Reconvening of Meeting	1
Attendance Roll Call	1
Pledge of Allegiance	1
First Reading of Ordinance CO.04-21-007	1
Establishing the American Rescue Plan Act (Fund)	
Notice to Taxpayers of Hearing on Re-Establishing Cumulative Bridge Fund	2
COVID-19 Vaccination Update by Vanderburgh County Health Dept	2
Health Dept: Ryan White STD Grant Renewal	4
Health Dept: Administrative Aide Contract: Tammy Witham	4
Health Dept: Nurse Vaccinator Contract: Timothy Case	5
Clarification of Public Hearing Date/Time: Cumulative Bridge Fund	5
County Engineer	5
DNR Construction in Floodway Permit: Franklin Street Bridge Project Sidewalk Waiver Request: Westridge Commons Subdivision Right-of-Way Utility Installation Permit: Mainstream Fiber Networks Administrative Settlements: BNH Project: Parcels 26 & 50	
New Business/Old Business	8
Discussion of CARES Act Revenue & Revenue Shortfall Spreadsheets Discussion of Letters of Credit Requirements Discussion of Local Ordinance vs. State Requirements: Solar Update on Road to Recovery Committee Meeting of April 7, 2021	
Consent Items	9
Public Comment	9
Recessing of Meeting	10
Listing of Consent Items & Attendance Page	10
Signature Page	11
Exhibit: Mainstream Fiber Networks: Right-of-Way Permit: Utility Installations	

The Vanderburgh County Board of Commissioners met in session this 13<sup>th</sup> day of April, 2021 at 3:02 p.m. in Exhibit Hall A of the Old National Events Plaza with President Ben Shoulders presiding.

#### **Reconvening of Meeting**

President Shoulders: Good afternoon, and welcome to the reconvening of the emergency meeting of the Vanderburgh County Commissioners, today April 13, 2021 here at the Old National Events Plaza at 3:00.

#### Attendance Roll Call

President Shoulders: On that note, Madelyn, the attendance please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Here.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Here.

Madelyn Grayson: President Shoulders?

President Shoulders: And, I am here as well.

#### Pledge of Allegiance

President Shoulders: On that note, please join me in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Shoulders: Thank you. Any students with us here today? Any students with us here today either in person or via Zoom? No students? Okay.

# First Reading of Ordinance CO.04-21-007: Establishing the American Rescue Plan Act

President Shoulders: We'll get right to the people's business. The first action item is a first reading of ordinance number CO.03-21-007. This is a first read of the ordinance establishing the American Rescue Plan Act, also known as the ARP. Now what this basically is, let me preface this by saying that we still do not have the action plan that coincides with this. We're waiting for direction from the U.S. Treasury. So, this is simply an ordinance that was (Inaudible) or facilitated by the State Board of Accounts. So, I ask for a motion for first read, to pass the first read of the ordinance establishing the American Rescue Plan Act.

Commissioner Musgrave: Motion to approve the ordinance CO.03-21-007, and, again, this is a first read.

Commissioner Hatfield: Second.

President Shoulders: We have a motion and a second. Madelyn, the roll call please.

<sup>&</sup>lt;sup>1</sup> Should be Ordinance Number CO.04-21-007.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes, again, as a first read.

#### (Motion approved 3-0)

# Resolution CO.R-04-21-005: Re-Establishing the Cumulative Bridge Fund & Notice to Taxpayers of Hearing on Cumulative Bridge Fund

President Shoulders: We also have, it looks like, yeah, resolution number CO.R-04-21-005, this is a resolution re-establishing the Cumulative Bridge Fund and notice for the Cumulative Bridge Fund. This is simply to provide more support, funding to help with our bridges throughout Vanderburgh County. I ask for a motion to pass the resolution as a first read.

Commissioner Musgrave: So moved.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The first read of the resolution supporting our Cumulative Bridge Fund passes.

#### (Motion approved 3-0)

#### COVID-19 Update by Vanderburgh County Health Department

President Shoulders: Next we have our Health Department here, and I ask Mr. Joe Gries to join us. The floor is yours, Mr. Gries.

Joe Gries: Good afternoon, Commissioners. I wanted to start with just an update on the vaccine efforts here locally. We've looked at the State dashboard, we're at 35.5% of our total population is fully vaccinated. That's a little bit higher, closer to 45% of the population has received at least one dose, and some immunity to the virus. So, we're doing really well here locally. I think, as far as population is concerned, we're in the top five in the State as far as vaccinating our population. The Health Department is still here conducting clinics at the Old National Events Plaza. We really love the space here. We appreciate you providing that for us, as well as the ONEP staff here with Alexus and her team. So, it really works out really well. People have commented that it's a really good situation. We're also working, going out to local businesses, large employers and working with making sure that we're bringing the vaccine to them, especially some of our employers that, you know, their folks may not be able to leave work and show up at a clinic. So, we want to

make sure we break down these barriers to make sure that we are vaccinating as many people as we can. We've been working with Berry Plastics, Ameriqual, Anchor Industries and several others. So, that's continuing. We are also still vaccinating our homebound, working with EMS. They're doing a great job there. We are going to also start to look at working with the School Corporation and possibly working to vaccinate, you know, students who are 16 and 17 that would want the vaccine. So, just kind of some things going forward there.

Commissioner Musgrave: So, Joe, will the EVSC help you get the word out to the schools?

Joe Gries: They are working on that, yeah, as we speak.

Commissioner Musgrave: I think that's really good news that our 16, 17 and I presume there may be an 18-year-old or two.

Joe Gries: Sure.

Commissioner Musgrave: At the schools are now eligible to receive the vaccine, and you're going to roll it out in their own schools.

Joe Gries: Right. Yeah, we want to make it as easy as possible. So, really appreciate everybody's help on all of that.

President Shoulders: And, Joe, to say that, not only the number that have been totally vaccinated, but the 35.5% of adult population in Vanderburgh County have already been fully vaccinated. That's amazing.

Joe Gries: It's going really well.

President Shoulders: That's absolutely amazing.

Joe Gries: I can't say enough about, both hospitals are doing so much. We're averaging right now just over 1,500 vaccinations done every single day.

President Shoulders: Geez.

Joe Gries: In Vanderburgh County. So, 1,500 people are getting the shot every day.

Commissioner Musgrave: Excellent work.

President Shoulders: Kudos to you, kudos to our healthcare community and you're top five in the State, from what I understand.

Joe Gries: Top five in the State as far as population, yeah.

President Shoulders: That is just amazing.

Joe Gries: We're going to try to keep leading the way here.

President Shoulders: So great news. Thank you for all you're doing, and please keep it up.

Joe Gries: Will do.

President Shoulders: So, that means we'll be at 100% next week, right?

Joe Gries: As soon as we can get there. We want to get there.

#### Health Dept: Ryan White Grant Renewal

Joe Gries: So, we also have a couple other things, agenda items here. We have a grant agreement. This is the Ryan White Grant agreement with the Indiana Department of Health. This is to fund our STD program here in Vanderburgh County. It totals just over \$80,000, and with the Commissioners approval we'll have that for another year. This is a grant that we receive every year.

Commissioner Musgrave: So moved.

Commissioner Hatfield: Second.

President Shoulders: Madelyn, there's a motion and a second. Madelyn, the roll call

please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

(Motion approved 3-0)

#### Health Dept: Administrative Aide Contract: Tammy Witham

President Shoulders: Anything else, Joe?

Joe Gries: I have two contracts that I want to thank County Legal, David Jones, and his team of getting this all straight there. Thanks, David, with the language on those. These contracts are for an Administrative Aide and a Nurse Vaccinator. These individuals will be working at our clinics going forward. If we're, you know, going out to these businesses, they'll really bolster our team and ensure that we can continue this for the long haul. And, this is, the contracts are being paid for out of our Immunization Grant.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes, and just to be clear, that was the Administrative Aide

contract with Tammy Witham.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well.

(Motion approved 3-0)

#### Health Dept: Nurse Vaccinator Contract: Timothy Case

Commissioner Musgrave: Motion to approve the Nurse Vaccinator contract with Timothy Case.

President Shoulders: Second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: And, I am a yes as well. The motion passes.

(Motion approved 3-0)

President Shoulders: Anything else, Joe?

Joe Gries: That's all I have. Thank you.

President Shoulders: Joe, thanks again for everything.

Joe Gries: Absolutely.

President Shoulders: Keep it up.

#### Clarification of Public Hearing Date/Time: Cumulative Bridge Fund

President Shoulders: I wanted to circle back on one thing here, guys, on action letter B. Since that's a final read of the resolution<sup>2</sup>, there will be a notice and public hearing to the taxpayers on April 27<sup>th</sup> at 3:00. So, that will serve as the hearing, and then that will also be a final read with the notice to the taxpayers for the hearing to support our Cumulative Bridge Fund. So, just an FYI there, I did want to mention that. Thank you to our legal for pointing that out.

#### County Engineer

President Shoulders: Moving on to letter D, our County Engineer is here, I think. Yeah, there's Mr. Stoll. The floor is yours, sir.

John Stoll: The first item I have is a DNR permit. It's a Construction in Floodway permit for the Franklin Street Bridge project. This is just one of the permits needed as part of that bridge rehab project that will be bid out through INDOT later this year. I just need your approval.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

 $<sup>^{2}</sup>$  The Resolution will be considered for action after the public hearing on April 27, 2021.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

#### (Motion approved 3-0)

President Shoulders: Anything else, John?

John Stoll: Yes, I have a sidewalk waiver request for Westridge Commons Subdivision. This is the subdivision that's off Strueh Hendricks Road. It was approved by the Plan Commission on April 1st. The sidewalk waiver was also presented at that meeting, but it had a "no action" vote. The vote by Plan Commission was six yes, four no and one abstention. So, it didn't come with a recommendation. The developer had requested all sidewalks to be waived, and Manuel Ball of Jagoe is back in the back if you have any specific questions for him. The reasons that the sidewalks were requested not to be waived, the....let me find it here. The Building Commission, the MPO did not recommend sidewalk waivers as far as county offices, city-county offices are concerned. The issue with the sidewalks were the grades in this subdivision. There are some pretty steep grades out there that will be resulting from the road construction, once the grading is completed out there. So, that's the primary reason for waiving it, if you do choose to waive it. It's not to say that they can't be designed to meet ADA standards, it will just take more effort in the design and construction side of things. So, that being said, I can answer any questions, or Manuel Ball from Jagoe, he can also answer as well.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

#### (Motion approved 3-0)

President Shoulders: John, anything else?

John Stoll: Yes, I've got a utility permit that I'm asking for your approval for me to sign it. It's with Mainstream Fiber Networks. It's a permit to install utility poles and an overhead fiber optic line in the Lynch Road right-of-way. The reason I'm bringing that to you is the Lynch Road right-of-way is limited access right-of-way that is owned by the county, and given some issues we've had with utilities on property owned by the county, I wanted to get this before the Commissioners, have you authorize it, and it's got a condition in the permit that I had written that said that any relocations needed for any type of county project in the future would be entirely the responsibility of the utility company to pay the relocation costs. So, that way we're not going to be in the situation where somebody can say that the county has to pay to move these poles, if the county initiates any project out there. So, that was the main condition that I wanted to get on the record, and, hopefully, for people in the future, if the county does pursue a project in the Lynch Road right-of-way, then this permit can be found through the Commissioners minutes and the county won't be stuck in a situation where a utility is trying to make the county pay the relocation costs.

Commissioner Musgrave: I'll make a motion to approve, and to incorporate, as if read, the entire agreement that Engineer Stoll has referenced.

President Shoulders: Is that a motion?

Commissioner Musgrave: Yes.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

#### (Motion approved 3-0)

President Shoulders: Then, John, anything else?

John Stoll: Yes, I've got two administrative settlements for the Boonville-New Harmony Road right-of-way. The first one is on parcel 26, it's owned by Anslinger, and requesting an approval of an additional \$1,000 for a new total offer amount of \$11,925.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

#### (Motion approved 3-0)

President Shoulders: John?

John Stoll: And, the other one is parcel 50, owned by Leinenbach and the increase is \$2,900 for a new total of \$7,000.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

#### (Motion approved 3-0)

President Shoulders: John, anything else?

John Stoll: That's all.

President Shoulders: Thank you so much for being here, sir.

John Stoll: Thanks.

President Shoulders: Any other department head reports? We had the County Engineer, any other Health Department or department heads to report to this Commission today? No? Okay.

#### **New Business/Old Business**

President Shoulders: Any new or old business? I know Commissioner Musgrave has something, I have something, Commissioner Hatfield, do you?

Commissioner Hatfield: I do.

President Shoulders: Okay, we all have something. Let's start with ladies first.

Commissioner Musgrave: Let's hope this microphone behaves. I wanted to ask Brian Gerth, the County Auditor, and I think he's probably on the phone, we have asked for a couple of spreadsheets from him; one to show how much reimbursement the county has received from the CARES Act. I know that that reimbursement period ended December 31st, I think, 2020. And, the other spreadsheet that we asked for was all revenue shortfalls from any account during the COVID emergency, from any account. And, I was just wondering, Auditor Gerth, if those were coming our way pretty soon?

Brian Gerth: Yeah, those are still being worked on. They're both going to be pretty detailed. I've got a start on the revenue shortfall, but there's still more coming. The User Fee piece is going to be tougher than just regular revenue, you know, which, of course, all the (Inaudible) from the Department of Treasury on that, but, yeah, we're working on those as we speak.

Commissioner Musgrave: Thank you very much. And, I ask about the timing, because if we can include any part of those numbers in the reimbursement in the plan for the second reading of the Rescue Act ordinance, then we can get those paid to you right away. So, the sooner the better on that.

Brian Gerth: Okay, thank you.

President Shoulders: Okay, Commissioner Hatfield?

Commissioner Hatfield: I have two items. The, earlier, like a month ago, we talked about, John Stoll, I guess he left, didn't he? We talked about changing our letter of credit requirements, and how we inspected our improvements. And, within the next couple of weeks I should be ready to sit down with John and the County Surveyor and go through some ideas that, hopefully, we'll bring back to try to change our ordinances on that. And, so I wanted to let you know that. And, then, the other thing, I think we all got this call from Senator Becker on solar, if we were interested in creating ordinances to regulate solar fields, like setbacks and buffering zones and stuff like that, because I think after June 30<sup>th</sup>, if a county does not have any ordinances in place, the jurisdiction of regulating those things falls to the State. Have you guys gotten any phone calls on that?

President Shoulders: I have.

Commissioner Hatfield: I think your mic is off.

President Shoulders: Sorry. I have, and I'm still kind of taking it all under advisement, and still kind of fact finding and listening to, not just Senator Becker, but many other State Legislators.

Commissioner Hatfield: Uh-huh.

Commissioner Musgrave: Same.

Commissioner Hatfield: Okay. Are we interested in doing that?

Commissioner Musgrave: I would say I'm not at this time, but I'm still listening.

President Shoulders: Yeah, I would say by next meeting, I think it doesn't go to the Statehouse, or both Bodies until next week. So, I would say by next meeting we will know more about where we're at.

Commissioner Hatfield: Okay. That's all I got.

President Shoulders: Okay. Thank you, sir. The only thing I have is an update on the Vanderburgh County Road to Recovery Committee. Since our last meeting, we've had another meeting, and so we started the committee with seven members. Since then we've doubled it in size, so, now I believe it's all three Commissioners, all seven County Councilmembers, our County Auditor, Brian Gerth, our former County Sheriff, Eric Williams, Greg Wathen, who is the Executive Director of the Economic Development Coalition and Tara Barney, the CEO of the Chamber. So, it's a 14-person committee, and our next meeting is next Wednesday, in this very room, I believe, at 3:00, and that is, again, open to the public, just as last meeting was. We will look forward to any individual who wants to speak about Road to Recovery. We just ask that you email us ahead of time, or reach out via phone call. Let us know you're going to be there, let us know the subject. We are very hopeful in the next eight days we have some sort of direction from the Treasury, State Board of Accounts or the Indiana Finance Authority, IFA, because this past meeting we hadn't had any fresh information, other than to add, you know, double the size of the committee and asking for public input. So, again, next meeting, next Wednesday, April 21st, with our fourth and final meeting Thursday, May 6th. So, that is my new/old slash update business on the Road to Recovery Committee. Looking forward to that committee meeting next Wednesday afternoon in this very room. Unless anyone else has any new or old business--

#### Consent Items

President Shoulders: --we will move to consent items. I ask for a motion to approve the consent items as stated.

Commissioner Musgrave: So moved.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

(Motion approved 3-0)

#### **Public Comment**

President Shoulders: I believe Madelyn had the sign in sheet, and I think it was at least two people that signed, maybe three. I know we had two, and I remember the top one, so I'll go ahead, as she grabs it for us, I believe it's Mr. Lee Russell who...no, it's not Mr. Lee Russell, he's shaking his head. Someone signed up. That was just attendance (Inaudible). Do we have anybody signed in?

Madelyn Grayson: No.

President Shoulders: Okay. No one signed up today for public comment, even though

we have a huge crowd today.

#### **Recessing of Meeting**

President Shoulders: So-

Commissioner Musgrave: Motion to recess.

President Shoulders: Okay.

Commissioner Hatfield: Second.

President Shoulders: Motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes.

#### (Motion approved 3-0)

President Shoulders: This meeting is recessed. Thank you all for being here. Stay safe,

stay healthy.

(The meeting was recessed at 3:22 p.m.)

#### **CONSENT ITEMS:**

#### Commissioners:

Approval of the March 29, 2021 Special Commission Meeting Minutes. Approval of the March 30, 2021 Emergency Commission Meeting Minutes. ARC of Evansville: December 2020 & January & February 2021 Reports.

**Employment Changes:** 

Co-Hwy (3) County Clerk (1) Assessor (3) Sheriff (19) Prosecutor (2) Area Plan (1)

Superior Court (2)

#### County Engineer:

Department Report & Claims.

Pay Request No. 76: U.S. 41 Expansion TIF: \$90.00.

Travel Request: 2021 IN Assoc. of Co. Engineers & Supervisors Conference.

#### Surplus Requests:

Sheriff: (6) Vehicles & (2) Motorcycles.

County Clerk: Various Office Furniture & Equipment.

County Auditor: Claims Voucher Reports: 3/29-4/2/2021 & 4/5-4/9/2021.

Those in Attendance:

Ben Shoulders Jeff Hatfield Cheryl Musgrave
David Jones Craig Emig Madelyn Grayson
Joe Gries John Stoll Brian Gerth

Others Unidentified Members of Media

#### VANDERBURGH COUNTY BOARD OF COMMISSIONERS

Ben Shoulders, President
Jeff Hatfield, Vice President
Cheryl A.W. Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)

# Vanderburgh County Right of Way Permit for Utility Installations in Public Right of Way

Project Location: Lynch Rd, Starting a	t Pigeon Creek, End	ing at Oak Hill Rd	·
The state of the s	en Oak Hill and Pigeon Cre		II Rd on Lynch Rd.
Boring under Oak Hill Rd North of Lynch Rd.			
Type of Base Stone: Earth: _			inches thick
Type of Pavement Concrete:	HAC: G	ravel:	inches thick
Type of Opening Bore: X Cut			
Opening Dimensions 30" (in) (ft) le	ong <u>12" (in)</u> (ft	) wide <u>48" (in</u>	) (ft) deep
Size of InsertGasWa	aterElectr	icSanitar	y Sewer
Petroleum (2) 1.25"Communicat	ionsCulv	ertother:	
The undersigned stipulates that he/s and agrees to be bound by and to fully mentioned or referenced in this App approved and that he/she has the aut County, Indiana  Contractor:	comply with all co plication and any	onditions, standar subsequent perm	ds and guideline it which may b
Mainstream Fiber Networks LLC			
Company Name	Special and Special and	71	
4588 Old State Rd 46 Nashville II	N. 47448	B TXIII	
Mailing Address			
	1/1	9/2021	
Signature	Date:	:	
Justin Suhre	jsul	hre@msfiber.net	
Printed Name	Ema	il Address	

Page 1 of 6

Owner:	
Mainstream Fiber Networks LLC Utility Company Name	
4588 Old State Rd 46 Nashville IN. 47448  Mailing Address	
	1/19/2021
Signature	Date
Justin Suhre Printed Name	jsuhre@msfiber.net Email Address
Approved:	M13/21
Variderburgh County Engineer  Any questions regarding this permit shall be directed Department. The contact information is as follows:	Date to the Vanderburgh County Engineering
Vanderburgh County Engineering Department 201 NW Fourth St., Room 306 Evansville, IN 47708 Phone 812-435-5773	
Mainstream's facilities. All relocation work will	Vanderburgh County requires the relocation of ll be done entirely at Mainstream's expense.
Any debris associated with any tree trimming of removed by Mainstream from the Lynch Road in	r tree removal required for this work must be right of way.

#### Vanderburgh County Engineering Department 201 N.W. Fourth Street, Suite 306 Evansville, IN 47708

### General Conditions

- If this permit application is submitted by the Contractor on behalf of the Owner, both the Contractor and the Owner of the utility facilities must sign this application. If this application is submitted by the Owner, the Owner agrees that any Contractor(s) hired by the Owner to perform the work described in this permit application will be subject to all terms stated in this permit application. The Contractor and/or the Owner shall hereinafter be referred to as "Applicant."
- The application shall be submitted with drawings indicating cut dimensions, facility locations, and construction limits to the Vanderburgh County Engineering Department. The drawings shall also show the existing roadway location, identify the existing pavement material, indicate any and all repaving details, and show any all necessary erosion control measures. All drawings shall be done to a conventional engineering scale.
- 3) The Applicant agrees to erect and maintain all necessary barricades, detour signs, warning lights, and/or any other devices required to safely detour traffic over or around the work until such a time as acceptable to the Board of Commissioners of Vanderburgh County or their duly authorized representative. Traffic control shall be in accordance with applicable sections of the Manual on Uniform Traffic Control Devices (MUTCD).
- 4) The Applicant agrees that the affected roads will not be blocked to through traffic, except in accordance with an acceptable schedule of times and dates. This schedule shall be submitted to the Board of Commissioners of Vanderburgh County or their duly authorized representative at least 48 hours prior to the scheduled blockages.
- 5) At the end of each day, the Applicant agrees to remove all residue and construction material that might be hazardous to traffic.
- 6) The Applicant agrees to indemnify and hold harmless Vanderburgh County and its officials, employees and agents from all liability for any injuries or damages to persons and/or property resulting directly or indirectly from work authorized by this Permit and/or performed by the Applicant including costs and attorney fees. The Applicant also agrees to assume responsibility for any and all costs to repair any damages done by the Applicant in conjunction with this Permit.
- 7) The Applicant agrees that said work will not interfere with any existing structure and/or utility, along or across said roadway, without permission from the owner of said structure or utility. The Applicant is responsible for locating any and all existing utilities within their project limits.
- 8) The Applicant agrees to stop work at any time upon the direction of the Vanderburgh County Engineer or his duly authorized representative.
- The Applicant agrees to maintain a copy of this Permit on the project site while work is in progress.
- 10) All work authorized by this permit must be completed within 180 days of the date of permit approval. The Applicant agrees to guarantee all construction authorized through this Permit for a period of one (1) year from the date of completion of said construction. Upon notification by the Board of Commissioners of Vanderburgh County or their duly authorized representative, the Applicant shall be responsible for repairing any defective

#### Vanderburgh County Engineering Department 201 N.W. Fourth Street, Suite 306 Evansville, IN 47708

#### General Conditions

work during the one (1) year warranty period.

- On any work to install a permanent utility or other structure, drawings shall be provided by the Applicant that denote all baffles, shoring, or bulkheads left in place. These drawings shall provide dimensions indicating the location of said items relative to the existing edge of pavement and shall be done to a conventional engineering scale.
- All finished road surfaces shall be compatible to existing surfaces and straight to a plane within one-eighth (1/8) inch in ten (10) feet. Areas located outside of the roadway edge of pavement but within public right-of-way shall be restored to the conditions that existed prior to any work authorized under this Permit.
- 13) The Applicant agrees to install utility facilities in a straight line and within the boundaries indicated on all submitted drawings.
- The approval of this permit does not warrant or imply that Vanderburgh County is certifying that public right-of-way exists in any of the locations shown on the drawings submitted by the Applicant. The Applicant assumes the risk of determining the existence and location of public rights-of-way and easements over, across and adjacent to private property.
- 15) Any utility facilities installed in public right-of-way as authorized by this Permit shall be relocated in a timely manner by the owner of said utility facilities if their relocation is needed to accommodate any public works, sidewalk, or trail project initiated by Vanderburgh County. The relocation of these utility facilities shall be done at no cost to Vanderburgh County.
- 16) The Applicant agrees to install and maintain proper erosion control measures to the satisfaction of the Vanderburgh County Engineer or his duly authorized representative.
- 17) The Applicant must obtain any applicable state and/or federal permits or approvals required for the completion of the work to be done by the Applicant.
- The Applicant shall provide proof of membership with the Indiana Underground Plant Protection Service, Inc. or shall otherwise sufficiently demonstrate the ability to have their proposed facilities located in a timely and efficient manner for any and all future construction activities that may take place within the vicinity of the site covered under this Permit or as otherwise required by Indiana State Law. Failure to do so will negate any future claims of the Applicant against Vanderburgh County for damages done to the Applicant's facilities within the area covered by this Permit.

#### Vanderburgh County Engineering Department 201 N.W. Fourth Street, Suite 307 Evansville, IN 47708

# Bond for Construction

This is to certify that		, as Principal, and		
* 11 - 1 - 1		s Surety, are firmly bour	nd into	
Contract #	in the Penal Sum	of \$, whic	h is a	
minimum of one hundred	l percent (100%) of the cost	of returning the public right-	of-way	
and/or the publicly main	tained road(s) of Vanderbu	urgh County, Indiana to a co	ndition	
that is, at a minimum, equ	uivalent to its original state p	prior to construction activity.	1 1 1 1 1 1 1 1	
Recommended for approv	<i>v</i> al:	e, este e dels este articles	suc P	
	Vanderburgh County Eng	ineer Date		
Approved by:				
	h County Commissioner	Date		
Vanderburg	h County Commissioner	Date		
Vanderburg	h County Commissioner	Date		
	,			
Attest:				
Vanderburgh Count	y Auditor Date			

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## Minimum Requirements for Restoration

#### Roadway Cuts

Backfill Material: Flowable fill is the primary preference and compactable aggregate

is the secondary preference. However, "B" borrow is acceptable unless otherwise indicated by the Vanderburgh County Engineer or his duly authorized representative. Originally excavated material may be substituted as a fill material for gas lines only and shall not contain any organic or otherwise undesirable materials. All backfill, except for flowable fill, shall be compacted to a

minimum of 95% of the Standard Proctor.

Concrete Streets: Total concrete depth shall be 8" or the thickness of the existing

pavement, whichever is greater. Concrete streets shall be saw cut a

minimum of 1" prior to removal.

Asphalt Streets: HMA surface shall be placed to a depth of 1 1/2" and tacked on

top of 7 1/2" of H.A.C. base. The base shall be compacted in two (2)

separate lifts, neither lift to exceed 4" in depth.

Gravel Roads: Compacted #53 aggregate shall be placed to a depth of 9" in two

(2) separate lifts, neither lift to exceed 5" in depth.

#### Shoulder Cuts

The excavation shall be filled with compacted original material and placed in separate lifts not to exceed 12'' in depth to within 9'' of the finished surface.

The uppermost 9" shall consist of compactable aggregate or originally excavated material (as specified by the Vanderburgh County Engineer or his duly authorized representative) and shall be compacted using either mechanical methods or hand tampers until satisfactory compaction (95% Standard Proctor) is obtained.

All originally excavated material that shall be used for backfill shall be free of all organic and otherwise undesirable materials.

The finished restoration shall be free of excessive mounds or depressions and shall have a stable stand of vegetation (minimum 70% ground coverage) established over the disturbed area.

Deviations from the above minimum specifications may be allowed or required by the Vanderburgh County Engineer on an individual basis.

























