

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
November 9, 2020
4:00 P.M.

The Warrick County Commissioners met in regular session with Dan Saylor, President; Robert Johnson, Vice President; and Terry Phillippe, Member. Attorney Todd Glass and Administrator Roger Emmons were in attendance.

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

President Dan Saylor called the meeting to order at 4:00 PM.

PLEDGE OF ALLEGIANCE

Commissioner Saylor: Alright. Get down to business here. First item on the Agenda is a, going to be a Public Hearing. So, I need a motion, Public Hearing, for the Matter in Vacating a Public Drainage Easement. So, do I have a motion?

Commissioner Johnson: So moved.

Commissioner Phillippe: Second.

Commissioner Saylor: So, I have a motion to recess the Commissioners' meeting and open up the Public Hearing. So, Molly?

PUBLIC HEARING
IN THE MATTER OF THE VACATION OF AN EXISTING 12 FOOT PUBLIC DRAINAGE EASEMENT LOCATED ON LOTS 13, 14, AND 15 IN THE CORRECTED PLAT OF BELLMOORE LANDING SECTION 1

Molly Barnhill: It's in the Matter of the Vacation of an Existing twelve (12) foot Public Drainage Easement located on Lot 13, 14, and 15 in the corrected plat of Bellmoore Landing, Section 1. It went to Drainage Board for approval on October 12th. And they, not approval but consensus, they gave a positive consensus to vacate it.

Commissioner Saylor: Just for clarification, I had a first and a second and I was the third, aye. So, that was three, zero (3-0).

Kristine Georges: Thank you.

Commissioner Saylor: Okay, Molly, so, we've got, so, it was a positive?

Molly Barnhill: Yes.

Commissioner Saylor: Okay. Go ahead and identify yourself, young man.

Jeremy Elrod: Jeremy Elrod, Morley, Project Engineer. Here to answer any questions. Like Molly said, we've been, Drainage, Drainage Board, they approved it. I think we have all other utility letters in as well.

Commissioner Saylor: Commissioners, you have no, no questions on it? Bobby, you have any issues?

Bobby Howard: No.

Commissioner Saylor: Alright. So, is there anybody here to speak against this? Alright. So, I guess with that being said. Nobody's got, we'll have a motion to close the Public Hearing.

Commissioner Phillippe: Motion.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0) to close the Public Hearing.

ACTION ON PUBLIC HEARING
IN THE MATTER OF THE VACATION OF AN EXISTING 12 FOOT PUBLIC DRAINAGE EASEMENT LOCATED ON LOTS 13, 14, AND 15 IN THE CORRECTED PLAT OF BELLMOORE LANDING SECTION 1
ORDINANCE 2020-26

Commissioner Saylor: So, we'll reconvene the Commissioners' meeting. So, now, I need a motion on the Action of the Public Hearing.

Kristine Georges: The Ordinance number would be 2020-26.

Commissioner Saylor: Commissioners, do I have a motion?

Commissioner Phillippe: Make a motion to approve Ordinance 2020-26.

Commissioner Johnson: And I'll second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

(Ordinance 2020-26 is located on Page 21 of these Official Minutes)

**AREA PLAN COMMISSION
REQUEST FOR EXTENSION OF SURETY
HUNTINGTON CREEK SECTION B**

Molly Barnhill: Okay, are we ready to move on?

Commissioner Saylor: Yep.

Molly Barnhill: We have requests for Extension of Surety. The first one's Huntington Creek, Section B, Newburgh Development, LLC, by Aaron Miller. We're holding eleven thousand one hundred and ninety-three dollars and sixty cents (\$11,193.60) surety in escrow for sidewalk construction. They've had sixteen (16) years and they're requesting one (1) year at the same dollar amount. Their surety expires December 21, 2020. And our County Engineer has signed off on the dollar amount.

Commissioner Saylor: Go ahead and identify yourself for the record.

Aaron Miller: Hi, my name's Aaron Miller. I'm with Huntington Creek Newburgh Development.

Commissioner Saylor: Hi, Aaron.

Aaron Miller: Hello. We have had six (6) lots last year. Two (2) have actually been finished, so I have four (4) left. One (1) house is under construction, which would be Lot 48. I have another house starting on Lot 49. Lot 50, 51, and 52 are held, private owners, and I have no control on those lots. I'm hoping that they're going to start construction. I am asking to leave the amount the same, which is much more than the completion of the sidewalks, just until I can get some homeowners to build some houses on the final three (3) lots.

Commissioner Saylor: So, you have four (4) right now and you're building on one (1)?

Aaron Miller: One (1) of them is under construction which would be Lot 49. And I would assume, I'd say hopefully in the next two (2) or three (3) months, they'd have sidewalks there. Another house is going to be starting on (Lot) 48. It's going out to bid. I don't know who is, who is bidding that. But, I do know that they are constructing a house on Lot 40, I'm sorry, (Lot) 47. Lot 48 is under construction. (Lots) 49, 50, and 51 are on the riverside and I don't know of any construction on those lots.

Commissioner Saylor: So, I've got a question, Bobby. What, what happens, if he gets all his lots built out, then there's two (2) private owners, how's that letter of credit work.

Bobby Howard: We're still holding the letter of credit to build the rest of the sidewalk. The sidewalk's in the public right-of-way.

Commissioner Saylor: Even those are done by, not by him.

Bobby Howard: That's because someone bought it.

Aaron Miller: They're all sold. I've been holding the letter of credit for those lots and I can't get the homeowners to put the sidewalks on. And I've been threatened, if I were to put the sidewalks on, in many different ways, of harm. So, I just don't want to get into the legal battle. I'd just rather have, cause I have a cash, cash amount sitting here that I don't mind holding it for a couple more years, as long as you guys grant it. And there's more than enough to put sidewalks in, put a driveway all the way across it, with the amount I'm holding. I mean I, if, if the Commissioners want the homeowners to put the surety up, it's just if you put the sidewalks in and they construct the house, the sidewalks get torn up. And then, then it gets to the finger pointing game that I don't really want to jump into either.

Bobby Howard: The Subdivision Control Ordinance currently states that the developer's who's responsible for the sidewalks. Now, they make their own agreements with whoever buys the lot. But, we still hold the developer accountable for that, that these sidewalks will get installed. That's why it's held in this manner and at some point in time...

Commissioner Saylor: So, really, if he sells, if he sells a lot, he needs to, he needs to collect some money for sidewalks.

Aaron Miller: So, if I put them in and they get torn up, then who's responsible for them at that point? That's always been the ongoing circle.

Commissioner Saylor: Wasn't there talk about you doing, except for the driveway or something?

Bobby Howard: There was talk at one (1) point in time about making sidewalks apart of the certificate of occupancy on the homes and there were different things that we had discussed.

Aaron Miller: That's, that's where....

Bobby Howard: But, we've not moved forward with any of that, I don't believe. Correct, Molly?

Molly Barnhill: Right. Nothing's been done with that.

Commissioner Saylor: I mean I'm okay with extending it one (1), sounds like he's about done with them. So, except for the other two (2).

Commissioner Phillippe: So, this is just for one (1) additional year. Right?

Aaron Miller: For now. Yeah.

Commissioner Phillippe: So, to clarify, you were willing to hold it for a couple more years, and this is only a one (1) year request.

Aaron Miller: If that's what it takes. If I can get someone to at least confirm that they're going to start building, that would be a great thing for me. But, we sold those lots ten (10) years ago. It'd be nice if, if there would be a new Ordinance that homeowners can't get a certificate of occupancy until the sidewalk's in, that way the developer's not held responsible on lots that they sold ten (10) years ago. If we were to put the sidewalks in, they will get torn up during construction. You know, it's just...

Commissioner Saylor: Yeah, a portion of them would.

Aaron Miller: I've never seen one (1) that they all didn't get torn up just because there's, it's not just the driveway access that everybody uses.

Commissioner Saylor: That's something that we talked about, wasn't it, Molly?

Molly Barnhill: Yeah, we did talk about it, but we have to get the person that issues that certificate of occupancy to get involved, change some of their Ordinances as well. So, I think that's kind of where it stopped. We couldn't find the balance there on how to approach that.

Commissioner Saylor: I think that's something that still needs to be looked into.

Commissioner Johnson: I agree.

Commissioner Saylor: Commissioners, do I have a motion on this one (1)?

Commissioner Phillippe: Make a motion to approve.

Commissioner Johnson: And I'll second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0). There you go, Aaron.

Aaron Miller: Thank you.

Commissioner Saylor: Thank you. Get 'em built while we can.

(Huntington Creek Extension is located on Page 22 of these Official Minutes)

LEXINGTON SUBDIVISION

Molly Barnhill: Okay, we have Lexington Subdivision, by Niam Homes, LLC, by Kush Patel and Steve Hayden, Co-owners. We're holding a letter of credit in the amount of twenty-five thousand six hundred thirty-six and eighty cents (\$25,636.80) for sidewalk construction. They've had fourteen (14) years. Requesting one (1) year at the same dollar amount. It expires December 3, 2020. And the County Engineer has signed off on the dollar amount. This one (1) was in the bank's name, but they've recently sold this property.

Commissioner Saylor: When did they sell it, Molly? Did they just recently sell it?

Molly Barnhill: It was recently. I think, yeah, we have the bank here.

Commissioner Saylor: Go ahead and state your name for the record.

Michael Carter: Michael Carter, First Federal Savings Bank. Michael Carter.

Commissioner Saylor: Michael Carter. Okay.

Michael Carter: Yeah, we sold the property at the beginning of October and we, as you'll see, kind of a little bit later down, we're going to be responsible for the finishing the streets and the drainage and they were taking over the

remaining sidewalks and separate from you, Vectren letters of credit. And again, kind of like the one (1) before, we've got fourteen (14) years out there. The bank took this over in '16 and we have been working through it. Now, we definitely feel more confident in getting this completed because we have a developer in there instead of a bank owned property.

Commissioner Saylor: Okay. Alright. Commissioners, do I have a motion?

Commissioner Phillippe: Make a motion to approve.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Michael Carter: Okay.

Commissioner Saylor: Thank you.

(Lexington Extension is located on Pages 22 through 23 of these Official Minutes)

OAK PARK SUBDIVISION

Molly Barnhill: We have Oak Park Development. It's Oak Park Subdivision by Dan Buck, Manager. We're holding a letter of credit in the amount of seventy-seven thousand seven hundred forty-one and forty cents (\$77,741.40) for street and drainage construction. They've had five (5) years. They're requesting one (1) year at the same dollar amount. The surety expires December 21, 2020. And this is not been signed off on with the dollar amount.

Bobby Howard: In regards to this one (1), I believe we've had a few complaints about the fact that the subdivision is built out.

Commissioner Saylor: Oh, this is the one (1) on...

Bobby Howard: Off of Lynn Road.

Commissioner Saylor: Lynn Road. Yeah. And my understanding, every, every home is built in there. Correct?

Bobby Howard: This is, yes. That's my understanding.

Commissioner Saylor: All the lots are built.

Bobby Howard: That's my understanding as well.

Commissioner Saylor: So, can we call this?

Bobby Howard: You know, we, this is...

Commissioner Saylor: Is anybody here for Oak Park Development? No? I have received calls on this, why the street's not done.

Molly Barnhill: I believe this one (1), he said he intended to get it done, but he got sick and so, it was delayed. But, I was hoping he'd be here tonight as well.

Commissioner Saylor: So, Bobby, if we were to call this...

Bobby Howard: We couldn't do anything 'til...

Commissioner Saylor: 'Til the spring anyway?

Bobby Howard: Um hum. So, you want to extend it until six (6) months instead of a year?

Commissioner Saylor: What would six (6) months, that'd put us, what, March, April? Is that when they start back up?

Bobby Howard: Yeah, everybody's usually up around, a little, by the end of March.

Commissioner Saylor: I would, I would be, I would speak for myself here, I would be in agreement to, since they can't do it anyway to extend it for six (6) months but with the notion that we're gonna call the letter in six (6) months if it's not done.

Molly Barnhill: Okay.

Commissioner Saylor: I mean, can that...

Commissioner Phillippe: I'm fine with it.

Commissioner Saylor: Bob? So, can you, Molly, do you notify him of that in writing?

Commissioner Saylor: Will you send that registered mail so, we know, we've got proof of receipt of that.

Molly Barnhill: Yes, I will do that.

Commissioner Saylor: So, do I have a motion to extend the letter of credit by six (6) months?

Commissioner Johnson: I'll make that motion.

Commissioner Phillippe: I'll second.

Molly Barnhill: This, sorry, this one (1) goes December 21st, so this would be June 21st would be the new expiration date?

Commissioner Johnson: I'm fine with that.

Roger Emmons: Six (6) months is.

Commissioner Phillippe: That's correct.

Molly Barnhill: Okay.

Bobby Howard: That gives him no excuse at that point.

Commissioner Saylor: Yep. Okay. So, I have a first and a second. All in favor say, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0) for a six (6) month extension.

(Oak Park Extension is located on Pages 33 through 34 of these Official Minutes)

REQUEST FOR REDUCTION OF SURETY LEXINGTON SUBDIVISION

Molly Barnhill: We have a request for Reduction of Surety for Lexington Subdivision. It's First Federal Bank by Michael Carter, SVP. Holding two (2) letters of credit for drainage at seven thousand fifty-eight and seventy cents (\$7,058.70) and streets at a hundred nineteen thousand four hundred four and fifty cents (\$119,404.50). They're requesting new dollar amounts, both drainage, at four thousand four-seventy-five (\$4,475.00) and streets at three thousand four hundred fifty (\$3,450.00). They're requesting a one (1) year extension on both letters as well. They've had fourteen (14) years which expires December 30, 2020. And we have had...

Roger Emmons: (Inaudible).

Molly Barnhill: I'm sorry, what?

Roger Emmons: You said the 30th. It says December 3rd.

Molly Barnhill: Oh, December 3rd, I'm sorry. December 3rd. And our County Engineer has signed off on that dollar amount and the County Surveyor has signed off on the drainage dollar amount as well.

Commissioner Saylor: Go ahead and state your name for the record again.

Michael Carter: Michael Carter with First Federal Savings Bank.

Commissioner Saylor: So, so, Bobby, you're saying you're good with both those amounts?

Bobby Howard: Yes.

Commissioner Saylor: So, what's the anticipation? You guys getting these done?

Michael Carter: Yes, so, with, for example, on the streets and the reduction, I mean, we need to stripe it and the stop bar. We've already put in the signage, so I'm working with our general contractor, Jerry Aigner Construction, just to get the paint on the road and a few in this section of the neighborhood. A few items on the drainage that we're in the process right now. I know Bobby's been out there and working with us. So, I'm, if not this year, I mean, before the weather turns too cold.

Commissioner Saylor: So, you have all the streets done?

Michael Carter: So, yeah, the first coat. The second coat is done. That's all done. It's truly just striping and stop bars. We've put in brand new signs.

Commissioner Saylor: Just the little, the little...

Michael Carter: That's, that's why the large reduction.

Commissioner Saylor: Yes.

Michael Carter: There's not much work left. Cause that includes the contingency, yeah.

Commissioner Saylor: I'm, I'm good with it. Do I have a motion? Commissioners?

Commissioner Johnson: Make a motion to approve the reduction of the surety for Lexington Subdivision per stated by our County Engineer.

Commissioner Phillippe: I'll second.

Commissioner Saylor: I have a first and a second. All in favor say, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Michael Carter: Thank you.

Commissioner Saylor: Thank you. You're up, Molly.

(Lexington Reduction is located on Pages 23 through 24 of these Official Minutes)

REQUEST TO REZONE PC-R-20-12 OAK GROVE ROAD

Molly Barnhill: We have some requests to rezone. First one (1) is PC-R-20-12. Petitioner and owner is Bel... Bel Air Land, LLC, by Brian Wedding, CEO. The rezoning, point four-seven-seven (0.477) acres on the north side of Oak Grove Road, zero (0) feet of the intersection of Oak Grove Road and Danli Court from A, Agricultural District to R-2A, Multiple Family. It's Ohio Township, 13-6-9. It was advertised in the Standard on September 3, 2020. It went to the Area Plan. It was continued from September 14th, APC, at their October 12th meeting. There was a motion, a positive recommendation, but the vote was three to three (3-3), so, it comes before you with no recommendation.

Commissioner Saylor: Alright, go ahead and state your name for the record.

Scott Buedel: Scott Buedel with Cash Waggner and Associates.

Commissioner Saylor: Hi, Scott.

Scott Buedel: Am I good to go?

Commissioner Saylor: Yes.

Scott Buedel: Okay, here on behalf of Brian Wedding, and I do have the power of attorney that's been recorded. I think there was a little bit of a mix up at the last meeting. But, that was taken care of and you should have everything for that. But, here on behalf of Brian Wedding. He's asking for one (1) parcel, basically the middle parcel of three (3) that he owns to be rezoned to R-2A. The property to the west, he is remodeling that house and the property to the east he's doing the same. For this middle property he's hoping to get an R-2 zoning to be able to build a duplex and really the market that he's shooting for is, well, and just to put a value on it, I, Chris Combs is supposed to be building the duplex and they're throwing around six hundred to seven hundred thousand dollars (\$600,000.00-\$700,000.00) for this duplex. So, it's not just a simple, your typical duplex, basically, where I grew up. This is something a little bit different where they're going for potentially some more professionals, doctors that are coming in to the area that are working at the hospitals that would like to have a nice place to be able to rent and stay without buying a new house itself or renting an apartment. So, that's what he's kind of shooting for to try to get that market. To the west of us is Castle Commons apartment complex. That is basically a hundred and sixty (160) feet west of our west line. And then a hundred (100) feet west of us is the entrance to the school and north of us is also the school. From the standpoint of the zoning being requested, I know it's been kicked around that we're spot zoning. But, from the standpoint of where we are in relation to, in relation to the apartment complex, school, and the existing roadway is and so forth, I think we're kind of getting on the fringe of that. But, I don't know if we've, you know, pushed into a true, surrounded by residential type area where we're kind of tucked way back on to the east side of Oak Grove Road. Anyway, that's what we're asking for is the R-2 zoning for the one (1) duplex to be built.

Commissioner Saylor: So, Scott, I've got to ask you, so, is, or maybe this is a Molly question. So, you say six to seven hundred thousand (\$600,000.00-\$700,000.00), but if a year and a half from now or a year from now it changes or something and you can go in there a build a two hundred thousand dollar (\$200,000.00) duplex, if this is changed. Right?

Scott Buedel: I think he would be willing, or we would be, I would be willing to make that commitment for him. He's already got the plans drawn up for what he wants to build. So, I'd hate to say seven hundred (\$700,000.00), just because I know it's, I know it's in that range somewhere. But, if it was a commitment for six hundred (\$600,000.00), that could be done.

Molly Barnhill: What they've filed is for straight R-2A Multiple Family. You can request a Use and Development Commitment that limits the development of that lot. If you want to see landscaping, that sort of thing, you can add in there.

Commissioner Saylor: Here's, here's, here's my, well, first of all, is there anybody in the audience to speak for or against this? Come on up. Please state your name, and for the record and maybe your address, where you, if you live in close proximity to this.

Krista Lockyear: Absolutely, it's Krista Lockyear and it's Lockyear Law, LLC, 101 South East First Street in Evansville I'm actually here representing Danny Ubelhor and Ubelhor Properties and several of their neighbors. So, I'm going to give you a brief overview and then I know Danny would like to speak as well. His, his thoughts are going to be much more important that mine. but iust to tee this un for the record we introduced a petition for from neighbors that sinned

very beautiful apartment complex on the corner that is multi-family, but once you leave that area and drive down the road, it is extremely open, pristine, large spaces. There's a field to that road and that area.

Commissioner Saylor: There's no other multi-family units on that road?

Krista Lockyear: Nowhere close. I can't represent that there may not be one (1) or two (2) down there, but really nothing in general. There are single family subdivisions. And that's your gateway to Friedman Park, to Victoria. It's really changed in the last few years, the character of what's going on, on that road. You do have Kensington Estates directly across the street from this property. Very high end single family development. And as Scott pointed out, I mean, they can represent that the cost of this particular building is going to be high. But, there's still a character to multi-family. Those are not permanent residents. They will be tenants of the owner. And, and they're not your long term neighbors. If, if doctors are going to move into the area and part-time rent there, they're still not going to be permanent neighbors of the folks. And your constituents, the people that have signed the petition you have in front of you are very concerned about changing the character of the rest of that neighborhood to multi-family and tenant based. That being said, I'm going to turn it over to Danny. He lives there. Like I said, his comments are much more important than mine, but from a legal perspective we do feel it's an encroachment. While it might not be spot zoning cause it's next to multi-family, it is an encroachment of multi-family very well into an established single family residential area.

Danny Ubelhor: Hello. Danny Ubelhor, Maken Corporation. I live 3122 Danli Court just south off of this property. The Comprehensive Zoning, I talked to Molly, she said it was in the late '90's the first one (1) that came up and then it was updated in 2008, in 2016. We're developers in the area and we got Oak Grove Road along with the help of Warrick County, the Commissioners and the Parks Department and Trails people, we got the road pushed through from one end of the County to the other. So, it's the only county road that goes from one (1) end of this County to the other. Out there now as you guys know is Friedman Park. You got the new Event Center. You got the entrance for Victoria National. This is, like Krista's said, the main entrance for all that out in that area. So, as these older houses, as you know, about a quarter mile down to the east from this location, they're all older houses. I've tore three (3) of them down myself. So, as we move along down through here and we put one (1) of these duplexes between two (2) houses now, then when the next house has to be tore down, then we put another duplex, and another and pretty soon the duplexes are, are a half mile down the road. And like I said, this is the entrance for, for, I mean, Warrick County's created a lifestyle. They've done really good for trying to attract people in this area. So, like I said, this is the entrance for all that out there. There's been lots of money spent out there. Lots of energy to create this lifestyle. So, like I said, this, even though it's not considered spot zoning, it really could be spot zoning because it's between two (2) houses. So, that's all I have to say.

Commissioner Saylor: Danny, I have a question. You said you'd torn down three (3) houses in that area.

Danny Ubelhor: Yes.

Commissioner Saylor: What, what did you build, was there something built back on those three (3) houses or were they just (inaudible)...

Danny Ubelhor: Well, the one (1) house set, I tore down, I built a subdivision there with, with residential lots right across the street. And then the next house down, I tore it down. It's just a vacant lot right now. So, it's right next door to, to my property right to the, to the east side of it. So, if you guys allow a duplex here, then right next door to there, there's an empty lot that's ready for another duplex. And I understand that in Warrick County, as property becomes more valuable, everywhere we go now we can start tearing down houses and build a duplex instead of a single family house. I mean this is, this is kind of setting a trend to do that. I mean on Lincoln Avenue. I mean anywhere up and down any of these major roads, these older houses were the first ones in Newburgh are starting to be torn down, I mean, I don't think we want to turn our county into something that's all mixed up and hodge-podged up. Like I said, when you get to the top of this hill where he's asking to rezone this. You can see to the west; you can see commercial. Once you come from the west coming east at the top of the hill, once you break over that hill, like Krista said, it's all residential. It's all houses. It's all trees. It's, it's, it's just a nice, it's just a nice feel for driving back from the golf tournament and the Event Center without having a bunch of, you know, renters, renters down the road. So...

Commissioner Saylor: Anybody else? Is that it, Danny?

Danny Ubelhor: Yes.

Commissioner Saylor: Anybody else here to speak for this? I'm going to speak on this. I have heard from a couple different people on this issue. You know, my concern is, we've got a lot of negative feedback when we started setting poles or Mainstream started setting poles in that corridor and got a lot of negative push back. And, and my concern with this particular issue right here that we're dealing with now is about it sets a precedence for you know if we have other houses. I do agree with what Mr. Ubelhor has said. You know, the prices in Warrick County and Ohio Township especially are going up. The higher value that property gets, the more they're going to be looking to build, you know, multi, multiple units on there. And so, that's my concern with this issue. It sets a precedent of we can start setting duplexes anywhere and everywhere cause they'll come back to this issue. So that's, that's my issue that I have with it.

Commissioner Johnson: Well, I'd like to expand a little bit on what Mr. Ubelhor was saying. As you can see by, and, and Molly stated, I voted against this in APC. And the reason for that is the County taxpayers have spent a lot of money making that corridor look nice. We've invested in Friedman Park. We've invested in the Event Center. We've got the crown jewel of Pro-Am golf in that area. I would just hate to see this area start to become, I don't know, and Danny's right, it's got a certain feel for it. It's a very prestigious neighborhood. My fear here is that the gentleman that wants to develop this duplex has the property on both sides of it. And if we set a precedence and allow one (1) to go in, what's to say that we don't tear down the houses on either side and put in more because we've already set that precedence. So, that is my feelings on it. And that's why I, I'm, I'm against it.

Commissioner Phillippe: I think you guys summed up my thoughts. I appreciate what you guys are trying to do. Appreciate the quality of your product. But, I don't want to set a precedent either. I think we're all on the same page.

Commissioner Saylor: Alright, so with that being said, you got a motion?

Commissioner Phillippe: So, what's the motion? To deny?

Commissioner Saylor: To deny the request for rezoning.

Commissioner Phillippe: I would make a motion to deny the request for rezoning.

Commissioner Johnson: And I'll second it.

Commissioner Saylor: So, I have a first and a second for, to deny the request for rezoning PC-R-20-12. So, all in favor say, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

**PC-R-20-13 FREEDOM ORDINANCE
ORDINANCE 2020-27**

Commissioner Saylor: Molly, I think you're up still.

Molly Barnhill: Yep, sorry. PC-R-20-13, petitioner/owner is Freedom Ordinance, LLC, by Mike Winge the Owner. It's rezoning one point six-nine (1.69) acres on the south side of Boonville Highway. Approximately, one thousand nine hundred thirty-five (1,935) feet west of the intersection of Boonville Highway and Stevenson Station Road. Being Lots 3 and 4 in A & B Industrial Subdivision. As recorded in document 2012R-000744 in the Warrick County Recorder's Office from M-1, Light Industrial to M2, General Industrial Zoning District. It was advertised October 1, 2020. The Area Planning Commission gave this a unanimous positive recommendation at their October 12, 2020 meeting.

Commissioner Johnson: I'm going to abstain from this one (1). But, I can answer some questions if you have any.

Commissioner Saylor: So, is anybody here?

Commissioner Johnson: He's not here.

Commissioner Saylor: Okay, alright. So, so, Bob, why are they wanting to do this? Is that, is that because...?

Commissioner Johnson: This particular piece of property here is rented or leased by Cloud Defensive. It's also where we're redeveloping inside that building and refurbishing it to make it more conducive for Cloud Defensive to bring in people and make it, basically, an office area as well as an assembly area. The, they're wanting to store guns in that particular building and in order to store weapons in that building, it needs to be zoned per the ATF as an M-2. Not, we're not going to have a lot of guns in there necessarily. But, if you want to leave anything in there overnight, it still needs to be an M-2.

Commissioner Saylor: Okay.

Commissioner Phillippe: So, I will make the motion to approve PC-R-20-13.

Commissioner Saylor: Okay, do we have an Ordinance number?

Kristine Georges: Yes, the Ordinance number is 2020-27.

Commissioner Saylor: So, I will, I will second that motion. So, all in favor of approving PC-R-20-13/Ordinance 2020-27 say, aye.

Commissioner Phillippe: Aye.

Commissioner Saylor: Aye. Motion carries two (2) and Bob, you're going to...

Commissioner Johnson: I'll abstain.

Commissioner Saylor: Abstain. Motion carries two, two yays to one abstention (2-0-1 with Bob Johnson abstaining). Alright.

(Ordinance 2020-27 is located on Page 24 of these Official Minutes)

**PC-R-20-14
ORDINANCE 2020-28**

Molly Barnhill: Next up is PC-R-20-14. Petitioner's Charles D. Bevin. The owners is Charles D. Beaven, Ryan C. Beaven, Shawn R. Beaven, Wendy C. Isaacs, and Jason M. Isaacs. It's to rezone twenty point one-five (20.15) acres on the north side of Oak Street approximately three hundred seventy-nine (379) feet north of the intersection formed by Richview Avenue and Oak Street. Being Lot 2 in 4B Subdivision as recorded in Document 2015R-009325 and Lot 4 in Hornet Hill Subdivision as recorded in 1999R-014825 in the Warrick County Recorder's Office from R-1A, Single Family District to R-1A PUD. It's in Greer Township. Advertised October 1, 2020. And the Area Plan Commission gave this a unanimous positive recommendation on October 12, 2020.

Commissioner Saylor: Go ahead and state your name for the record.

Commissioner Saylor: Commissioners, do you have any questions?

Commissioner Phillippe: I do not.

Commissioner Johnson: No, I do not.

Commissioner Saylor: So, I don't have any questions. I think we've, we've kind of been advised of this. So, do I have a motion?

Kristine Georges: The Ordinance number would be 2020-28.

Commissioner Johnson: I'll make a motion to approve Ordinance 2020-28.

Commissioner Phillippe: I'll second the motion.

Commissioner Saylor: Have a first and a second. All in favor say, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Charles Beaven: Thank you, guys.

Commissioner Saylor: Thank you. Molly, you're getting your money's worth tonight.

Molly Barnhill: I know, right?

(Ordinance 2020-28 is located on Page 25 of these Official Minutes)

**STREET CONSTRUCTION PLANS
PP-20-15 STRATMAN-JOHNSON PUD**

Molly Barnhill: Now, we're on the Street Construction Plans. It's PP-20-15, Stratman-Johnson PUD. Petitioner and owner is Stratman Family Properties, LLC by John Stratman, Managing Member. Owners are Nicholas J. and Marla M. Stratman and E. Lynn and Janet D. Johnson. It is six hundred five point eight-two-five (605.825) acres on the east side of Asbury Cemetery Road, zero (0) feet northeast of Ayrshire Road and Asbury Cemetery Road. Being all of Outlot B in Ayrshire Lake Estates and all of Lot 1 in Anchor Lake Development in Sections 21, 22, 27, 28, 33, and 34 in Township 5 South, Range 9 West, Campbell Township. The complete legal is on file. This was advertised in the Standard October 29, 2020. The dollar amount has been signed off on by the County Engineer and this is to be a private gravel road which received consensus previously. But, did not have as many lots as it has on it now.

Commissioner Saylor: What's the, Molly, what's the dollar...? Go ahead and state your name for the record.

John Stratman: John Stratman.

Scott Buedel: Scott Buedel, Cash Waggner.

Commissioner Saylor: What's the dollar amount? Is there a dollar amount supposed to be in here? I didn't see it. I mean if it's not supposed to be...

Molly Barnhill: I think we just put the plat in there for you guys to look at.

Commissioner Saylor: Okay.

Molly Barnhill: The cost is nineteen thousand five hundred and eighty (\$19,580.00) for the gravel road.

Bobby Howard: The majority of the roadway is already in existence and they just need to add gravel in certain areas.

Commissioner Saylor: You okay with all this?

Bobby Howard: Yeah, the dollar amount and everything is sufficient. They did get a consensus on the private road and that at the time, I mean, this has gotten a little bigger since that consensus. But, I believe it still falls within the Subdivision Ordinances.

Commissioner Saylor: Okay. Commissioners?

Commissioner Phillippe: Make a motion to approve PP-20-15.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Scott Buedel: Thank you.

John Stratman: Thank you.

Bobby Howard: I believe there is also a Hold Harmless associated with it. Is that correct?

Molly Barnhill: Yes. They will be wanting to do a gated entrance and so the Area Plan Commission is going to discuss doing a Hold Harmless in a gate.

(PP-20-15 is located on Page 25 of these Official Minutes)

PP-20-16 HIGH POINTE VILLAGE PUD

Molly Barnhill: One (1) more for us.

Commissioner Saylor: One (1) more.

Molly Barnhill: Yes. PP-20-16, High Pointe Village PUD. Petitioner is Midwest Contracting, INC, by Tim Cook, President. The owner is Cardinal Crossing, LLC by Brad Fulkerson, Owner, five point eight-seven (5.87) acres outside of High Pointe Drive. Thirteen hundred (1,300) feet west of the intersection of High Pointe Drive and Bell Road. Being Lot 13, 14, and 15 in the corrected plat of Belmoore Landing, Ohio Township. Is advertised October 29, 2020. And this, they're requesting a private road at thirty-three (33) foot/feet wide right-of-way. Bobby has signed off on the dollar amount for the construction.

Jeremy Elrod: Jeremy Elrod, Morley, Project Engineer. This is, so this High Pointe Village PUD, it's a new, new townhome project. That's, as Molly stated, it's a private street. I believe we've changed that to a, an outlot in lieu of a right-of-way which will be under ownership by the HOA and the covenants that are put in place. And so, I believe the only street plans we would have is the commercial drive although they are posting money for the full street, the private street construction. We've also got our drainage approval earlier this afternoon. And so here to answer any questions or discuss the project.

Commissioner Saylor: Commissioners, you have any questions on the project? Do I have a motion? Oh, yes, Sir?

Bobby Howard: The only thing, I mean, right now we're just approving the construction standards of the drive, the roadway and the width of the roadway. I do want to make it clear that depending on whether this is an outlot or a right-of-way, thirty-three (33) feet is, would be against our private road standards. Forty (40) feet's been the minimum. I don't think that this board address that though. I believe that happens at APC. But, I did want it to go on record, make you aware of the difference in this.

Commissioner Saylor: So, the outlot is, I mean the streets are on an outlot?

Bobby Howard: That's the way I understand it.

Commissioner Saylor: That's what it says here.

Molly Barnhill: Yes.

Bobby Howard: The plat still calls it a public or a private right-of-way.

Jeremy Elrod: I believe that's being corrected.

Molly Barnhill: They could do it as an outlot, the road, but, and it has to be built to private road standards. But, it is labeled as an outlot instead of a private road. But, it looks the same.

Jeremy Elrod: Correct. And a bit of the history behind the thirty-three (33) feet. The reason that is, is because, you know, certain developments you have to have utilities, water, sewer, each of those like to have their own easement now and days. Sometimes you get lucky and the sewer or the water can go up the rear yard. And in this case, it couldn't because of where the existing infrastructure is. So, we ended up placing those in the front yards. And Newburgh Sewer, the Sewer in this situation, also, the Town of Chandler is the water provider. They each want their own exclusive easement. So, we have to piggy back that on the outside of the outlot in this case, the thirty-three (33) foot outlot. And so, it ends up, it ends up narrowing kind of that imaginary line of where you strike that outlot. But, that's a bit of the history of why that is.

Commissioner Saylor: So, the utility easement's on each side of the street then?

Jeremy Elrod: Correct.

Commissioner Saylor: What are those? How many feet are those?

Jeremy Elrod: The water easement runs along the east side. It's a ten (10) foot Chandler Water Utility Easement. And then the Newburgh Sewer easement or b-u-e's at twelve (12) foot or p-u-e's on the west side of the road. And we also have the, the six (6) foot p-u-e's on the back side of those which is also required by Ordinance. And so, face to face, we're sixty-seven (67) feet from building envelope to building envelope which is, we don't know for sure yet, but likely, probably the face of the garage which I'll say is very similar to other typical developments. And some, for example, Enclave at Woodfield, which is the development just off Jenner Road. It's a typ...it's a single family, but it's similar in nature. It's got an outlot. It's accessed off of, off a private street. I believe their building envelope is sixty-four (64) feet face to face, and so, it's not, it's not anything new. And it can still have a good look, a good feel.

Commissioner Saylor: So, so, Bobby, I mean, so, thirty-three (33) feet still, still okay though with emergency apparatuses and that kind of thing in there?

Bobby Howard: The road width itself at twenty-four (24) feet should be, should be because that is a private road

Commissioner Saylor: Okay.

Bobby Howard: It just becomes a maintenance issue when you go less than forty (40) feet in the right-of-way. And this is said to be private. So, that shouldn't affect us.

Commissioner Saylor: Yep.

Bobby Howard: Right now and if it's ever an outlot and not platted as a right-of-way, that's, that's the difference that helps protect that from becoming a county road.

Commissioner Saylor: County road, okay, alright. Well, Commissioners, do I have a motion?

Commissioner Phillippe: I'll make the motion to approve PP-20-16.

Commissioner Johnson: Second.

Commissioner Saylor: Have a first and a second. All in favor say, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: (Inaudible).

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

Jeremy Elrod: Thank you.

Commissioner Saylor: Thank you, Jeremy.

Molly Barnhill: That's all for APC.

Commissioner Saylor: That's all?

Molly Barnhill: Thank you.

Commissioner Saylor: Thank you.

(PP-20-16 is located on Pages 26 through 27 of these Official Minutes)

APPROVAL OF MINUTES OCTOBER 26, 2020 MEETING MINUTES

Commissioner Saylor: Next on the agenda is approval of our October 26, 2020 Regular Session minutes. Commissioners, if you've had a chance to look over those. If there's no changes, do I have a motion?

Commissioner Johnson: Make a motion to approve.

Commissioner Phillippe: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

NOVEMBER 4, 2020 EMERGENCY MEETING MINUTES

Commissioner Saylor: Next item on the agenda is our approval of minutes for our November 4, 2020 Emergency Session Minutes.

Commissioner Phillippe: Make a motion to approve those minutes.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: (Inaudible).

Commissioner Saylor: Aye. Motion carries three, zero (3-0). Was that an, aye, Bob?

Commissioner Johnson: Um hum.

Commissioner Saylor: Three, zero (3-0). Thank you.

CONSENT AGENDA
RATIFICATION OF 2020 SERVICE AGREEMENT WITH TRUGREEN COMMERCIAL FOR COURTHOUSE LAWN SERVICES
RENEWAL SERVICE AGREEMENT WITH TRUGREEN COMMERCIAL TREATMENTS FOR 2021

Commissioner Saylor: Next item on the agenda is our Consent Agenda. Roger?

Roger Emmons: Thank you, Mr. President. Both of these have to do with the service agreement with TruGreen Commercial for the Courthouse lawn. The first one (1) is ratification of the 2020 Service Agreement. Commissioners approved that by consensus but it was never put under the consent agenda. And then the '21 renewal was also recently approved by consensus and it's here for your ratification today. I think you can probably do them both in one (1) motion.

Commissioner Phillippe: Make a motion to approve the consent agenda.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

(TruGreen Agreements are located on Pages 27 through 28 of these Official Minutes)

ITEMS FOR DISCUSSION
DEPARTMENTAL REPORTS
COUNTY ADMINISTRATOR
LIBERTY MINE-NEW HARMONY ROAD USAGE AGREEMENT EXTENSION

Roger Emmons: I'll move on to County Administrator items. First one (1) is, excuse me, Liberty Mine, LLC, request for a one (1) year extension of New Harmony Road, Road Usage Agreement to November 13, 2021. Alex Messamore sent me an email October 28th and I forwarded that to you the same day including Engineering and our Counsel. He approves, there the same request a last year on October 28, 2019 meeting and County Attorney confirmed that the right-of-way bond is still in effect. So, I believe you're okay to approve this by motion.

Commissioner Saylor: Alright, Commissioners, do I have a motion?

Commissioner Johnson: Bobby, do you have, do we have issues with the road right now?

Bobby Howard: Right, we've gotten some pothole complaints. I know that they've had Metzger's come in and fix some of that. So, nothing recent. But, we do get intermittent complaints about this roadway and then we get with the mine to, to have them fix it. I know they've had a little bit more equipment to take out of there before they can put it back to a more permanent state. But...

Commissioner Johnson: Okay.

Commissioner Phillippe: Is that why the request's there, just because of the reclamation is still going on?

Bobby Howard: Yes. At this time, yes.

Roger Emmons: And it was the same basically, the same, basic request. One (1) of the reasons they listed (inaudible) had to do with as they sell equipment to have it extended.

Commissioner Phillippe: I think the issue with the road is not so much the road's bad. It's just not as nice, new, pretty as the rest of it, right?

Bobby Howard: Yeah, that is, I mean people wonder why that section not (inaudible) like the rest of it.

Commissioner Saylor: Commissioners, do we have a motion?

Commissioner Phillippe: Make a motion to approve.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Roger Emmons: Thank you.

BZA AND APC APPOINTMENTS

Roger Emmons: Next is the Appointments of your Area Plan Commission members, Board of Zoning Appeals. I discussed this with Molly earlier today and I didn't recall while I was doing it, but you're fine to table this to your November 23rd meeting to give me time to contact, Bob's here right now. He could say, but Amanda and Jeff Willis and Paul Keller, to see if they are willing to serve another term on those Boards.

Commissioner Johnson: I'm fine with it. But, I think out of respect to the other folks, I think we ought to give them some time to respond.

Roger Emmons: I thought in the past APC had contacted those persons. I'll be happy to contact them.

Commissioner Saylor: So, we want to table 'til the November 23rd meeting?

Roger Emmons: I would recommend that.

Commissioner Saylor: Okay, so Commissioners, do I have a motion to table?

Commissioner Johnson: I'll make that motion.

Commissioner Phillippe: I will second.

Commissioner Saylor: And, so, I have a first and a second. Does that include the Veteran's Affairs?

Roger Emmons: No, that's separate.

Commissioner Johnson: No.

Commissioner Saylor: That's just, that's just, okay. Those two (2).

Commissioner Johnson: Just A and B.

Commissioner Saylor: So, first and second. All in favor say, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0) to table.

Commissioner Johnson: Roger, Molly had said that she would contact these folks.

Roger Emmons: Oh, she did?

Commissioner Johnson: Yes.

Roger Emmons: Okay. Alright. Thank you.

(APC and BZA Appointment Documents are located on File in the Auditor's Office)

VETERAN'S OFFICER APPOINTMENT

Roger Emmons: Next is the appointment of the Veteran's Affairs Officer. It's Jed Gamble to replace Robert Reynolds. Motion to approve would be in order.

Commissioner Saylor: Commissioners?

Commissioner Johnson: Make a motion to approve.

Commissioner Phillippe: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Roger Emmons: Thank you very much.

**EXECUTIVE SESSION CERTIFICATION
OCTOBER 20, 2020**

Roger Emmons: Next, I have the Minutes Memorandum/Executive Session which is also a certification. Heather prepared those for you. It's for your October 20, 2020 Executive Session. The session is certified no subject matter was discussed other than what was specified in the public notice. You should approve that by motion. I have signature blocks for the Commissioners and attestation by Auditor Stevens.

Commissioner Saylor: Do I have a motion?

Commissioner Phillippe: Make a motion to certify.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Roger Emmons: Thank you very much.

(October 20, 2020 Executive Session is located on Page 29 of these Official Minutes)

**BOONVILLE FEDERAL CREDIT UNION INSTALLMENT PURCHASE AGREEMENT
THREE (3) LANDPRIDE MOWERS**

Roger Emmons: Next is the, excuse me, Installment Purchase Agreement with Boonville Federal Savings Bank for three (3) 2020 Landpride RCP 2760 mowers. We had several emails went back and forth regarding that. Bobby advised he had a consensus. But, the agenda was already set so it's here for your consideration of approval today. Really, it's after the fact. Dan has signed on four (4) places on it. And the original was taken to Tyler Neff at Boonville Federal. It's a sixty (60) month agreement. First payment due January 20th of next year. The last one on January 20, 2025. Annual payments are fourteen thousand eight hundred seventeen dollars seventy-six cents (\$14,817.76).

Commissioner Saylor: Bobby, is that, this is an annual payment, right?

Bobby Howard: Yes, that's one (1) annual payment.

Roger Emmons: Right. Five (5) of them.

Bobby Howard: For three (3) of these Land, these mowers. Yeah, basically, we just finally got the last one (1) in and so, we should be installed next week on, on the mower. Or tomorrow actually on the mower.

Commissioner Saylor: Good deal.

Bobby Howard: So, we waited to do the paperwork to pay for all of them here until, until that last one (1) was delivered.

Commissioner Saylor: Okay. Commissioners, do I have a motion?

Commissioner Johnson: Make a motion to approve.

Commissioner Phillippe: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Roger Emmons: Thank you very much.

(Landpride Installment Agreement is located on File in the Auditor's Office)

**APPROVAL OF COMPREHENSIVE EMERGENCY RESPONSE PLAN FOR
HAZARDOUS MATERIALS INCIDENTS**

Roger Emmons: I have another item for discussion. It's approval of the Comprehensive Emergency Response Plan for Hazardous Materials Incidents. If the Board wishes you could table this to your November 23rd meeting. Beth Williams, the Office Administrator, just brought this to me today. This is the binder right here. It was prepared by SESCO Group which is a professional firm based on input by the members of the LEPC, which is the Local Emergency Planning Committee and was reviewed by that same body. So, it's an updated previous plan. It should be approved by motion whenever you finally do. Signed by the Commissioners with Debbie attesting your signatures.

Commissioner Saylor: Did, did you look at this?

Commissioner Phillippe: Yeah. They've been working on that for a while. I think it's all in order. I'm fine with approving it the way it is.

Commissioner Saylor: Okay. Commissioner Johnson?

Commissioner Johnson: I'm good with it.

Commissioner Saylor: So, if you're good, and I'm good with it, do I have a, one (1) of you could make a motion?

Commissioner Philliana: Make a motion to approve

Commissioner Saylor: I have a...

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0) to approve.

Roger Emmons: Thank you.

(Comprehensive Emergency Response Plan is located on File in the Auditor's Office)

GIS AGREEMENT FOR ENGINEERING FIRM

Roger Emmons: One (1) other item for your, just for information right now is I got an email from a Kurt Wanninger. He is at Wessler Engineering. They're performing engineering services for the City of Boonville and some of our GIS system data would benefit and enhance their project with the City. Steve Leatherman is my contact at WTH Technology. He sent down a GIS limited use agreement that would be between Warrick County and Wessler Engineering. But, I don't have the signature for Mr. Wanninger yet. So, I'd say if you want to approve this today subject to me getting his signature?

Commissioner Phillippe: What's that project for?

Roger Emmons: It's a standard GIS Limited Use Agreement which will be no cost to either party.

Commissioner Phillippe: Right.

Roger Emmons: It will allow WTH to provide Wessler Engineering with the layers of, the GIS layers they need for the City of Boonville Project.

Commissioner Johnson: What project?

Commissioner Phillippe: Yeah.

Roger Emmons: It has to do, they just need some base data. They really haven't stated exactly what the project is. They're including a zoning administrator so, it's not stated exactly what the project...

Commissioner Johnson: Let's table that one (1) 'till we...

Roger Emmons: That's fine.

Commissioner Johnson: Make a motion to table.

Commissioner Phillippe: I'll second.

Roger Emmons: And I'll find that out.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0) to table.

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

Commissioner Saylor: Thank you, Roger.

COUNTY ATTORNEY

Commissioner Saylor: Next item on the agenda is our County Attorney. Mr. Glass?

Todd Glass: Nothing tonight, Mr. President.

Commissioner Johnson: What?

Commissioner Saylor: APC made up for you. Okay, so, Todd, you have nothing. Thank you, Sir.

**COUNTY AUDITOR
CERTIFIED CLAIMS**

Commissioner Saylor: Next item on the agenda is our County Auditor. Debbie?

Auditor Stevens: Okay. Let's do Claims first. I have Certified Claims in the amount of seven hundred eighty-four thousand eighty dollars and forty-four cents (\$784,080.44). Seven-eight-four-zero-eight-zero-point-four-four (\$784,080.44).

Commissioner Saylor: Do I have a motion?

Commissioner Phillippe: Make a motion to pay the claims.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Auditor Stevens: Alright. Thank you.

(Certified Claims are located on Pages 29 through 31 of these Official Minutes)

NON-CERTIFIED CLAIMS

Auditor Stevens: Non-Certified. I have two (2) claims from Ubelhor Tree Service. Both paid from Cum Drain. First claim for one thousand seven hundred fifty dollars (\$1,750.00). The second claim is six thousand three hundred dollars (\$6,300.00). There was, we were not able to, to obtain an estimate, contract, or agreement for the, for the work.

Commissioner Phillippe: Did you ask for a contract or agreement? I didn't see any pink slips on those.

Auditor Stevens: Well, I'm sure we did.

Commissioner Phillippe: I don't think you did.

Auditor Stevens: We normally do, or we look to see if something's been ran through a meeting for approval if we can't verify that we have a contract in our possession or that it's gone through a meeting. Then there is no contract.

Commissioner Johnson: If I, if I remember this correctly, this was an emergency situation where we were getting ready to get dumped on with a lot of rain and it was already full and blocked and we needed to get in there to clean that out. So, I think that we verbally approved that, yes.

Commissioner Saylor: We approved that in a meeting? In a meeting? Drainage Board?

Commissioner Johnson: In the Drainage Board.

Auditor Stevens: It's yours to approve. It doesn't follow your Purchasing Policy. But, it's yours to approve.

Commissioner Saylor: Is, is that it? Do we need to approve those two (2) then? Or is there...?

Auditor Stevens: The last one (1) was just personal use items. Sixty dollars and eighty-one cents (\$60.81). There was a small purchase on, on that claim for tissues I think.

Commissioner Saylor: Okay. Do I have a motion for the un-certified, non-certified claims?

Commissioner Johnson: I'll make a motion.

Commissioner Phillippe: Second.

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

Commissioner Johnson: Aye.

Commissioner Phillippe: Aye.

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

(Non-Certified Claims are located on Page 31 of these Official Minutes)

TREASURER'S REPORT

Auditor Stevens: Next, I have to enter into the minutes the County Treasurer's October monthly report.

(Treasurer's Report is located on Page 32 of these Official Minutes)

CERTIFIED AND NON-CERTIFIED PAYROLL VOUCHER

Auditor Stevens: And then last, I have Payroll. I have several Non-Certified's on the Payroll. First of all, Payroll, amount of Payroll. Did we, did we talk about the approval for the Non-Certified's? I didn't give you an amount. You approved it, I'll just enter the amount, eight thousand one hundred ten dollars and eighty-one cents (\$8,110.81).

Commissioner Saylor: Yeah, we have that here.

Commissioner Johnson: I have it in front of me.

of Prosecuting Attorney. No, Supporting Documentation. We have under Commissioners, Non-Certified, it appears that, we'll we've, we've got evidence or proof that there was not sick time recorded on a, on the supporting documentation. That was for the service record. And then under Courthouse, we have one (1) employee exceeded approved time off by policy of seven and a half (7 ½) days. We haven't received a correction, corrected Accounts Payable Voucher for that one (1). So, that is Non-Certified. And then Community Corrections, the Department Head was out of the office. So, she'll submit, she always submits supporting documentation. Total for Payroll, did you have any questions?

Commissioner Saylor: No, I don't think so, Debbie.

Auditor Stevens: Okay, is five hundred eleven thousand dollars seven hundred...five thousand...five hundred eleven thousand seven hundred fifty dollars and nine cents (\$511,750.09). That is five-one-one-seven-five-zero-point-zero-nine (\$511,750.09).

Commissioner Phillippe: Make a motion to pay the Payroll.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Auditor Stevens: That's all I have.

Commissioner Johnson: Thank you.

Commissioner Saylor: Thank you.

Auditor Stevens: Thank you.

(Payroll Voucher is located on Page 32 of these Official Minutes)

COUNTY ENGINEER/HIGHWAY BELL ROAD CHANGE ORDER 6

Commissioner Saylor: Next item on the agenda is our County Engineer and Highway Department. Bobby?

Bobby Howard: I just have one (1) item tonight. It's the Change Order 6 for the Bell Road Project. This is to do with a design change on the modular block wall. I am switching to the reinforcement to a no fines concrete. This is a credit to the project of a hundred and forty-three dollars and seventy-six cents (\$143.76). And I'm just asking for approval for this tonight.

Commissioner Saylor: That's all the credit it is?

Bobby Howard: Yeah. It's a small area.

Commissioner Saylor: Oh, okay.

Commissioner Phillippe: Make a motion to approve Change Order 6 for Bell Road.

Commissioner Johnson: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: (Inaudible).

Commissioner Saylor: Aye. Motion carries three, zero (3-0). Bobby, are, when is Bell, and I know I asked this in an email. But, I can't remember. When's Bell Road going to be, when they going to be finished with that?

Bobby Howard: As of our meeting...

Commissioner Saylor: Next year?

Bobby Howard: A meeting I had on Thursday, south of Oak Grove Road at this time there's utility conflicts with AT&T and we're moving forward with some other utility conflicts. And it looks like it will not be paved until about the second week of December and open south of Oak Grove Road. We're shooting for Thanksgiving. But, that's not going to happen.

Commissioner Saylor: And so I received a call from Ragle and I think they, they wanted to be put on the agenda and I, I told them...

Bobby Howard: I spoke to him before the meeting as well.

Commissioner Saylor: Oh, okay. And, and I, I, I think, I'll speak for myself, let the other two (2) Commissioners, I mean, I'm still not in favor of closing both those roads at the same time unless they can work with something about the flow-able fill question. That's the question I divert to you. I don't know if they're still seeking approval for a change on

that or an allowance of change. I just, I just don't think we can close both those roads at the same time. I mean I think would be willing to consider something at night as, you know, if they could do it, you know....

Bobby Howard: It's got to be, once it's cut open, it will be open for several days. So, they wouldn't be able to get it back for the day time hours.

Commissioner Johnson: I'm not going to put the public safety at risk like that.

Bobby Howard: I did communicate with this before the meeting and basically communicated the fact that we don't want them both closed at the same time. And I did give him the time line in December, the second week of December is when we thought traffic would be allowed back onto that portion of Bell Road. It will have everything done except for surface on it at that time. But, they, they have shrunk the amount of closure on their end. They've reduced some of the casings, some of cut location area to minimize the amount, the amount of time it will take to do this now. But, it's still looking like it would take over an entire weekend to get that.

Commissioner Saylor: How wide is that cut?

Bobby Howard: Well, as far as across the road, we're, we're looking at being cased in about forty (40) feet. But, their depth wise, depth wise, they were, I thought close to twenty-one (21) feet deep. So, that cut (inaudible)...

Commissioner Saylor: So, you're saying forty (40) feet of road would be cut out?

Bobby Howard: It will be more than that on the, on the width, yeah. Forty (40) feet would just be to get across the width of the road.

Commissioner Saylor: I'm talking about to...

Bobby Howard: At twenty (20) feet deep, it would be close, close to forty (40), fifty (50) feet maybe.

Commissioner Saylor: So, there's no way they could plate that? That's too, too...

Bobby Howard: No.

Commissioner Saylor: Okay. I didn't know the length of the road that was gonna need to be cut.

Bobby Howard: Right. Yeah. No, we've talked to them about what other options were available, at least to keep one (1) lane open even and looking at those things, but they just came back and requested the closure again in an email for this coming weekend. I told them that that would not be acceptable and then we spoke today and he understands the situation.

Commissioner Saylor: Okay. Okay. Alright. I just wondered because I was in another meeting when he called. So, I was not able to call him back. I'll call him after the meeting, return a call to him. Alright, is that it, Bobby?

Bobby Howard: Yes.

Commissioner Saylor: Alright, thank you, Sir.

Bobby Howard: Thank you.

(Change Order 6 is located on File in the Auditor's Office)

COUNTY PURCHASING PEST CONTROL QUOTES TAKEN UNDER ADVISEMENT

Commissioner Saylor: Next item on the agenda is our County Purchasing, Joe?

Joe Grassman: Joe Grassman, Purchasing Manager. At our last meeting on October 26th, I opened the pest control bids, pest control contract bids. Gave you all copies to review and evaluate. I guess we're seeing where we're at on that at this point. Do you have any recommendations, or if you'd like to have some more time. We're not in any, it's not an urgent subject. We're on a month to month with the current supplier and they're fine with that.

Commissioner Phillippe: You guys had a chance to look at them?

Commissioner Saylor: I've thumbed through it. But, not absorbed it.

Commissioner Phillippe: Table it for a month?

Commissioner Saylor: When's the, you say it's just on a month to month, thirty (30) day?

Joe Grassman: Yeah. Like I said, they're completely okay with that.

Commissioner Saylor: So, even if we got to it in two (2) weeks, we still have time to end it or start it back, okay. So, do I have a motion to table?

Commissioner Phillippe: Make a motion to table.

Commissioner Johnson: Second.

Commissioner Saylor: First and a second, so, all I favor say, aye.

Commissioner Johnson: (Inaudible).

Commissioner Saylor: Aye. That motion to table to 11/23/(2020). (3-0).

Joe Grassman: Okay.

BITUMINOUS CONTRACT RENEWAL

Joe Grassman: The other item I have is in regards to a letter we received from Metzger Construction Company Incorporated asking or offering to renew our existing contract for one (1) more year starting January 1, 2021 through December 31, 2021. I think I had some emails from the three (3) of you concerning these issue. I guess I'll just ask what, if you wish to accept that offer or not.

Don Gibbs: I don't know what happened there.

Commissioner Saylor: It's still happening.

Roger Emmons: It's still happening.

Don Gibbs: There's nowhere to hide. Sorry, guys. I'm very sorry about that.

Joe Grassman: Just one (1) comment. That, we have that, we have that language in the contract with them already that we can renew the contract three (3) times after the initial exception to the time frame.

Commissioner Saylor: Bobby?

Bobby Howard: I'd be in favor of it.

Commissioner Saylor: No issues or anything?

Bobby Howard: We've not had any issues the last two (2) years of this occurring.

Commissioner Johnson: Year after year they're always the lowest cost per buyer. They do fantastic work. And based on what I'm seeing out there on Folsomville Road, I'm much in favor of using Metzger.

Todd Glass: And when you bid that contract out originally, it was on the basis of a renewal option also, so, pursuant to statute.

Commissioner Saylor: Okay, so, I guess I just need a motion for extending it.

Commissioner Johnson: I'll make the motion to extend it.

Commissioner Phillippe: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

Joe Grassman: Okay.

Commissioner Saylor: Is that it, Joe?

Joe Grassman: That's all I have.

Commissioner Saylor: Thank you, Sir.

Commissioner Johnson: Thank you, Joe.

Todd Glass: Joe, is that the second renewal?

Joe Grassman: This is the third.

Todd Glass: Third?

Joe Grassman: Yeah. 2019 was the (inaudible).

Todd Glass: Is that the last renewal?

Joe Grassman: No, 2020, 2020 was the second renewal.

Bobby Howard: There can be one (1) more after this.

Todd Glass: Gotcha. Thank you.

COUNTY SHERIFF

Commissioner Saylor: Next item on the agenda is our County Sheriff. Chief Deputy Kruse, do you have anything?

Chief Deputy Sheriff Kruse: (Inaudible).

Commissioner Saylor: Thank you, Sir.

COMMISSIONERS ITEMS FOR DISCUSSION

Commissioner Saylor: Next item on the agenda is the Commissioner Discussion Items. Commissioner Phillippe?

Commissioner Phillippe: Nothing.

Commissioner Saylor: Commissioner Johnson?

Commissioner Johnson: No, Sir.

Commissioner Saylor: And I have nothing. So, I need a motion.

Commissioner Johnson: Motion to dismiss.

Commissioner Phillippe: Second.

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

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

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

ADJOURNMENT: Meeting adjourned at 5:10 P.M.

WARRICK COUNTY BOARD OF COMMISSIONERS



DAN SAYLOR, PRESIDENT



ROBERT JOHNSON, JR., VICE PRESIDENT

TERRY PHILLIPPE, MEMBER

ATTEST


DEBORAH K. STEVENS, AUDITOR
WARRICK COUNTY, INDIANA



2020R-012725
PAT BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
11/10/2020 02:13:28 PM
PAGE: 3 OF 3

Ordinance No. 2020-26

AN ORDINANCE TO VACATE PUBLIC WAYS WITHIN WARRICK COUNTY, INDIANA, BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana, as follows, to-wit:

- Section I. A verified petition was presented to the Board of Commissioners of Warrick County requesting that the aforesaid Public Way be vacated.
- Section II. That after due and proper notice a timely public hearing was convened by the Board of Commissioners of Warrick County, Indiana, at which time all interested persons were permitted to address regarding said vacation.
- Section III. That the Board of Commissioners of Warrick County, after due investigation and consideration has observed as follows, and to warrant the vacation of that part of the public way or public place described as follows, and further described with the drawing hereto attached, which is made a part of this Ordinance.

12 foot wide Drainage Easement, lying in Lots 13, 14, and 15 in the Corrected Plat of Bellmore Landing Section 1, as per plat thereof, recorded as Document Number 2008R-005005 in the Quarter of Section 22, Township 6 S, Range 10 E, County of Warrick, Indiana, being part of South Half of the Southwest Quarter of Section 22, Township 6 S, Range 10 E, County of Warrick, Indiana, being more particularly described as follows:

Commencing in the Southeast right of way of High Pointe Drive at the West Corner of said Lot 15; thence along said right of way North 45 degrees 45 minutes 15 seconds East 270.00 feet and a delta angle of 2 degrees 08 minutes 36 seconds from which the long chord bears North 46 degrees 50 minutes 10.10 seconds East 10.10 feet to the POINT OF BEGINNING; thence continuing along said right of way and the arc of said curve having a radius of 270.00 feet and a delta angle of 02 degrees 49 minutes 52 seconds from which the long chord bears North 49 degrees 19 minutes 15 seconds East 13.34 feet; thence along said right of way and the arc of said curve having a radius of 270.00 feet and a delta angle of 02 degrees 49 minutes 52 seconds from which the long chord bears North 49 degrees 19 minutes 15 seconds East 13.34 feet; thence remaining 7 calls; South 00 degrees 45 minutes 49 seconds West 408.91 feet; thence North 48 degrees 45 minutes 49 seconds East 59.64 feet to the Northeast line of said Lot 13; thence North 44 degrees 14 minutes 11 seconds East 12.00 feet; thence South 45 degrees 45 minutes 49 seconds West 68.81 feet; thence North 00 degrees 00 minutes 00 seconds East 16.97 feet to the Lake Maintenance and Storm Drainage Easement; thence along the easement there of North 44 degrees 14 minutes 11 seconds West 16.97 feet; thence North 00 degrees 45 minutes 49 seconds East 438.85 feet to the point of beginning, containing 5,351 square feet (0.123 ACRES) more or less.

See Attached "Exhibit A" for a location map/ Exhibit of Area being vacated.

OCT 16 2020
WARRICK COUNTY
AREA PLAN COMMISSION

PAT BROOKS RECORDER DOCUMENT NUMBER 2020R-012725 PAGE: 3 OF 3

Therefore, the Board of Commissioners of Warrick County, Indiana, does hereby find that the public interest will be served by such vacation, and the Board of Commissioners of Warrick County does hereby vacate the Public Way described in Section III above subject to the terms and conditions as stated in this Ordinance.

BOARD OF COMMISSIONERS:

ATTEST:
Pat Brooks
Member
Date: 11/9/2020

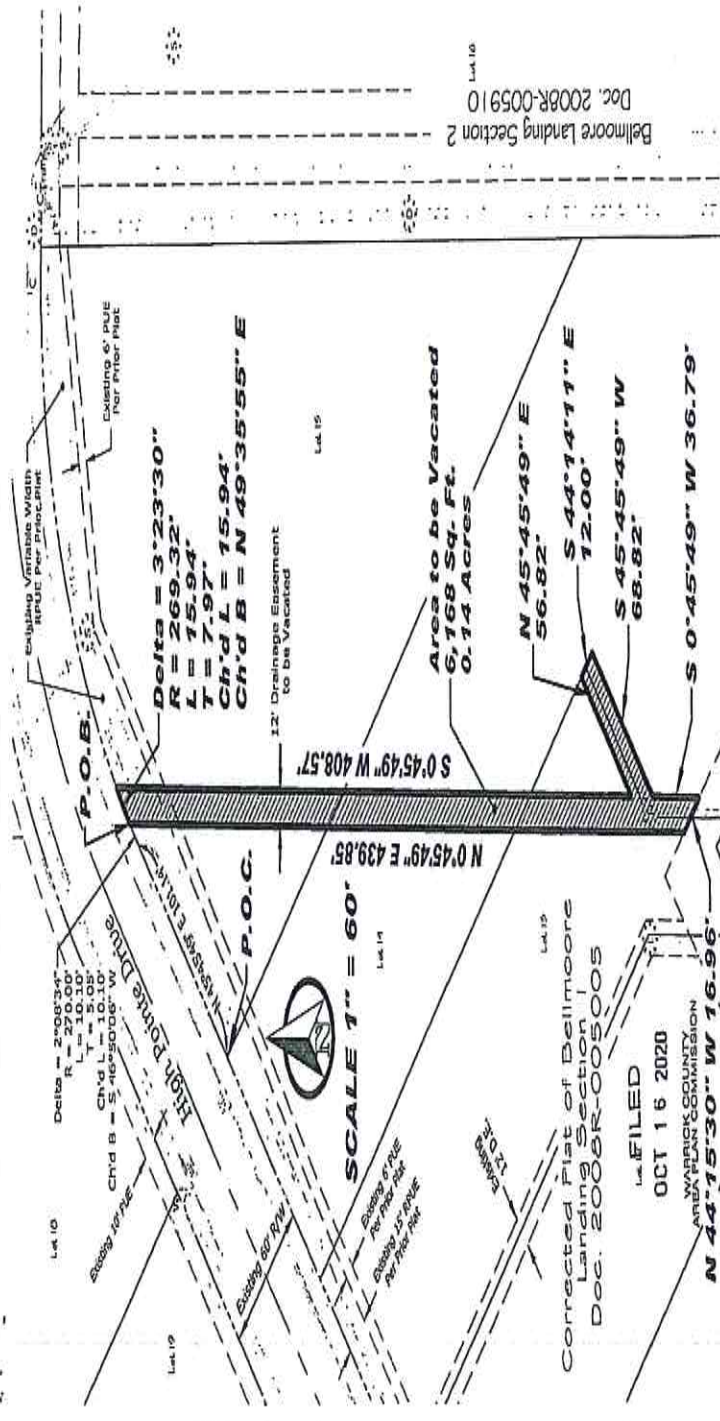
Tax Parcel Numbers: 87-12-22-302-015-000-019, 87-12-22-302-014-000-019 & 87-12-22-302-015-000-019

FILED
OCT 16 2020
WARRICK COUNTY
AREA PLAN COMMISSION

THIS INSTRUMENT WAS PREPARED BY ERIC OBERMEIER OF MORLEY 4800 ROSEBURY LANE NEWBURGH, IN 47630 IN FULL CARE AND ATTENTION OF THE ARCHITECTS IN FULL CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

(signature) Eric Obermeier (printed name).

PAT BROOKS RECORDER DOCUMENT NUMBER 2020R-012725 PAGE: 2 OF 3



MORLEY ARCHITECTS & ENGINEERS & SURVEYORS
12' Drainage Easement Vacation
Exhibit "A"
112277-1-002A
10/15/2020

Gmail

Area Plan Commission <apcc@warrickcounty.gov>

Huntington Creek

Aaron Miller <ahuntington1206@warrickcounty.gov>

Sun, Nov 1, 2020 at 8:41 PM

To: Area Commission <apcc@warrickcounty.gov>

Hi, I am asking for a one year extension for Huntington Creek sidewalks. I will be in attendance November 9, 2020 at 4 pm.

Aaron Miller



Sent from my iPhone

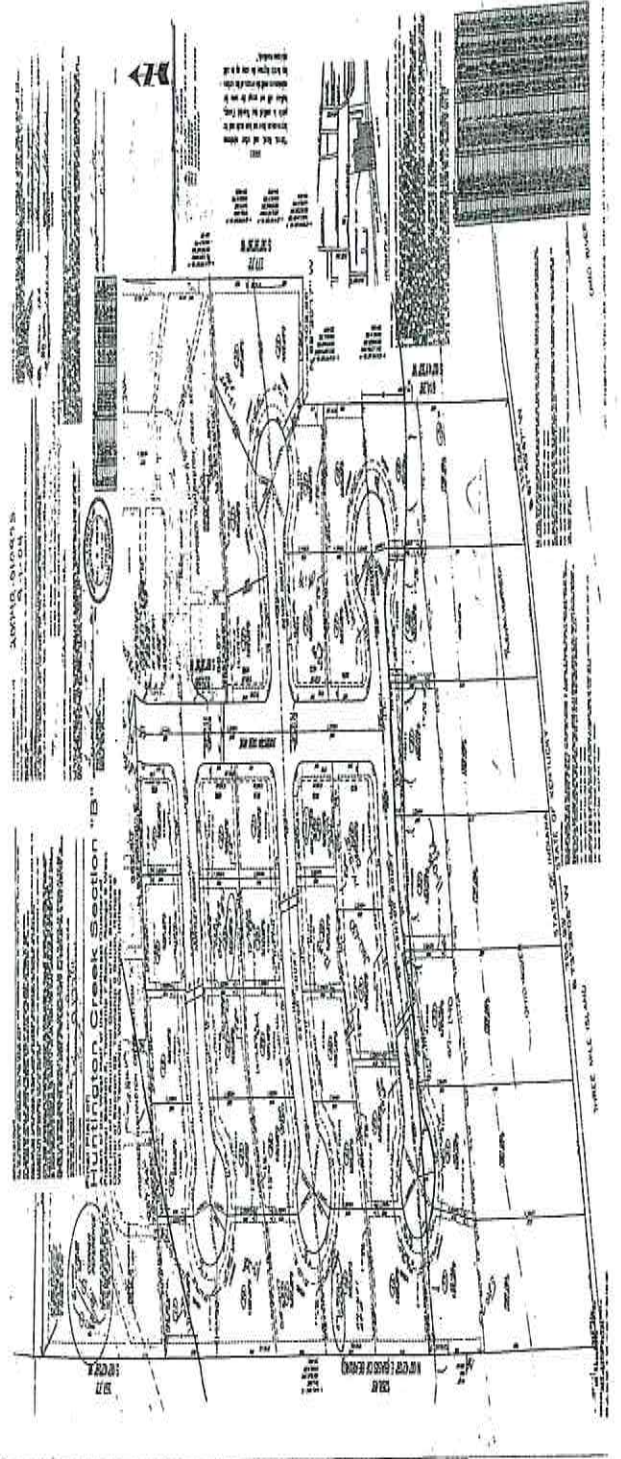
BOARD OF COMMISSIONERS:

President
Member
Member

ATTEST:
Auditor
Date: 11/9/2020

FILED
NOV 02 2020
WARRICK COUNTY
CLERK

https://mail.google.com/mail/u/0/?ik=61a2c6872&ik=61a2c6872&view=pt&search=alle&permmsgid=msg-f%3A168221461300776866&siml=msg-f%3A16822146130... 1/1



Lexington Subdivision - Sidewalks
Letter of Credit Extension

BOARD OF COMMISSIONERS:

President
Member
Member

ATTEST:
Auditor
Date: 11/9/2020



ANDY EASLEY ENGINEERING, INC.
1123 WEST HILL ROAD
SOUTHBURY, INDIANA 47780
PHONE: 317.233.3425
FAX: 317.233.3425
WWW.ANDYEASLEYENGINEERING.COM

LAND SURVEYORS
REGISTERED PROFESSIONALS

November 6, 2017
Updated: October 3, 2019
Updated: June 3, 2020

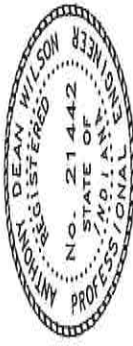
CERTIFICATE OF COMPLETION
SIDEWALKS

Lexington Subdivision Planned Residential Unit Development - revised quantities
Ohio Township, Warrick County, Indiana

This is to certify that the following amount of sidewalk remains to be installed.

DESCRIPTION	QUANTITY	UNIT PRICE	EXT.
4" x 4' Conc. Walks	2,136.4 L.F.	\$12.00	\$25,636.80

First Federal Savings Bank requests to establish a letter of credit to complete the above listed items.



Dean Wilson
Anthony D. Wilson, P.E.
Indiana Registration No. 21442

F:\PROJECTS\WPFDOCS\10076-LEXINGTON SUB REVISED LOC 20-6-3.odt

FILED
OCT 22 2020
WARRICK COUNTY
AREA PLANNING COMMISSION

Dean Wilson

Lexington Subdivision - Streets and Drainage
Letter of Credit Reduction

BOARD OF COMMISSIONERS:

Dean Wilson
President
Anthony Wilson
Member
John
Member

ATTEST:

Anthony Wilson
Auditor
Date: 11/9/2020



ANDY EASLEY ENGINEERING, INC.
1123 WEST HILL ROAD
SOUTHBURY, INDIANA 47780
PHONE: 317.233.3425
FAX: 317.233.3425
WWW.ANDYEASLEYENGINEERING.COM

LAND SURVEYORS
REGISTERED PROFESSIONALS

November 6, 2017
Updated: October 3, 2019
Updated: June 3, 2020

CERTIFICATE OF COMPLETION STREETS

Lexington Subdivision Planned Residential Unit Development - revised quantities to reflect new subdivisions with the original.

Ohio Township, Warrick County, Indiana

This is to certify that all basic street improvements have been installed.

NO.	DESCRIPTION	QUANTITY	UNIT PRICE	EXT.
1.	Sable Ridge	Complete	\$0.00	\$0.00
2.	Ashford Drive	Complete	\$0.00	\$0.00
3.	Lenox Drive	Complete	\$0.00	\$0.00
4.	Essex Drive	Complete	\$0.00	\$0.00
5.	Ashley Drive	Complete	\$0.00	\$0.00
6.	Thornbury Circle	Complete	\$0.00	\$0.00
7.	Ashford Circle (formerly eastern portion of Thornbury Circle)	Complete	\$0.00	\$0.00
8.	St. Claire	Complete	\$0.00	\$0.00
9.	Tapers	Complete	\$0.00	\$0.00
10.	Striping and Signs (this includes stop and street signs for Lexington Estates, but not Lexington Village II)	Lump Sum	\$3,000.00	\$3,000.00
11.	Contingency 15%		\$3,000.00	\$450.00
Total				\$3,450.00

FILED
OCT 22 2020
WARRICK COUNTY
AREA PLANNING COMMISSION
Anthony Wilson

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

PP-25-17 SAVANNAH

CERTIFICATE OF COMPLIANCE
Plan and Specifications - Street Construction

Submission Date: October 6, 2020
Probable Start Construction: November 16, 2020
Probable Finish Construction: November 16, 2021
Project Location: Located on the east side of Asbury Cemetery Road and at the Asbury Cemetery Road and Asbury Road Intersection

Describe in detail type of street construction:
Private streets will be 40 feet in width. The private streets will consist of 4 inches of #53 stone on 4 inches of #12 or #13 stone.

Name of Street	No. of Linear Ft.	Est. Cost of Construction
Avrathia Road	152 Tons of Stone @ \$25/Ton	\$ 3,800.00
Staman Lane	160 Tons of Stone @ \$25/Ton	\$ 4,000.00
10% Contingency		\$ 1,280.00
TOTAL		\$ 9,080.00

Name the Streets the Area Plan Commission has required sidewalks and what is the estimated cost of their construction:
Total Estimated Cost of Street Construction is \$ 9,080.00
Total Estimated Cost of Storm Sewer and Detention Construction is \$ 0.00

I, We the Owner/Owners of the above named subdivision certify that the information given above is true and correct and that the plans and specifications are submitted and attached hereto as shown and as indicated on the plans and specifications as submitted and attached hereto.

Owner/Owners Name: JOHN R. STRAIN
Signature: [Signature]
Address: 2238 W. Warrick Lane, Indianapolis, IN 46225

I certify that to the best of my knowledge and belief:
That the plans and specifications submitted are in compliance with the Warrick County Ordinance 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 in compliance with the Ordinance and were created by my employees and me.
Signature: [Signature]
Typed Name: Glenn D. Smith, Jr.
Engineer: Glenn D. Smith, Jr.
Address: Evansville, IN 47715 Ind. Reg. No. PE 104038 Phone No.: 812-401-5521

I will perform reasonable and periodic inspection of this project during construction to insure compliance with the plans and specifications for this project. I will be available for inspection by the Board of County Commissioners and the Area Plan Commission.
Signature: [Signature]
Typed Name: Glenn D. Smith, Jr.
Engineer: Glenn D. Smith, Jr.
Address: Evansville, IN 47715 Ind. Reg. No. PE 104038 Phone No.: 812-401-5521

Reviewed By: Area Plan Commission
Date: _____
Comments: _____

Reviewed By: County Engineer
Date: _____
Comments: _____

By: _____
By: _____
If needed additional space provided on back page)

APPROVAL GRANTED BY THE BOARD OF COUNTY COMMISSIONERS THIS
DAY OF November, 2020

[Signature]
PRESIDENT
[Signature]
MEMBER
[Signature]
MEMBER

ATTEST:
[Signature]
COUNTY AUDITOR

Additional Space for Comments:

Four (4) Copies of the Certificate of Compliance accompanied by four (4) copies of the plans and specifications for street construction shall be filed with the Board of County Commissioners for approval. Approved copies shall be filed with the offices of the Area Plan Commission and

3

WARRICK COUNTY, INDIANA
Board of County Commissioners
County Courthouse
Boonville, IN 47601

RP - 20-16 High Pointe Village PUD

Certificate of Compliance - High Pointe Village PUD
Plan and Specifications - Street Construction (Private)

Submission Date: October 5, 2020

Probable Start Construction: November 2020

Probable Finish Construction: November 2020

Project Location: Property located on the south side of High Pointe Drive, approximately 1,200 feet west of the intersection between High Pointe Drive and Bell Road in Newburgh, IN 47630.

Describe in detail type of street construction:
 722 LF of 24' (Back-of-Curb to Back-of-Curb) roadway consisting of twenty (20) feet of asphalt pavement with two (2) foot wide rolled curb and gutter along each side. It shall have:
 Asphalt Pavement
 1) 1.5" HAC surface
 2) 2" HAC base
 3) 6" granular base - #53

All storm sewers shall be High Density Polyethylene (HDPE), or Reinforced 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. Erosion control plan shall be submitted to Indiana Department of Environmental Management and NS4 Operator.

TOTAL Streets - See attached engineer cost estimate

TOTAL Signs - See attached engineer cost estimate

TOTAL Miscellaneous - See attached engineer cost estimate

TOTAL Storm Sewer - See attached engineer cost estimate

TOTAL Sidewalks - See attached engineer cost estimate

FILED
OCT 05 2020
WARRICK COUNTY
AREA PLAN COMMISSION

J:\11000\11200-11200\11227\Surveying 3D\Documents\PUD - Townhomes\Primary Plat Document\11227 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 streets, accordingly and in compliance with the Plans and specifications as submitted and attached hereto.

Owner name: Brian Finkert
Signature: [Signature]
Address: 4005 SR 351 E, Henderson, KY 42420

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 and 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 [Signature]
Typed Name Jaromy A. Elrod
Engineer Licensed Land Surveyor Ind. Reg. No. 11900898 Phone No. 812-464-9586
Address 4800 Rosebud Lane, Newburgh, IN 47630 SEAL



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

Signature [Signature]
Typed Name Jaromy A. Elrod
Engineer Licensed Land Surveyor Ind. Reg. No. 11900898 Phone No. 812-464-9586
Address 4800 Rosebud Lane, Newburgh, IN 47630 SEAL



J:\11000\11200-11200\11227\Surveying 3D\Documents\PUD - Townhomes\Primary Plat Document\11227 Primary Plat Certificate of Compliance.docx Page 2
OCT 05 2020
WARRICK COUNTY
AREA PLAN COMMISSION

Reviewed By: Area Plan Commission
Date: _____ Comments _____

Reviewed By: County Engineer
Date: _____ Comments _____

Approval granted by the Board of County Commissioners this 5 day of November, 2020

By: [Signature]
President
Member
Member

Attest:
[Signature]
County Auditor

Additional Space for Comments:

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. Approved copies shall be filed with the offices of the Area Plan Commission and the County Engineer. One Copy shall be retained by the Licensed Land Surveyor or Engineer and the property owner shall receive a copy.

High Points Village PUD
COC Cost Estimate
11/9/20



October 6, 2020

Warrick County Area Plan Commission
Courthouse - Room 201
Boonville, IN 47601

LETTER OF CREDIT AMOUNTS
APPROVED BY:
Bobby Howard, PE
Warrick County Engineer

Re: High Points Village PUD
Engineer's Cost Estimate for Primary Plat
Morisy Project #1327-1-002B

Item	Qty	Unit	Unit Cost	Estimated Cost
Streets				
All Streets	722	EA	\$1,500.00	\$1,083,000.00
Entrance off High Points Drive	1	LS	\$5,000.00	\$5,000.00
Cul-de-sac	1	LS	\$5,000.00	\$5,000.00
Parking Area	1	LS	\$2,000.00	\$2,000.00
Subtotal for Streets				1,095,000.00
Signs				
Stop Sign	2	EA	\$300.00	\$600.00
Plastic Stop Bar	2	EA	\$400.00	\$800.00
Street Sign	4	EA	\$250.00	\$1,000.00
Subtotal for Signs				2,400.00
Miscellaneous				
Fertilizer, straw and seeding	5	AC	\$500.00	\$2,500.00
Erosion Control	1	LS	\$5,000.00	\$5,000.00
Subtotal for Miscellaneous				7,500.00
Storm Sewers				
Flared End Section	3	EA	\$350.00	\$1,050.00
12" HDPE N-12	59	LF	\$30.00	\$1,770.00
18" HDPE N-12	4	LF	\$45.00	\$180.00
Curb Inlet	248	LF	\$45.00	\$11,160.00
Area Drain	3	EA	\$2,000.00	\$6,000.00
Backfill	3	EA	\$1,600.00	\$4,800.00
Waste Grading	21	TON	\$25.00	\$525.00
Subtotal for Storm Sewers	1493	LF	\$1.50	2,239.50
TOTAL COST ESTIMATE				1,107,859.50

High Points Village PUD
COC Cost Estimate
11/9/20

Sidewalks	3	LF	\$15.00	\$45.00
All Streets	5	EA	\$600.00	\$3,000.00
ADA Curb Ramps				1,800.00
Subtotal for Sidewalks				3,845.00
TOTAL COST ESTIMATE				1,179,859.50



Engineer's Cost Estimate prepared
and respectfully submitted by:
Jeremy A. Eirod
Jeremy A. Eirod, P.E.
Indiana Registration No. 11900899
Date Prepared: October 6, 2020



Customer Information

Bill To:
Warrick County Commissioners
1 COUNTY SQ STE 301
BOONVILLE, IN 47601
USA
(812) 897-0202

Service Location:
Warrick County Commissioners
1 COUNTY SQ STE 301
BOONVILLE, IN 47601
USA

Detail of Charges

Service Location	Line Item Description	Round	Quantity	Description	Round	Quantity	Description	Round	Quantity	Description	Total Price
Warrick County Commissioners	Lawn Service	1		Early Spring - Fertilizer, broadleaf weed, crabgrass and pre-emergent weed control	1		Early Spring - Fertilizer, broadleaf weed, crabgrass and pre-emergent weed control	1		Early Spring - Fertilizer, broadleaf weed, crabgrass and pre-emergent weed control	\$125.00
Warrick County Commissioners	Lawn Service	2		Late Spring - Fertilizer, broadleaf weed, crabgrass and pre-emergent weed control (As Needed/Weather Dependent)	2		Late Spring - Fertilizer, broadleaf weed, crabgrass and pre-emergent weed control (As Needed/Weather Dependent)	2		Late Spring - Fertilizer, broadleaf weed, crabgrass and pre-emergent weed control (As Needed/Weather Dependent)	\$125.00
Warrick County Commissioners	Lawn Service	3		Early Summer - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	3		Early Summer - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	3		Early Summer - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	\$125.00
Warrick County Commissioners	Lawn Service	4		Late Summer - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	4		Late Summer - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	4		Late Summer - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	\$125.00
Warrick County Commissioners	Lawn Service	5		Early Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	5		Early Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	5		Early Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	\$125.00
Warrick County Commissioners	Lawn Service	6		Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	6		Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	6		Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	\$125.00
Warrick County Commissioners	Lawn Service	7		Late Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	7		Late Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	7		Late Fall - Fertilizer, broadleaf weed control (As Needed/Weather Dependent)	\$125.00
Warrick County Commissioners	Grub Preventative	10		Preventative-treatment-for-sub-surface-grub-activity	10		Preventative-treatment-for-sub-surface-grub-activity	10		Preventative-treatment-for-sub-surface-grub-activity	\$600.00
											\$1,075.00
											\$0.00
											\$1,075.00

Prescribed by the State Board of Accounts 10-46 COUNTY TREASURER'S MONTHLY REPORT Required by IC 36-2-10-10 and IC 5-13

County Form No. 47-TR

Month ending October 31, 2020 WARRICK COUNTY RECEIVED NOV 05 2020 WARRICK CO. AUDITOR FILED NOV 05 2020 WARRICK CO. AUDITOR

RECONCILEMENT WITH DEPOSITORIES 34 Balance in all Depositories Per Daily Balance Record 35 Balance in all Depositories Per Bank Statements

ANALYSIS OF CASH ON HAND AT CLOSE OF MONTH: (a) Cash Changes Deposited in Depositories County (b) Uncollected Items on Hand (List on Reverse Side) (c) Total (Must Agree with Line 26 Above)

State of Indiana, Warrick County; ss: I, the undersigned Treasurer of the aforesaid County and State hereby certify that the foregoing report is true and correct to the best of my knowledge and belief.

ACCOUNTS PAYABLE VOUCHER REGISTER WARRICK COUNTY, INDIANA Governmental Unit Friday, November 5, 2020

Table with columns: Filed, Department, Name of Claimant, Amount of Vouchers, Amount Allowed, Warrant#, Certified. Includes rows for CLERK, AUDITOR, TRESPASSER, RECORDER, SHERIFF, CORNER, ASSESSOR, PROSECUTING ATTORNEY, EXTENSION OFFICE, VETERAN'S AFFAIRS, COUNTY COUNCIL, COMMISSIONERS, AREA PLANNING COMMISSION, COURT HOUSE, SUPERIOR COURT #1, SUPERIOR COURT #2, CIRCUIT COURT, CIRCUIT COURT CASA, EMERGENCY MANAGEMENT, CENTRAL DISPATCH, JAIL, CHILD SUPPORT, ECONOMIC DEVELOPMENT, COMMUNITY CORRECTIONS, CUM BRIDGE, CUMULATIVE DRAIN, HEALTH DEPT., LOCAL HEALTH MAIN, HIGHWAY DEPT., HIGHWAY DEPT., PLAT, RAINY DAY-Health, RECORDER PERPETUATION, SALINITY WATER MANAGEMENT, SALEM JUDICIAL COURT, ELECTION, PARKS DEPT., PROPERTY REASSESSMENT, SUPERIOR #1/CIRCUIT PROBATION, CIRCUIT COURT - PROBATION, PRETRIAL DIVERSION, COMMUNITY CORRECTIONS, BUILDING COMMISSION, DD/DC PROG INCOME, VOCA, BOARD OF PROSECUTING ATT, COMM CORR-DIVS Court.

Child Support Bonus 8806 \$ 4,001.16
CASA 0141 \$ 421.72
ADULT COMM BASED SUP - DC 8210 \$ 1,343.25
Total \$ 5,766.13

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 reviewed the same. Eridav, November 5, 2020 Debbie Stovova, Fiscal Officer

ALLOWANCE OF VOUCHERS IC 5-11-10-2 permits the governing body to sign the accurate payable voucher register, consisting of one (1) page, and except for vouchers not allowed as shown on the register such vouchers are allowed in the total \$11,780.00

Debbie Stovova, County Commissioner
Robert Johnson, County Commissioner
Terry Phillips, County Commissioner

**ACKNOWLEDGEMENT of the
Renewal of 2019 Bituminous Contract**

WHEREAS, Metzger Construction Co., Inc. ("Metzger") and Warrick County, Indiana (the "County") entered into a Bituminous Contract (the "Contract") effective January 14, 2019 through December 31, 2019, attached hereto as Exhibit A;

WHEREAS, in accordance with Ind. Code 5-22-17-4, Metzger and the County renewed the Contract in 2020, with the term of the renewal of the Contract to be from January 1, 2020, through December 31, 2020;

WHEREAS, the County desires to renew the Contract once again, pursuant to the terms of the Contract and Ind. Code 5-22-17-4, with the terms of such Contract to be effective January 1, 2021 through December 31, 2021; and

WHEREAS, Metzger is willing to renew the Contract pursuant to its terms.

NOW, THEREFORE, Metzger and the County hereby agree that the Contract, attached hereto as Exhibit A, shall be renewed with and under the same terms and conditions, with such renewal term to be effective January 1, 2021 through December 31, 2021.

Metzger Construction Co., Inc.

By: Timothy W. Metzger
Name: Timothy W. Metzger
Title: President
Date: 11/30/2020

Warrick County, Indiana

By: Dan Saylor
Name: Dan Saylor
Title: President, Board of Commissioners
Date: 11/30/2020



November 4, 2020

Warrick County Engineer's Office
Attn: Bobby Howard P.E.
107 W Locust Street, Suite 208
Boonville, IN 47601

Sent via email: bhoward@warrickcounty.gov

Re: Oak Park
Letter of Credit Renewal
Morley # 9061.4.001

Bobby,

We have inspected the streets and drainage. The following street work needs to be completed:

- 1) Asphalt Base Repairs = \$5,000.00
- 2) The surface coat still needs to be installed.
Cleaning & Tack Coat = \$350.00
402 TN @ \$110/TN = \$44,220.00
- 3) Thermoplastic Stop Bars = \$400.00
- 4) Street Signs at Oakpark Dr. and Lenn Rd = \$1,200.00
- 5) Drainage = \$18,000.00

Subtotal \$70,674.00
10% Contingency \$7,067.40
TOTAL \$77,741.40

I recommend retaining the above-mentioned amount to ensure that the roadway repairs, asphalt surface coat, signage and drainage is completed.

Sincerely,

Matt Calvert
Matt Calvert, PE

FILED

NOV 04 2020

Phillip N. Beatty
SURVEYOR WARRICK COUNTY IN.

FILED

NOV 04 2020

WARRICK COUNTY
AREA PLAIN CLERK

812.464.5585 office 812.464.2514 Fax
4800 Rosebud Ln., Newburgh, IN 47630
morleycorp.com



Secondary Plat
Warrick APC - Sherri Rector, Dan Buck, File

Oak Park Sub
November 4, 2020

J:\19000a\9000-9099\9061\Civil 3D\APC\2020-11-04 LOC Renewal\2020.11.04_9061_Oak Park_LOC Renewal.docx

[Handwritten signature]

June 21, 2020
Extend 6 months.

BOARD OF COMMISSIONERS:

[Signatures of Board of Commissioners members]

ATTEST:

[Signature of Auditor]
Auditor
Date: 11/9/2020

FILED
NOV 04 2020
WARRICK CO., IN.
AREA PLAN COM. 11551
Page 02

Oak Park
Part of the SE 1/4 of the SE 1/4 of
Section 26 - Township 6 South - Range 9 West
Ohio Township

2014-2016
1-11-16

SCALE 1" = 20'

Legend:
 - Proposed Road
 - Proposed Utility
 - Proposed Easement
 - Proposed Right-of-Way
 - Proposed Lot
 - Proposed Area

DEVELOPER: [Name]
 ENGINEER: [Name]
 SURVEYOR: [Name]

County of Warrick, Indiana
 State of Indiana

SEAL OF WARRICK COUNTY, INDIANA

FILED
NOV 04 2020
WARRICK COUNTY
AREA PLAN COMMISSION