

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
August 12, 2024
4:00 P.M.

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

Attorney Andrew Skinner and Administrator Heather Soberg were in attendance.

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

Commissioner Meetings can be viewed via YouTube: Warrick County Meetings

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

PLEDGE OF ALLEGIANCE

**AREA PLAN COMMISSION
EXTENSION OF SURETY
C-23-079 – WARRICK TRAIL**

Area Plan Director Molly Barnhill presented an Extension of Surety, C-23-079, 10144 Warrick Trail, Dover Development, LLC. The County is holding \$5,700.00 in escrow guaranteeing entrance construction. They are asking for a one-year extension at the same dollar amount. They have had one year. The surety expires September 1, 2024. County Engineer Bobby Howard said that the dollar amount was sufficient. Commissioner Dan Saylor made a motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

**REQUEST FOR RELEASE OF SURETY
C-23-095 VICTORIA WOODS DRIVE**

Next was a Request for Release of Surety, C-23-095, 2142 Victoria Woods Drive, Jerry Aigner Construction. The County is holding \$5,337.00 in escrow guaranteeing entrance construction. The surety expires October 25, 2024. Ms. Barnhill said that this was still in their files needed to be released. Commissioner Dan Saylor made a motion to approve the release. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

**STREET CONSTRUCTION PLANS
PP-24-07 DOERNER ROAD SUBDIVISION**

Street Construction Plans were presented for PP-24-07, Doerner Road Subdivision, petitioner/owner Arnold Real Estate Holdings, LLC by Bryan Arnold, Managing Member. It's approximately 42.02 acres located on the north side of Doerner Road approximately 2,000 feet west of the intersection formed by Petersburg Road and Doerner Road. It's in Hart Township, 33-3-8. They are requesting no street improvements to Doerner Road. It was advertised in the Standard on August 1, 2024. Cody Simpson with Morley was present to answer any questions. He said this will be seven residential lots. Mr. Howard recommended approval. Commissioner Bob Johnson made a motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

PP-24-08 OLIVER PLACE PUD

Next was PP-24-08, Oliver Place PUD, petitioner Ukon, LLC by Daniel Ubelhor, President; owner, Maken Corporation by Daniel Ubelhor. It's approximately 4.83 acres located on the south side of Oak Grove Road approximately 300 feet east of the intersection formed by Oak Grove Road and White Chapel Drive. Ohio Township 18 & 19-6-8. It was advertised in the Standard on August 1, 2024. Cody Simpson with Morley also spoke to this. He said it was for fourteen lots. Mr. Howard said that everything was in order and ready for approval. Commissioner Dan Saylor made the motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

PP-24-09 POTTER'S HAND

PP-24-09, Potter's Hand, by petitioner/owner William M. Burk, is approximately .407 acres located on the east side of McDaniel Drive approximately 350 feet northeast of the intersection formed by McDaniel Drive and Fuquay Road. Being Lot 15 in the corrected plat of Paradise View Subdivision and Parcel 4 in Trey Minor Subdivision. Ohio Township 14-6-9. They are requesting no improvements to McDaniel Drive. It was advertised in the Standard on August 1, 2024. Mr. Zack Boop with Kissel Land Surveying was present to answer any questions. Mr. Howard recommended approval. Commissioner Bob Johnson made a motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

PP-24-10 SCHNUR SUBDIVISION

Last, was PP-24-10, Schnur Subdivision. The petitioner/owner is Schnur Family Trust by Margaret Schnur, Trustee; Schnur Brothers Farms IV, LLC by Charles E. Schnur, Member; Anne Downey, Marie Eisterhold, Jane Baker, Lois Mitchell, Beverly Newcomb, Mike Schnur, Susan Davis, Tony Schnur, David Schnur, and Donna Lasher, Owners. It's approximately 21.51 acres located on the east side of Epworth Road zero feet north of the intersection formed by Epworth Road and Vann Road. Ohio Township 20-6-9. They are requesting no street improvement to Vann Road and Epworth Road. It was advertised in the Standard on August 1, 2024. Cody Simpson with Morley was present. He said they were transferring ownership with no other changes being made. Commissioner Dan Saylor made a motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

(All APC Paperwork is located on File in the Auditor's Office)

**ACTION AGENDA
APPROVAL OF MINUTES
JULY 8, 2024 REGULAR SESSION**

Minutes for the July 8, 2024 Regular Session meeting were presented to the Commissioners for approval. Commissioner Bob Johnson made the motion to approve the minutes. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

JULY 22, 2024 REGULAR SESSION

Minutes for the July 22, 2024 Regular Session meeting were presented to the Commissioners for approval. Commissioner Dan Saylor made the motion to approve the minutes. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

JULY 31, 2024 EMERGENCY SESSION

Minutes for the July 31, 2024 Emergency Session meeting were presented to the Commissioners for approval. Commissioner Dan Saylor made the motion to approve the minutes. Commissioner Terry Phillippe seconded the motion. The motion carried 2-0-1 with Commissioner Bob Johnson abstaining.

**BOARD APPOINTMENTS
HEALTH BOARD MEMBER**

Ms. Leanne Holder, current Health Board member, presented Kathy Clodfelter as an appointment to the Health Board to replace a current member who is leaving. Ms. Holder went over all Ms. Clodfelter's qualifications and felt that she would be a good fit for the Board with all her experience. She is currently the Vice President of Nursing at Deaconess.

President Phillippe called for the nomination unless there were others. None were suggested. Commissioner Dan Saylor made the motion to approve the appointment of Kathy Clodfelter. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

BOARD OF ZONING APPEALS

There have been no nominations for this position. Commissioner Bob Johnson made a motion to table. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

**COUNTY ADMINISTRATOR
CONSENT AGENDA**

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

1. County Auditor Certified Claims Voucher Report Date August 7, 2024 in the amount of \$3,793,552.12.
2. Payroll Vouchers 07/26/24 in the amount of \$666,906.28 & 08/09/24 in the amount of \$669,286.55
3. Meraki Service Agreement Renewal
4. Larry's Automotive Temporary Road Closure Request

Commissioner Dan Saylor made the motion to approve the items on the Consent Agenda. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

(Certified Claims are located on Pages 6 through 9 of these Official Minutes)

(Payrolls are located on Page 9 of these Official Minutes)

(Meraki Service Agreement is located on File in the Auditor's Office)

**IT DIRECTOR
SURPLUS DECLARATION – COMPUTERS**

IT Director Guy Whelan presented outdated computers to declare surplus. There are sixty-five computers. The rams and hard drives have been removed. They are considered obsolete. Commissioner Dan Saylor made a motion to declare them worthless and to be destroyed. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

AZURE BLOB STORAGE PROPOSAL

Mr. Whelan next presented the Azure Blob Storage Proposal which would be an upgrade. Currently, they have a virtual machine in Azure which is where the County storage goes. The Blob is actually cheaper per month than their current storage as well as more secure. Mr. Whelan further reviewed what Blob Storage was and how it could protect the County against ransomware. It will be \$1,488.00 to set up and change over, but will be recouped in eight months with the cheaper storage fees. Commissioner Bob Johnson made a motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(Azure Blob Storage Agreement is located on File in the Auditor's Office)

**ACQUISITIONS ADMINISTRATOR
PRESENTATION OF AC BID FOR COUNTY HIGHWAY GARAGE**

Acquisitions Administrator Sherrie Sievers presented bids for an AC system for the Highway County Garage. The current unit has a leak and is considered obsolete. Ms. Sievers went over statutes followed for this project. She did reach out to three vendors for quotes. She also asked for quotes for the furnace as well since it is over thirty years old. She received back two quotes: BNG for \$5,445.00 and Byers for \$6,776.43 to replace the AC only. She did verify that money was available in HVAC Systems Fund 60021.00 from the County Administrator. She asked the Commissioners how they would like to proceed. The Commissioners had a brief discussion on where everything was located as well as possibly moving the current unit. Future plans were also considered. There was then a brief discussion on replacing it all due to the furnace's age and reviewed those quotes. The Commissioners talked about the brands offered, efficiencies, and warranties. Attorney Skinner went over the options on how they could proceed with the current bids. Commissioner Dan Saylor made a motion to approve the bid from BNG being the lowest responsible/responsive bid at \$7,235.00 for the replacement of both furnace and AC. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

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

HOUSEKEEPING EQUIPMENT FOR JC & HISTORIC COURTHOUSE

Next, Ms. Sievers presented the quotes for two floor cleaners for the ceramic flooring in both the Judicial Center and Old Courthouse. They are two portable scrubbers from Hawkins Family Warehouse for \$3,125.00 each or \$6,250.00 for two to cover each building. Ms. Sievers presented all the paperwork as well as the results from the demonstration given by the vendor. She also went over costs from previously having professional services done for the cleaning which was \$2,525.00 for a single cleaning. As to funding, there is \$8,000.00 in the Janitorial Supplies Fund. There was a discussion on the possible purchase and where all it would be used. There was a concern about getting two and not leaving much funding in the line item for the rest of the year. After the discussion, it was decided to get just one for now to see how it works and use the Supplies Fund for the purchase. Commissioner Bob Johnson made a motion to approve the purchase of one machine with the Janitorial Supply Funds. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(Equipment Purchase Agreement is located on File in the Auditor's Office)

J.E. SHEKELL QUOTE FOR MEN'S RESTROOM REPAIRS IN JC

Ms. Sievers presented a quote from J.E. Shekell for repairs in the men's restrooms in the Judicial Center. She reviewed the statutes followed and the work that needed to be done. The total cost of repairs would be \$1,116.00. The funding would come from inline transfers from Contractual Services and Cum Cap. This was verified with the Council Administrator that the transfer could be done. Commissioner Dan Saylor made a motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

(J.E. Shekell Agreement is located on Page 10 of these Official Minutes)

**QUOTES TO REPLACE DOUBLE CHECK BACK FLOW PREVENTER WITH
REDUCED PRESSURE ZONE**

Next, Ms. Sievers presented a quote for replacement of the four-inch double check back flow preventer on the lower level of the Judicial Center failed the inspection done by Tri-State Fire Protection. It has the wrong type of device. This is located behind the Prosecutor's Office in the old IT room. It was replaced a couple of years ago, but the wrong part had been put on. She reached out to several vendors. Hydromaxx was \$5,414.49, Bayer came in at \$9,900.00, and J.E. Shekell was \$17,015.00. This has to be done after hours or on the weekend because the water lines would have to be shut down with a minimum of six hours for the service. There was a brief discussion on the previous work and the current prices. Commissioner Bob Johnson made a motion to approve Hydromaxx to fix the issue. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(Hydromaxx Agreement is located on Page 10 of these Official Minutes)

UPDATE ON GOVDEALS SALE OF THE EMA TRAILER

An update was given on the sale of the EMA Trailer on GovDeals. It sold for \$7,000.00. It had already been declared surplus by the Commissioners at a previous meeting. It will be going to the Butler County Sheriff's Office in Poplar Bluff, Missouri.

PREPAYMENT STATUS FOR PARKER'S CUSTOM IRONWORKS, INC.

Ms. Sievers let the Commissioners know that the Council, at their last meeting, passed a resolution to allow the prepayment to Parker's Custom Ironworks for the aluminum doors for the crawl spaces under the steps of the Old Courthouse. The vendor had needed an advance payment and since there wasn't an RFP stating such, Ms. Sievers went to the Council for approval of the prepayment. She also went over all the steps in getting this done. The Resolution was tailored specifically to this transaction.

**CABINETS IN COMMISSIONERS MEETING ROOM
KITCHEN INTERIORS**

The cabinets for the Commissioners Meeting Room are in, but Ms. Sievers said that the estimate didn't have installation included. Now, it needs to be paid. The cost is \$1,100.00. Funding was then discussed. Ms. Soberg said that they could use Courthouse bond funds for this installation. They then discussed who would be installing the cabinets, Kitchen Interiors or the subcontractor. Ms. Sievers said the subcontractor would be paid for the work. It is an Amish company out of Montgomery. She just got the info this morning. Attorney Skinner said they could approve it contingent on the proper paperwork being submitted to Ms. Sievers and review by Legal Counsel. Commissioner Dan Saylor made that motion. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

(Kitchen Interiors Agreement is located on File in the Auditor's Office)

**COUNTY ENGINEER/HIGHWAY
EVANSVILLE WELDING SUPPLY LEASE AGREEMENT**

County Engineer Bobby Howard had an Evansville Welding Supply Lease Agreement that was presented by Administrator Soberg. This agreement would save the County \$12,000.00, because the lease on the current cylinders has been in place over twenty years but no agreement has been found and they are trying to get that cleaned up. Mr. Howard said they were basically renting the cylinders every month. He had no idea who set it up. The lease with Evansville Welding Supply at a cost of \$176.40 for the small cylinders and \$176.40 for the large cylinders per year. Commissioner Bob Johnson made the motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(Evansville Welding Supply Lease Agreement is located on Page 10 of these Official Minutes)

**BRIDGE 37 PRELIMINARY ENGINEERING CONTRACT
LOCHMUELLER GROUP**

Mr. Howard presented a preliminary engineering contract with Lochmueller for Bridge 37 on Stanley Road that goes over the Wabash-Erie Canal. The cost is \$278,000.00 for PE and Right of Way Services. This is a Federal Aid Project. Attorney Skinner stated that it had been reviewed and was in order. Commissioner Bob Johnson made the motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(Lochmueller Group Contract is located on File in the Auditor's Office)

**BRIDGE INSPECTION CONTRACT FOR 2025-2028
SJCA**

Mr. Howard presented the Bridge Inspection Contract for 2025 through 2028 with SJCA. It is a Federal Aid Project. The cost of the project will be \$498,232.00. Commissioner Bob Johnson made a motion to approve the contract. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(SJCA Contract is located on File in the Auditor's Office)

**COUNTY ATTORNEY
ENCROACHMENT AGREEMENT WITH TOWN OF NEWBURGH
CADBURY AT BERKSHIRE SUBDIVISION**

County Attorney Andrew Skinner presented and Cadbury Road Encroachment Agreement and Consent to Dedication of Right of Way with the Town of Newburgh, the County, and the Developer. Attorney Skinner has reviewed it as well as Mr. Howard. The Town of Newburgh has already approved it.

Mr. Howard stated that he recommended approval. It is basically a subdivision street that is being dedicated over the top of an existing sewer line. They are going to keep their rights, but if they damage the roadway, they are going to repair it, even if it's in the easement. Commissioner Bob Johnson made a motion to approve. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

(Town of Newburgh Encroachment Agreement is located on File in the Auditor's Office)

PTO FOR PART-TIME POSITION IN EMA

Attorney Skinner said that a need had come forward with the most recent tornado disaster declaration. EMA has part-time employees who were working in excess of forty hours a week. The County Handbook does not allow for the earning of paid time off by part-time employees. Attorney Skinner stated that this would create an SOP for them to receive one and a half times pay from their regular pay for any hours worked over forty hours per week. This was drawn up with the EMA Director Matt Goebel and HR Shateka Bard. The Commissioners could approve the change pending final review by Counsel and HR. Commissioner Saylor questioned on whether this could be done only during a declared disaster. Administrator Soberg said that when they have a situation, a catastrophic event and it's all hands-on deck. Attorney Skinner said that it was one of the notes made to clarify that. But this will allow them to receive the overtime pay. There was a brief discussion with Counsel on the County Council involvement if any was needed. Attorney Skinner said the Commissioners would set the policy, but Mr. Goebel would need to go before the Council for the appropriation of funds. Administrator Soberg said that they were ultimately following Federal law on overtime pay. Commissioner Johnson was good with it as long as they were following proper procedure. Commissioner Dan Saylor made the motion to approve. Commissioner Bob Johnson seconded the motion. The motion carried 3-0.

ADJOURNMENT

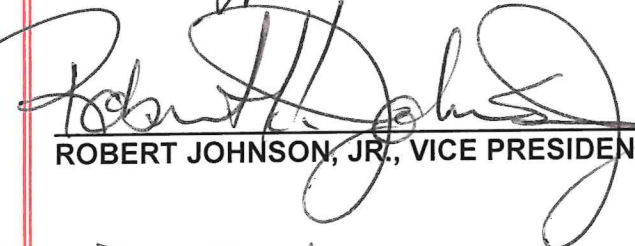
The next Warrick County Commissioners' meeting will be held on Monday, August 26, 2024 in the Commissioners' meeting room at 4:00 PM. Commissioner Bob Johnson made the motion to adjourn. Commissioner Dan Saylor seconded the motion. The motion carried 3-0.

Meeting adjourned at 4:50 P.M.

WARRICK COUNTY BOARD OF COMMISSIONERS




TERRY PHILLIFFE, PRESIDENT



ROBERT JOHNSON, JR., VICE PRESIDENT



DAN SAYLOR, MEMBER

ATTEST: 

MICHAEL J. DIETSCH, AUDITOR
WARRICK COUNTY, INDIANA

Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary

APPROVED AUG 12 2024

CYLINDER LEASE AGREEMENT

Evansville Welding Supply LLC, an Indiana Limited Liability Corporation, whose Address is 7330 Enterprise Park Circle Evansville, Indiana 47715, hereinafter called EWS, and Warrick County Highway Department a(n) corporation/partnership/proprietorship/individual, whose Address is 555 Roth Road, Boonville, IN 47601 ("Lessee"), hereby agrees as follows:

FILED AUG 13 2024

Michael R. Deitch WARRICK CO. AUDITOR

Table with 4 columns: QUANTITY, CYLINDER TYPE, SIZE, LEASE AMOUNT. Row 1: 3, Small cylinders, cu ft., \$176.40 each. Row 2: 8, Large cylinders, cu ft., \$176.40 each.

Any cylinder or other container from time to time delivered to Lessee hereunder, together with its cap, fittings and valves (hereafter referred to collectively as EWS cylinder), shall at all times remain property of EWS, and title thereto shall remain in EWS.

- 2. Lessee shall pay to EWS the total Lease Amount plus applicable sales taxes upon the execution hereof.
3. The Effective Date of this Agreement shall be the date when signed by authorized agent of EWS.
4. The term of this Agreement shall be for a period of (5) year(s) from the date hereof ("Initial Term")
5. Lessee and EWS shall have the right to terminate this Agreement at anytime and for any reason subject to the terms and conditions of Early Termination as provided herein.
6. Upon the expiration of the Initial Term or any subsequent Renewal Term of this Agreement, Lessee shall have the right to extend this agreement for additional (5) year(s) ("Renewal Term"), subject to the terms and conditions of Renewal as provided herein.
7. Lessee and EWS each shall have the right to terminate this agreement at any time and for any or no reason. The party terminating this Agreement shall deliver to other party written notice of termination at least thirty (30) days prior to the effective date of such termination.
8. The terms and conditions on the reverse side hereof are part of this agreement, and Lessee acknowledges that the same have been read and approved by Lessee.

LESSEE'S SIGNATURE
Warrick County Government
Name of Lessee
Authorized Signature
President, Board of Commissioners
Title
35-6000210
Federal Identification Number or Social Security Number and Driver Licensee

EWS'S SIGNATURE
Evansville Welding Supply LLC
Brittany Titzer
Authorized Signature
Accounts Receivable
Title
8-1-2024
Effective Date

This contract is non-transferable.

HYDROMAX PLUMBING

2501 S Kentucky Ave
Evansville, IN 47714
Phone: 812-925-3930
www.hydramaxplumbing.com

APPROVED AUG 12 2024

ORIGINAL FILED

AUG 13 2024

Michael R. Deitch WARRICK CO. AUDITOR

Dear Brad:

Thank you for giving us an opportunity to take care of your service needs.

Please find the attached estimate for the services you requested. Should you have any questions or concerns, please feel free to call us at (812) 925-3930

Estimate

Table with 5 columns: Description, Qty, Rate, Tax, Total. Rows include: Plumber - Estimate to take out the 4" double check backflow preventer and installing a 4" flanged RPZ, 4" flanged RPZ backflow preventer with shipping cost, Backflow test fee.

Total Due: \$5,414.49

Signature of this estimate is the approval and authorization to do work at the above listed service address. All work performed is warranted for the length of the manufacturer's warranty and one year for our labor. We CANNOT be held responsible for difficulties encountered due to existing condition of pipe, such as rusted out, settled or broken down lines or foreign objects being left in pipe.

Thank You,

Hydramax Plumbing
DBA Roto-Rooter
(812) 925-3930
2501 S Kentucky Ave
Evansville, Indiana 47714

Accepted by Warrick County Commissioners 8-12-2024 during regular scheduled public meeting.

Signature: Terry Phillippe, President, Warrick County Commissioners Date: 8/13/24

424 West Tennessee Street * Evansville, Indiana 47710 * 812-425-9131 Fax: 812-435-1440

THE PEOPLE WHO KNOW! J.E. SHEKELL INC.

APPROVED AUG 12 2024

8/07/24

TO: Warrick County Commissioners

ATTN: Sherrie Sievers

RE: courthouse bldg. and judicial center repair

Proposal # 404-2453

We propose to furnish labor, materials, equipment, and supervision for the referenced project as follows:

- 1. Greet Customer upon arrival and discuss the scope of work.
2. Commissioners Building-Replace the Diaphragm kit in 2nd floor Men's urinal closest to the sink.
3. Judicial Center-3rd floor Men's urinal middle-Pull off the wall and reset and replace gasket that seals the drain and urinal. Also, install a new diaphragm, O-ring and vacuum breaker.

The above for the sum of:

Total: One thousand one hundred and sixteen dollars...\$1,116.00

Exclusions: Overtime, shift work, anything not in the above scope of work.

Clarifications: Unforeseen repairs outside of this proposal will require an additional PO and/or customer's approval on signed work order.

FILED AUG 13 2024 Michael R. Deitch WARRICK CO. AUDITOR