner Johnson: Second.

Commissioner Phillippe: Very good. 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).

Roger Emmons: Thank you, Mr. President. That's all I have.

Commissioner Phillippe: Thank you.

(Environmental Management Consultants Agreement is located on Page 10 through 11 of these Official Minutes)

ORDINANCE AMENDING TRAFFIC CODE AND WEIGHT LIMITS

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

Todd Glass: Mr. President, I don't have anything this afternoon. We are still working on the proposed Ordinance amending the traffic code and weight limits chapters and we'll try to work with Mr. Howard to get that ready for your next meeting.

Commissioner Phillippe: Very good. Thank you.

Commissioner Saylor: So, do you need a motion to table?

Todd Glass: Table, I guess we would.

Todd Glass: I make that motion to table the traffic, the amended traffic code and weight limits chapters.

Commissioner Johnson: Second.

Commissioner Phillippe: 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: Thank you.

Commissioner Saylor: And that will be to our August 9th meeting. Is that right?

Todd Glass: Correct.

Roger Emmons: Yes.

COUNTY AUDITOR NON-CERTIFIED CLAIMS

Commissioner Phillippe: Alright, next order of business is our County Auditor.

Auditor Stevens: Alright, thank you. I think I'll start with the Non-Certified Claims. So, we had three (3) listed that were insurance related, Meritain, Bestco Hartford, and Meritain. The one (1) that's the twenty-three thousand nine hundred fifty-one dollars and seventy-two cents (\$23,951.72), that's a Bestco Hartford. And the other Non-Certified was thirty-three dollars and eighty-one cents (\$33.81), Economic Development. It's a Firstbank Card and that's for Coke, nuts, and M & M's for thirty-three-eighty-one (\$33.81). Total for Non-Certified is one hundred seventy-nine thousand one hundred seventy-two dollars and seventy-three cents (\$179,172.73).

Commissioner Johnson: Make a motion to pay the Non-Certified.

Commissioner Saylor: Second.

Commissioner Phillippe: I have a first and a second. All in favor?

Commissioner Johnson: Aye.

Commissioner Saylor: Aye.

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

Auditor Stevens: Alright, thank you.

CERTIFIED CLAIMS

Auditor Stevens: Certified Claims. Three million three hundred forty-one thousand eight hundred twenty-nine dollars and fifty-six cents (\$3,341,829.56). That's three-three-four-one-eight-two-nine-point-five-six (\$3,341,829.56).

Commissioner Saylor: Make a motion to pay the Claims.

Commissioner Johnson: Second.

Commissioner Phillippe: I have a first and a second. All in favor?

Commissioner Johnson: Aye.

Commissioner Saylor: Aye.

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

Auditor Stevens: Okay.

(Certified Claims are located on Pages 12 through 15 of these Official Minutes)

AMENDED PAYROLL CLAIM

Auditor Stevens: I do have an amended Payroll. This Payroll was originally presented as June 7, 2021. That was an error on the date. So, the amendment to the Payroll, which was approved, is actually Monday, June 21, 2021.

Commissioner Phillippe: 06-21-(2021)?

Auditor Stevens: Yes.

Commissioner Johnson: Make a motion to accept the amendment and approve the Payroll Claim.

Commissioner Saylor: Did you give the amount of the Claim, Debbie?

Auditor Stevens: Okay, the Claim itself is already been approved and paid. It's just the amendment of the date that's being changed.

Commissioner Saylor: Okay. So, that's all we're approving?

Auditor Stevens: Um hum.

Commissioner Saylor: Second.

Commissioner Phillippe: Alright, I have a first and a second. All in favor?

Commissioner Johnson: Aye.

Auditor Stevens: Thank you. Alright, so payroll dated...

Commissioner Phillippe: Hang on Debbie, real quick.

Auditor Stevens: Okay.

Commissioner Phillippe: You want to tie that one (1) down? Oh, I'm sorry. I'm sorry. First and a second. I'm in favor. Approved unanimously. Sorry. I'm thinking of three (3) different things here. Sorry. (Motion carried 3-0).

Auditor Stevens: Okay. Ready?

Commissioner Saylor: Thought I only did that.

Auditor Stevens: Are you all with me?

Commissioner Johnson: Maybe.

Commissioner Phillippe: I think so, now.

Commissioner Saylor: We'll let you know.

Auditor Stevens: Okay.

(Amended Payroll is located on Page 15 of these Official Minutes)

PAYROLL CLAIM

Auditor Stevens: Alright, this is current Payroll dated July 19, 2021. And we have Non-Certified, one (1), two (2), three (3), four (4), five (5) for no supporting documentation. One (1) Non-Certified for a bonus day. No policy for a bonus day. Total of Payroll is five hundred seventeen thousand four hundred eighty-one dollars and thirty-seven cents (\$517,481.37). That's five-one-seven-four-eight-one-point-three-seven (\$517,481.37).

Commissioner Saylor: Make a motion to pay the Payroll.

Commissioner Johnson: Second.

Commissioner Phillippe: Have a first and a second. All in favor?

Commissioner Saylor: Aye.

Commissioner Johnson: Aye.

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

Auditor Stevens: Alright. That is all I have. Do you have any questions or anything for me?

Commissioner Phillippe: I do not. Thank you.

Auditor Stevens: Alright. Thank you.

(Payroll is located on Page 16 of these Official Minutes)

COUNTY ENGINEER/HIGHWAY

Commissioner Phillippe: Next item is County Highway and Engineer. Bobby?

Bobby Howard: I have nothing tonight.

Commissioner Phillippe: Okay.

COUNTY PURCHASING

Commissioner Phillippe: Purchasing...

COUNTY SHERIFF NEW GPS UNITS

Commissioner Phillippe: Sheriff, you have anything?

Sheriff Wilder: I have just one (1) thing. Sheriff Mike Wilder. I have some GPS units that we currently use on our cars. And I actually paid for them out of Commissary (inaudible) funded them. But, I'm going to redo them. We're going to get new ones. But, they come with a year agreement. And I think you guys have to sign that. Even though, so, I will probably, if you want, I don't know if they can do a consensus on that today or what. I'm probably going to, I have it here to be signed, but I want to relook at it again. As I was sitting back there and looking at it. I think the price is off by a dollar (\$1.00) a unit. I want to make sure that price is right. But, I pay for it out of Commissary. It's just, I guess because it's a year agreement, probably should be signed by the Commissioners and not by me.

Todd Glass: Correct. I would love to see it too.

Sheriff Wilder: Okay, yeah, I'll forward it to you.

Todd Glass: They could approve it on Counsel approval...

Commissioner Saylor: Based on.

Todd Glass: Which we could have in the morning.

Sheriff Wilder: We're really not changing anything. We're updating it and getting new devices. There's nothing supposed to change. I think that price might be wrong, misprint. So.

Commissioner Phillippe: Do you need a consensus?

Commissioner Saylor: I make a motion. We need a consensus or a motion?

Todd Glass: A motion.

Commissioner Saylor: I make a motion to approve the purchase of, or the agreement, GPS units for the Sheriff based on paying out of Commissary with the approval of our County Attorney looking at that agreement.

Commissioner Johnson: And I'll second.

Commissioner Phillippe: Have a first and a second. All in favor?

Commissioner Johnson: Aye.

Commissioner Saylor: Aye.

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

Sheriff Wilder: After I get that, make sure that's corrected, Todd, I'll forward that to you tomorrow.

Todd Glass: Very good. Thank you, Sheriff.

Commissioner Saylor: Thank you, Sheriff.

COMMISSIONER ITEMS FOR DISCUSSION

DR. RAY LAMEY – CONSTRUCTION ISSUES WITH REINBRECHT HOMES

Commissioner Phillippe: Wow. That's it. Anything for you?

Commissioner Saylor: No, Sir.

Commissioner Phillippe: Anything?

Commissioner Johnson: No.

Commissioner Saylor: I make a motion to adjourn.

Roger Emmons: (Inaudible) second to let Dr. Lamey talk? Or...

Commissioner Phillippe: Oh.

Dr. Ray Lamey: If I make it brief.

Commissioner Phillippe: So, Counsel, we have a gentleman here who I believe has some information for Area Plan or Zoning one (1). But, while he's here, and made the attempt.

Todd Glass: Under Commissioners' Business, you could invite him to speak.

Commissioner Phillippe: Okay. Come on up.

Dr. Ray Lamey: Okay, I'll try to make it quick.

Commissioner Phillippe: I think we're mostly aware of what you're...

Dr. Ray Lamey: Well, there's more unfortunately. We've had multiple...

Todd Glass: State his name.

Commissioner Saylor: State your name for the record.

Dr. Ray Lamey: Dr. Ray Lamey. And I live at 5500 Autumn Ridge Drive in Newburgh. We've had several problems dealing with Mr. Reinbrecht and his subcontractors. I came home one (1) evening and all the trees behind my house and my neighbors were gone. Couple days later, I saw Ubelhor Tree Service accessing the parcel through the cul-de-sac, which we had agreed was not going to be a construction entrance. I contacted Bobby Howard here and he sent me an email. I walked out with the email and informed them that they're not to use this as a construction entrance. They told me they were never informed that they couldn't use it. And they were never informed to save any of the trees. They apologized to me. They promptly picked up their equipment and left. They had just dumped at twenty (20) yard dumpster. They picked it up, left, and left with their truck. On another day, I saw one (1) of the subcontractors cutting through my back yard, or the side yard, with one (1) of their small tractors. Which kind of tore up my yard a little. I'm going to give you some pictures here that you can glance. Okay, these, this, this is kind of from the start. Ladies first.

Kristine Georges: Oh, okay.

Dr. Ray Lamey: You can kind of look through and you can see what has kind of happened progressively along that. About March or April of this year, they started painting utility lines. Which is fine. It's an old telephone line that swings through the middle of my back yard and then from the easement and then up to the edge of the cul-de-sac. I spoke to the primary company that's been putting the flags out, which is USIC and their subcontractor, or at least one (1) of them on the spot to stop spray painting and flagging inside my yard. They are putting flags and spray painting every week or two (2). I guess, he tells them to come out and reflag it every week or two (2). This is six (6) or eight (8) feet in my property line beyond the easement. There's no reason, they can't dig in the easement. Why would they be flagging this eight (8) feet over into my yard? So, I talked to both companies. I talked to my attorney. And I've talked to the County Sheriff's Department. My attorney advised me to post no trespassing signs on the north and south sides of the fence. I told them they're welcome to walk up and down the easement all they want. But, if they step on my ground, I'm going to be calling the police and I'm going to have them arrested for trespassing. The other thing I wanted, if they come back, they have been informed. Whether they come back and do it again, I'm going to put a trail cam up and I will catch them. Cause they do it, usually when I'm not home. I'd want them prosecuted for vandalism also. Because after they've been informed, it's intentional then. Now, we have to deal with Mr. Reinbrecht. He, he lied to pretty well all of these home owners and I feel the Commission dealing with the privacy issues and the separation between the two (2) subdivisions. Most of the houses on my subdivision are large. Mine's sixty-two hundred (6,200) square feet. I guess we were under the impression that he was allowed to go on without putting a fence because he was leaving trees, a tree line. And one (1) of the sets of minutes Roger pulled for me, you can see where he said we're going to try to leave trees. Well, there are none. And now, there's about a six (6) foot drop grade from the edge of their property down to where the houses are being built. Here's a picture of the back of my yard from my back porch.

Commissioner Saylor: I've not been up there. I've driven past it. I've not been up there. Dr. Reinbrecht, let me ask you a question.

Roger Emmons: Dr. Lamey.

Commissioner Saylor: Or Dr. Lamey.

Dr. Ray Lamey: That's alright.

Roger Emmons: He doesn't want to be associated with Reinbrecht.

Commissioner Saylor: I just wrote down Reinbrecht. Dr., Dr. Lamey, have you talked to the, or spoke with the Reinbrechts? Were they planning on planting trees, you know, after construction or anything? Have they given you any indication they're going to do something to conceal their development?

Dr. Ray Lamey: I talked to them, I talked to him once very early on.

Commissioner Saylor: Who's him?

Dr. Ray Lamey: Mr. Reinbrecht.

Commissioner Saylor: Okay.

Dr. Ray Lamey: And quite honestly, I thought he was a little bit of a smartass on the phone and really didn't care what I was telling him about. You know, I feel that he's viewing both the homeowners and the Commission like he doesn't have to follow the rules or that this Commission can't do anything. I think the Commission has the power to halt his construction. In fact, I would like the Commission to halt his construction until there's a ten (10) foot solid vinyl fence going around the east, west, and north sides. You know, we have zero (0) privacy now. They removed all the trees. The, and now, if they just put a fence six (6) feet down and a ten (10) feet fence, well, it's going to show about four (4) feet. It's not going to protect us at all. I mean we were always concerned and we brought it up multiple times about retaining our property values. The house or the property or parcel directly behind two-thirds (2/3) of my house has sold and I think they're building a sixteen hundred (1,600) square foot house. So, it's definitely going to impact my resale value and I think most of these houses, you know, are going to be small houses. So, that's why my entire neighborhood was wanting a separation. A barrier, some privacy and retain our home values. The other point was, there's a neighbor on the east side of the parcel apparently had their entire back yard covered in mud after one of the rains. I guess the run-off. I haven't driven by to verify that yet. But, I was told an environmental agency was called in and litigation may be pending.

Commissioner Phillippe: Doctor, quick question for you? Are you aware that construction has been shut down once?

Dr. Ray Lamey: Yes, and that was on the opposite side. That was like three (3) doors down from me. This is on the east side. It completely, on the west side, they stopped the water flow and it got within ten (10) feet of one (1) of my neighbor's houses who was in Florida. So, that could have been pretty bad. And one (1) of my neighbors called and they finally opened it up.

Commissioner Phillippe: I just wanted...

Dr. Ray Lamey: Oh, yeah, I was aware.

Commissioner Phillippe: Make sure you knew that we are aware of some of those issues.

Dr. Ray Lamey: Oh, yeah. I was aware of it. But, you know, I'm wondering if, and if there's a problem with the watershed design and they need to stop, get it reevaluated as far as water flow before they go any further.

Commissioner Phillippe: Bobby, what's your take on all of this?

Roger Emmons: For clarification, Dr. Lamey did address the APC, if you're aware of that.

Commissioner Phillippe: I was not aware of that.

Commissioner Johnson: He needs to, in my opinion, go back to the APC, so we can do something about this. This is an APC problem and it needs to go through them. I remember, I'm on the APC Board.

Dr. Ray Lamey: Yeah.

Commissioner Johnson: And I remember all the people and all the things that were said and he said that he was going to try his best to keep as many trees as possible for a barrier and all that. But, they pretty much clear cut that ground.

Commissioner Saylor: And I tell you, I have a problem with developers coming in here, and I don't even know Reinbrechts. I don't even know where they're from. I think they're from Vincennes.

Dr. Ray Lamey: He's from Haubstadt.

Roger Emmons: Haubstadt.

Commissioner Saylor: Haubstadt. I know they did a lot of development up in Vincennes, I think, or north. So, you know, to me, as a Commissioner, I'd like to see his feet held to, held to what he's supposed to do.

Commissioner Johnson: Molly, I believe, is waiting on him downstairs.

Dr. Ray Lamey: Okay.

Commissioner Saylor: Okay.

Dr. Ray Lamey: I really appreciate you taking the time. I know you didn't have to. But, he's just running over us.

Commissioner Saylor: I'll try to drive by tomorrow or, or lay eyes on it.

Commissioner Phillippe: And we are aware of some of the overruns. We've shut him down once in the drainage areas.

Commissioner Saylor: Counsel, does that cease and desist order come from us or does it come from APC.

Todd Glass: I don't know about a cease and desist, but APC has the authority to address it.

Commissioner Saylor: The authority. Okay.

Dr. Ray Lamey: See, my attorney told me to get a restraining order against USC and On the Spot Construction.

Todd Glass: Well, that is nothing you would do here.

Dr. Ray Lamey: Right, right, right. I've picked up the paperwork and I can go that route too. But, it makes no sense. Spray painting six (6) or eight (8) feet on the opposite side of the easement every week or two (2). And they, it's to the point where, I don't know. I'll leave it up to the ones in charge.

Commissioner Johnson: Please, take, go down and talk to the APC and we'll take care of it that way.

Dr. Ray Lamey: Okay. Okay.

Commissioner Johnson: Thank you, Sir.

Roger Emmons: Did you want your pictures back?

Dr. Ray Lamey: Yeah, I want to show her (inaudible). Thank you very much.

Roger Emmons: If you want to show her these pictures.

Commissioner Saylor: Doctor.

Commissioner Phillippe: Thank you, Doctor. Okay, very good. I believe we had a motion on the floor to adjourn.

Commissioner Saylor: Motion to adjourn.

Commissioner Johnson: Second.

Commissioner Phillippe: All in favor?

Commissioner Johnson: Aye.

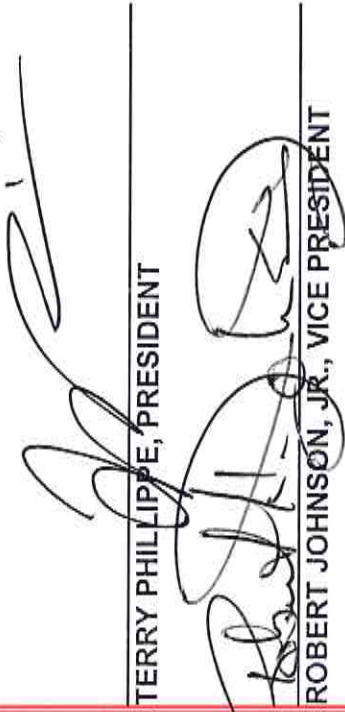
Commissioner Saylor: Aye.

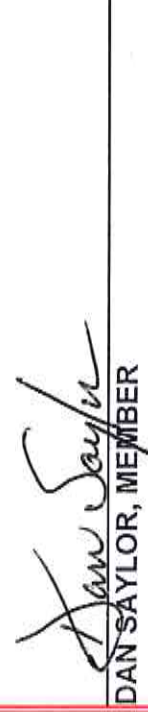
Commissioner Phillippe: Aye. Motion carries three, zero (3-0).

ADJOURNMENT: Meeting adjourned at 4:30 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

Minutes transcribed by Kristine Georges



July 21, 2021

Warrick County Highway Engineering
Attn: Bobby Elrod
107 W Locust Street - Courthouse, Suite 208
Boonville, IN 47601

Re: Lot 11, North Warrick Industrial Park - Nobles Chapel Road
Extension of Commercial Driveways Surety C-18-016
Morley Project # 11223-1-001 B

Bobby,

On behalf of our client Phenix Specialty Films, LLC, we are requesting a one year extension of the surety for the above referenced commercial driveway at the current dollar amount. As you are aware, most of the driveway has been constructed but they are still working to complete the final portions of the driveway.

Please let me know if you have any questions.
Thank you,

Jeremy Elrod
Jeremy Elrod, PE

cc: Phenix Specialty Films, LLC
APC



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BOARD OF COMMISSIONERS:

Robert H. Dyer
President
Member
Robert H. Dyer
Member

ATTEST:
Robert H. Dyer
Auditor
Date: 7/26/21

812-404-8585
4800 Roadbud Ln., Newburgh, IN 47030
morleycorp.com
FILED
JUL 21 2021
WARRICK COUNTY
CLERK

WARRICK COUNTY, INDIANA
PANDEMIC RELIEF FUND

Date: 7/26/2021

EXPENSE COVID Line Item Balance:

- Board of Commissioners
 - o Hotspot Services to Facilitate Social Distancing & Remote Work (Sprint) (\$340.91)
 - o Legal Services specific to COVID-19 – June 2021 (Fine & Hatfield) (\$4,831.00)

\$635,720.24

Total Commissioners Office Expenses (\$5,171.91)

REMAINING EXPENSE COVID LINE ITEM BALANCE: \$630,548.33

TOTAL EXPENSES: (\$5,171.91)

FILED
AUG 20 2021

SPECIFIC SERVICES AGREEMENT

This Specific Services Agreement, executed this 26th day of July, 2021, is entered into by and between Warrick County Commissioners, 107 West Locust Street, Suite 208, Boonville, Indiana 47601, herein referred to as the Client, and Environmental Management Consultants, Inc. (EMC), 427 Main Street, Evansville, Indiana 47708, herein referred to as Consultant.

WITNESSETH

The Client hereby engages the services of the Consultant to provide semi-annual (May and November) groundwater sampling and analytical testing for seven (7) wells on the property located at 1111 Pelzer Road in Boonville, Indiana more commonly known as Warrick County Landfill. EMC agrees to provide all services required by the Indiana Department of Environmental Management for Warrick County's closed landfill which, is under the jurisdiction of IDEM including without limitation the following services:

SCOPE OF WORK

1. Measure the static water level in each of the seven (7) existing groundwater wells and three piezometers that are located on the subject property. The static water levels will be utilized to determine the direction of groundwater flow on the property and to aid in the determination of the proper volume of water to purge from the wells prior to sampling.
2. Provide sampling of the seven existing groundwater wells located at the landfill. Each groundwater monitoring well will be purged a minimum of three (3) well volumes before sampling. Field measurements of the groundwater quality will be monitored during the purging process and recorded on the appropriate groundwater sample collection form. All sampling will be conducted as outlined in the facility Quality Assurance Plan (QAP). This includes assessment sampling for MW-22 now required by IDEM.
3. Provide chemical groundwater analysis for the groundwater parameters as outlined in the facility QAP in order to establish analytical documentation of the groundwater quality. Included in the above analysis are the following quality assurance/quality control samples, as appropriate: one (1) duplicate sample per twenty (20) samples collected and one (1) trip blank sample per day of sampling. Standard laboratory turn-around time will be seven (7) to ten (10) business days following the day of sample receipt at the laboratory. A level III data package will be provided for all analyses.
4. This includes assessment analysis for MW-22 now required by IDEM. Develop a record-keeping package and written Semi-Annual Monitoring Report of all activities involved in the sampling, complete with all significant aspects of the operation and copies of all necessary legal documentation (i.e. analytical reports, groundwater flow map, etc.). One electronic copy of the report will be submitted to the Indiana Department of Environmental Management (IDEM) on the Warrick County Commissioners behalf. In addition, a digital dataset of the monitoring well sampling results will be maintained and submitted to IDEM with the Semi-Annual Monitoring Report. The digital dataset will be in

an Excel spreadsheet format and shall include sample, duplicate and trip blank laboratory results and field measured parameters.

PAYMENT

The cost for the services described herein will be Thirteen Thousand One Hundred Fifty Dollars (\$13,150.00). Any unforeseen cost overruns must be approved in writing by the Client and provided to the Consultant. The total amount will be due at the time the final report is completed and submitted to the Client.

Acceptance of this agreement constitutes the total agreement between Client and Consultant, and no promises, terms, or conditions not incorporated or referenced herein shall be binding upon either party. The terms of this agreement can be changed or modified only through a subsequent writing.

ADDITIONAL TERMS

Independent contractor. It is understood and agreed by the parties that EMC is an independent contractor and shall perform the services according to his own means and methods and shall for all purposes be an independent contractor.

Condition precedent. As a condition precedent to the County's obligations hereinafter set forth, the County must receive applicable authorization and appropriation of funds to fund its portion of the Project in the amounts hereinafter set forth. If the County does not receive such authorization and appropriation, the contract is void pursuant to Indiana Code § 36-2-6-12(d).

Anti-discrimination. Pursuant to IC § 22-9-1-10, EMC shall not discriminate against any employee or applicant for employment, to be employed in the performance of work hereunder, with respect to the hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, disability, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the agreement. Acceptance of this agreement also signifies compliance with applicable federal laws, regulations and executive orders prohibiting discrimination on the provision of services based upon race, color, national origin or ancestry, age, sex, or disability.

Contractor Assignment, Successors and Subcontracting. The Contractor shall not assign or subcontract the whole or any part of this Contract. The Contractor may assign its right to receive payments to such third parties as the Contractor may desire without the prior written consent of the Contract Representative, provided that the Contractor gives written notice (including evidence of such assignment) to the Contract Representative thirty (30) days in advance of any payment to such third party. The assignment shall cover all unpaid amounts under this Contract and shall not be made to more than one party.

NON-COLLUSION AND ACCEPTANCE. The undersigned attests, subject to the penalties for perjury, that he/she is the Contractor, or that he/she is the properly authorized representative, agent, member or officer of the Contractor, that he/she has not, nor has any other member, employee, representative, agent or officer of the Contractor, directly or indirectly, to the best of the undersigned's knowledge, entered into or offered to enter into any combination, collusion or

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agreement to receive or pay, and that he/she has not received or paid, any sum of money or other consideration for the execution of this Contract other than that which appears upon the face of this Contract.

ACCEPTANCE

Environmental Management Consultants, Inc. is hereby authorized to furnish all materials and labor required to complete the work referenced in the preceding Specific Services Agreement and to execute the work in accordance with the terms and conditions set forth in the section or by signing below. Through issuance of a purchase order or by signing below, the Client agrees to pay the amount stated in said Specific Services Agreement and abide by the terms and conditions contained in the General Contract Conditions, which are incorporated herein by reference.

The term of this Agreement is for one (1) year or two (2) sampling events. The Consultant hereby accepts such engagement contingent upon this Specific Services Agreement and the conditions and terms set forth in the General Contract Conditions and the Invitation To Quote.

GOVERNING LAW

This agreement shall be construed in accordance with the laws of the State of Indiana.

IN TESTIMONY WHEREOF, the parties hereto have executed this agreement.

CLIENT

Warrick County Commissioners

[Signature of Dan Saylor]

Dan Saylor

[Signature of Terry Hightower]

Terry Hightower

Robert Johnson

CONSULTANT

Environmental Management Consultants, LLC.

[Signature of Roger Cohen]

Roger Cohen

Director

Date: July 22, 2021

NOTE: Please consider this agreement as confidential and restrict the unauthorized disclosure to any other party. Thank you.

EMC's Technical Proposal File#10 Project#10044 1111 Polker Road, Henryville, IN 46038-9202 (GVW Monitoring Contract)

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- Client and Environmental Management Consultants, Inc. an Indiana corporation (hereinafter referred to as EMC) have entered into a Specific Services Agreement, which is incorporated herein by reference. The following definitions shall apply to this Agreement and all interpretations of the Agreement shall be based on the definitions set forth herein:
 - "Client" refers to the individual(s) or entity that enters into this Agreement with EMC for the purpose of securing the Services of EMC.
 - "Site" is the location where EMC is to perform Services according to the description in the Specific Services Agreement.
 - "Contract Documents" includes the General Contract Conditions and the Invitation To Quote.
 - "Agreement" shall include the terms and conditions of this General Contract Conditions and those terms and conditions of the Specific Services Agreement and the Invitation To Quote.
- Client Responsibilities:
 - The Client shall designate an individual to act on its behalf to coordinate the project and secure all relevant information to which the Client has access. This individual shall be responsible for providing the Client's representative with all relevant information and shall be responsible for providing the Client's representative with all relevant information and shall be responsible for providing the Client's representative with all relevant information.
 - The Client shall provide all necessary information to EMC in a timely manner and shall be responsible for providing the Client's representative with all relevant information.
 - The Client shall provide all necessary information to EMC in a timely manner and shall be responsible for providing the Client's representative with all relevant information.

General Contract Conditions

1. EMC shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment and shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment. EMC shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment. EMC shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment.

2. EMC shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment. EMC shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment. EMC shall be responsible for the design, procurement, installation, and maintenance of all monitoring equipment.

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WARRICK COUNTY, INDIANA
Governmental Unit
Monday, July 19, 2021

Filed	Name of Claimant	Department	Amount of Voucher	Amount Allowed	Amount Waived	Certified	Payroll 15
	CLERK	1000-0001	\$ 19,733.93				
	DEPUTY CLERK	1000-0002	\$ 7,500.00				
	TREASURER	1000-0003	\$ 7,004.72				
	RECORDER	1000-0004	\$ 6,378.80				
	SHERIFF	1000-0005	\$ 103,376.03				
	SURVEYOR	1000-0006	\$ 3,862.68				
	ASSESSOR	1000-0007	\$ 4,801.84				
		1000-0008	\$ 12,891.71				
	PROSECUTING ATTORNEY	1000-0009	\$ 19,693.28			NON-CERTIFIED No Supporting Documentation	
	EXTENSION OFFICE	1000-0011	\$ 2,480.25				
	VETERAN'S AFFAIRS	1000-0012	\$ 2,673.73				
	COUNTY COUNCIL	1000-0081	\$ 4,772.37				
	COMMISSIONERS	1000-0088	\$ 11,507.85				
	AREA PLAN COMMISSION	1000-0079	\$ 7,282.05				
	COURT HOUSE	1000-0163	\$ 2,388.33				
	SUPERIOR COURT #1	1000-0201	\$ 14,830.00			NON-CERTIFIED No Supporting Documentation FMLA	
	SUPERIOR COURT #2	1000-0202	\$ 8,493.30				
	CIRCUIT COURT	1000-0232	\$ 13,357.31				
	JUDICIAL OFFICERS	1000-0271	\$ 1,044.96				
	JUDICIAL MANAGEMENT	1000-0272	\$ 1,044.96				
	CENTRAL DISPATCH	1000-0303	\$ 21,842.60				
	JAIL	1000-0380	\$ 26,413.29				
	CHILD SUPPORT	1000-0660	\$ 4,081.86			NON-CERTIFIED No Supporting Documentation	
	COGNITIVE DEVELOPMENT	1112	\$ 25,924.48				
	LIBRARY	1159	\$ 2,781.20				
	CUMULATIVE DRAIN	1141	\$ 2,781.20				
	HEALTH DEPT.	1159	\$ 19,247.07				
	HEALTH MAINT.	1168	\$ 1,260.00				
	HIGHWAY DEPT.	1173	\$ 21,187.56				
	MISDEMEANOR	1175	\$ 1,545.88			NON-CERTIFIED No Policy for Bonus Day	
		1176-9530	\$ 11,875.92				
	HIGHWAY DEPT.	1176-0531	\$ 23,400.00				
		1176-0533	\$ 4,747.20				
		1176-9604	\$ 7,115.33				
	PLA	1181	\$ 3,462.00				
	PROGRESS REHABILITATION	1197	\$ 8,403.00				
	STORMWATER MANAGEMENT	1197	\$ 8,403.00				
	GAL-CIRCUIT COURT	1211	\$ 384.00				
	ELECTION	1215	\$ 1,724.00				
	PAROLE DEPT.	1219	\$ 29,206.85				
	PAROLE REASSESSMENT	2050	\$ 5,897.74				
	SUPERIOR #1/CIRCUIT PROBATION	2001	\$ 21.90				
	CIRCUIT COURT - PROBATION	2001	\$ 21.90			NON-CERTIFIED No Supporting Documentation	
	PRETRIAL DIVERSION	2684	\$ 448.74				
	BUILDING COMMISSION	4808	\$ 4,413.75				
	DIVID PROG INCOME	4921	\$ 4,033.12				
	VOCA	8075	\$ 2,983.90				
	COCA	8180	\$ 1,800.38				
	INDIANA CASA GRANT	8121	No Ledger				
	WIC	9201	\$ 7,579.35				
	WICCC	9205	\$ 7,579.35				
	ADULT COMM BASED SUP - DC	9212	\$ 2,014.42				
			Total \$	\$ 917,481.37			

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 no other information. Check for non supporting documentation cannot be certified as true and correct.
Monday, July 19, 2021
Debbie Stodden, Fiscal Officer

ALLOWANCE OF VOUCHERS IC 8-11-10-2 permits the governing body to sign the accounts payable voucher register, consisting of one (1) page, and except for vouchers having allowances shown on the register such vouchers are allowed in the total \$ 517,481.37

Robert Johnson
Robert Johnson, County Commissioner
Dennis Taylor, County Commissioner

DocuSign Envelope ID: 129F07FC-9B0D-40B3-B273-061574C0C48C

Linxup Order



This Order (the "Order") is executed and delivered as of _____, by and between Linxup and the business identified below as "Customer". This Order is issued pursuant to, and governed by the terms of, the Linxup Subscription and Purchase Terms and Conditions hosted at www.linxup.com/about/terms.html (the "Agreement"). Upon execution of this Order by each party, this Order shall be deemed to be incorporated into, and made a part of, the Agreement. All capitalized terms used and not defined in this Order shall have the meanings ascribed thereto in the Agreement.

This Order shall become effective on the date that it is signed by Linxup (the "Order Effective Date").

Customer Name: Warrick County Contract Term: 1 Year
 Primary Customer Contact: Mike Wilder Expiration Date: 2022-07-30
 Primary Contact Email: mwilder@warrickcountysheeriff.com Linxup Service Tier: _____

Product	# Units	Hardware \$\$/Device	Recurring \$\$/Unit	Total Recurring \$\$/Month
Plugin	45	.00	15.99	719.55
		.00		.00
		.00		.00
		.00		.00
		.00		.00
Total	45	.00		719.55

Linxup By: B.M.S. Honick Customer: _____
 Title: Senior Vice President, Sales By: _____
 Date: _____ Title: _____
 Date: _____



DocuSign Envelope ID: 129F07FC-9B0D-40B3-B273-061574CDC48C

Linxup Service Tiers



Vehicles	Linxup Aware	Linxup	Linxup Plus
List Price (before applied discounts)	\$19.50/mo	\$24.99/mo	\$29.99/mo
6 pings/minute	X	X	X
Mobile app	X	X	X
Alerts	X	X	X
Safety module	X	X	X
Geofences	X	X	X
Multi-year history	X	X	X
Phone support	X	X	X
Maintenance module	X	X	X
Diagnostic codes	X	X	X
Tamper Detection	X	X	X
Reporting	Basic	Enhanced	Enhanced
Geofence upload	-	X	X
Posted speed	-	X	X
Integration API	-	X	X
Input Sensor	-	X	X
State mileage report	-	X	X
Fuel card support	-	X	X
Dispatch & Messaging	-	-	X
True odometer	-	-	X
Customer Database	-	-	X



DocuSign Envelope ID: 129F07FC-9B0D-40B3-B273-061574CDC48C

Linxup Service Tiers



Assets	Linxup Aware	Linxup	Linxup Plus
List Price (before applied discounts)	\$14.99/mo	\$18.99/mo	\$18.99/mo
10 min pings	X	X	X
1 day ping on battery	X	X	X
Battery Power	X	X	X
Mobile app	X	X	X
Alerts	X	X	X
Geofences	X	X	X
Multi-year history	X	X	X
Phone support	X	X	X
Maintenance module	X	X	X
Usage hours	X	X	X
Reporting	X	X	X
12-second ping (Mower)	X	X	X
Integration API	-	X	X
Input sensors	-	X	X
Theft recovery (ATLT)	-	X	X
Geofence upload	-	X	X

