

Warrick County Solid Waste Management District Board Meeting Minutes  
Warrick County Commissioner Meeting Room  
101 North Main Street, Boonville, IN 47601  
Thursday, February 17, 2022

**Call to Order**

The Warrick County Solid Waste Management District Regular Session Meeting was called to order at 12:00 PM by President Terry Phillippe.

**Roll Call**

Roll Call showed the following voting members present: President Terry Phillippe, Jim Miller, Bob Johnson (by phone), Greg Richmond, Dan Saylor, and Ron Whitledge. Also present were: Adam Long, Reagan Opperman, Freddie Rowland, and Michele Wallace.

**Public Comment**

There was no Public Comment.

**Minutes – January 20, 2022**

The minutes from the January 20, 2022 meeting were presented. Jim Miller made a motion to approve. Greg Richmond seconded the motion. The motion carried 5-0.

**Controller's Report – Reagan Opperman**

- The District ended the month of January with a balance of two million nine hundred seventy-nine thousand eight hundred ninety-nine dollars and sixty-seven cents (\$2,979,899.67).
- Email service – Ms. Opperman met with Commissioner Terry Phillippe to go over email services. Services discussed were Google Workspace and Go Daddy Go Office 365. Workspace cost is \$6 per user and \$432.00 a year. Someone would have to be contracted to make the switch to Google. Go Daddy Go Office 365 will take care of the conversion. They also offer more security at \$790.00 for 3 years. Greg Richmond made the motion to contract with Go Office 365. Jim Miller seconded the motion. The motion carried 5-0.
- SWMD Max Levy – Ms. Opperman researched the levy for the District. It is not at the full amount. County Council cut the levy several years ago. They would have to go to the County Council to ask for the maximum increase. The District can only increase it by 5% a year which would take decades to increase to the full amount. The maximum increase would mean an additional \$541,884.00. Dan Saylor made the motion to table to later in the meeting. Greg Richmond seconded the motion. The motion carried 5-0.

**Approval of Claims**

Claims in the amount of one hundred forty-two thousand six hundred ninety-seven dollars and fifty-four cents (\$142,697.54) were presented to the Board. Dan Saylor made the motion to approve. Greg Richmond seconded the motion. The motion carried 5-0.

**Operation Foreman’s Report – Michele Wallace**

- Paper Shredding Event – The spring event is scheduled for April 27, 2022 from 10:00 AM to 1:00 PM at Living Word Church in Newburgh. The fall event is scheduled for October 21, 2022 from 10:00 AM to 1:00 PM at the Boonville Walmart.
- Tire Recycling Day – Ms. Wallace asked if it was okay to set the date for a day in May. Consensus was given.
- Finish Mower – Ms. Wallace presented the costs of several different options of finish mowers.

Landpride	\$4,156.00
2019 used mower	\$2,200.00 with one season warranty
2022 Titan	\$3,215.00 with a one year warranty
Woods	\$4,495.00

Dan Saylor suggested getting a heavier duty mower such as the Woods or Landpride so that it would last longer. Several Board members preferred the Landpride as it is a heavy duty and higher quality product at a price of \$4,156.00. Attorney Long stated that the members giving the reasons of higher quality, sturdier product would allow them to purchase the higher priced mower over some of the cheaper models. Dan Saylor made the motion to purchase the Landpride finish mower. Ron Whitledge seconded the motion. The motion carried 5-0.

**Processing Center Foreman’s Report – Freddie Rowland**

- Contamination for the month of January was down. Not sure that they will be able to get below the 10% IDEM requires, but they are trying hard.
- Revenue – Revenue was \$9,450.56. Of that \$3,387.32 was from loads shipped out in December.
- Express – Express has stated that we have to get up to \$12.00 an hour on wages or they can’t find people. Mr. Rowland has worked up the numbers to increase the pay, but they could only employ seventeen people. They already stay below budget because they never have a full crew. He has been working with some of the Express employees on holidays because Express doesn’t pay for the County holidays that workers are off. It was noted that employee needs would go down with automation. Dan Saylor made the motion to adopt Mr. Rowland’s pay chart with a base pay of \$12.00 up to \$14.30 for seventeen people at Mr. Rowland’s discretion. Greg Richmond seconded the motion. The motion carried 5-0.

**Attorney’s Report – Adam Long**

- Refinancing Opportunity Presentation by Baird, Bondry, and Coonrod – Brad Bingham, Bond Counsel, went over the meeting requirements, County Council presentation, and public meetings in order to do the new bonds. The current bond has a high interest rate. The new rate would fall somewhere around 2.6%. Oscar Gulierrez presented two scenarios.
  - o Option one would refinance everything with a \$34,776.00 savings annually.

- o Option two would take the payments down to around \$240,000.00 annually for the life of the bond with an annual savings of \$80,000. It would also give an amount of \$2,000,000.00 in new money for additional projects like the automation project. Refinancing is still Step 1 and needs to be taken care of as soon as possible. Ben Roeger with Coonrod broke down the revenue and applied both scenarios in the following charts:

Figures for Option 1:

**Scenario #1 - Assume Current Debt Refunding and New Project with 12 Contracted Workers at Recycling Center**

	"Adjusted" Budget 2022	Adjustment	Scenario #1 Budget Annual	Assumption
<b>Receipts:</b>				
Property tax	\$1,747,501		\$1,747,501	
Vehicle excise tax	201,179		201,179	
Fees, general sales, investment earnings	50,396		50,396	
Reimbursements	0		0	
Subtotal	1,999,076		1,999,076	
Tipping fees	593,109		593,109	
Sales of recyclables - Recycling Center	170,429	51,129	221,558	Estimated 30% increase per discussion with Director of Recycling Center Operations
Total	2,762,614		2,813,743	
<b>Disbursements:</b>				
FT personnel	400,822		400,822	
Site attendants and PT laborers	285,569		285,569	
Employee benefits and payroll expenses	392,383		392,383	
Subtotal	1,078,773		1,078,773	
Professional services - contractual	613,393	(238,993)	374,400	12 workers for Recycling Center at \$15/hour, as opposed to 20 budgeted workers
Trash disposal/landfill	210,000		210,000	
Utility and insurance	71,929		71,929	
Repairs and maintenance	85,125		85,125	
Operating supplies and other charges	185,480		185,480	
Machinery and capital outlays	111,500		111,500	
Subtotal	1,277,427		1,038,434	
Debt Service - Facility	285,328		285,328	Based on annual savings per Baird analysis dated 2/15
Debt Service - Truck Roll Off after year 2023	0		0	
Total	2,641,528		2,402,535	
Excess, Receipts over Disbursements	\$121,086		\$411,207	

Figures for Option 2:

**Scenario #2 - Assume Current Debt Refunding, New Project with 8 Contracted Workers at Recycling Center, and Obtain Maximum Tax Levy**

	"Adjusted" Budget 2022	Adjustment	Scenario #2 Budget Annual	Assumption
<b>Receipts:</b>				
Property tax	\$1,747,501	\$541,884	\$2,289,385	District obtains the maximum property tax levy in future years in proportion to tax levy
Vehicle excise tax	201,179	62,384	263,562	
Fees, general sales, investment earnings	50,396		50,396	
Reimbursements	0		0	
Subtotal	1,999,076		2,603,344	
Tippling fees	593,109		593,109	
Sales of recyclables - Recycling Center	170,429	51,129	221,558	Estimated 30% increase per discussion with Director of Recycling Center Operations
Subtotal	2,762,614		3,418,011	
<b>Disbursements:</b>				
FT personnel	400,822	(37,107)	363,714	Reduction of 5 Trucker Positions to 4 Trucker Positions
Site attendants and PT laborers	285,569		285,569	
Employee benefits and payroll expenses	392,383		392,383	
Subtotal	1,078,773		1,041,666	
Professional services - contractual	613,393	(363,793)	249,600	8 workers for Recycling Center at \$15/hour, as opposed to 20 budgeted workers
Trash disposal/landfill	210,000		210,000	
Utility and insurance	71,929		71,929	
Repairs and maintenance	85,125		85,125	
Operating supplies and other charges	185,480		185,480	
Machinery and capital outlays	111,500		111,500	
Subtotal	1,277,427		913,634	
Debt Service - Facility	285,328		285,328	Based on annual savings per Baird analysis dated 2/15
Debt Service - Truck roll off after year 2023	0		0	
Subtotal	2,641,528		2,240,628	
Excess, Receipts over Disbursements	<u>\$121,086</u>		<u>\$1,177,382</u>	

- The presenters were in favor of Option 2 as it opened up more opportunity and savings over the long term. It was questioned as to the time frame of the bond refinancing, a shorter term verses a longer term. The Board was told it was better with the current market to keep the term longer as a shorter term provided no benefit. Attorney Long suggested following Bond Counsel, Brad Bingham's, recommendations on the Refunding Project and that the Board didn't have to decide on an option today. Attorney Long had several items ready for the Board to vote on to move forward the Refinancing Project.
- RW Baird Engagement Letter – Greg Richmond made the motion to approve the engagement letter with Baird. Dan Saylor seconded the motion. The motion carried 5-0.
- Bondry Management Consulting Agreement – Jim Miller made the motion to approve the agreement with Bondry Consulting. Ron Whitlege seconded the motion. The motion carried 5-0.

- R.W. Baird as Bond Underwriter – Greg Richmond made the motion to approve Baird as the Bond Underwriters. Jim Miller seconded the motion. The motion carried 5-0.
- Declaratory & Preliminary Bond Resolution regarding the refunding of the Projects - Attorney Long asked for a motion to suspend the rules and present Resolution 2022-01 by number and title only. Jim Miller made the motion. Ron Whitledge seconded the motion. The motion carried 5-0. Attorney Long read the following Resolution number and title into the minutes:

## **WARRICK COUNTY SOLID WASTE MANAGEMENT DISTRICT**

### **RESOLUTION NO. 2022- 01**

#### **DECLARATORY RESOLUTION TO MAINTAIN FACILITIES OF THE DISTRICT AND PRELIMINARILY AUTHORIZING THE ISSUANCE OF REFUNDING BONDS TO REFINANCE CERTAIN PRIOR LOANS AND APPROPRIATING THE PROCEEDS THEREOF TO PAY SUCH COSTS**

Ron Whitledge made the motion to pass Resolution 2022-01 on name and title only. Dan Saylor seconded the motion. The motion carried 5-0.

*(Resolution 2022-01 is located in its entirety on Pages 7 through 9 of these minutes).*

- Special Called Meeting for Confirming Resolution – Dan Saylor made a motion to set a special Public Meeting on March 2, 2022 at 12:00 PM in the Warrick County Commissioners' meeting room to approve the confirming resolution. Jim Miller seconded the motion. The motion carried 5-0.
- County Council – The Resolutions and Refinance Project Presentation will have to be brought before the County Council on March 3, 2022 for approval.
- The middle to end of March is the goal line of finishing the refinancing project. Attorney Long said that the committee needs to get with BLN and he will initiate that process.

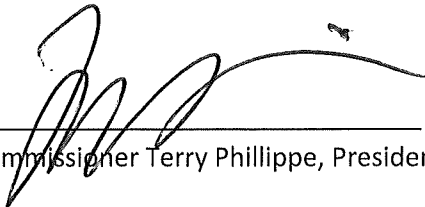
#### **Any Other Business that Properly Comes Before the Board**

- Tax Levy – May 1, 2022 is the deadline for increasing the levy. If that route is taken, the District will have to go before the County Council to get it done. This can wait to see where the numbers fall.


**Adjournment**

The next meeting will be held on Thursday, March 17, 2022 at 12:00 PM in the Commissioners' meeting room. Greg Richmond made the motion to adjourn the meeting. Dan Saylor seconded the motion. The motion carried 5-0. The meeting adjourned at 1:16 PM.

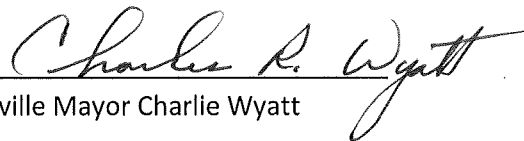
*Respectfully Submitted by Kristine Georges*

  
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Commissioner Terry Phillippe, President

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Commissioner Bob Johnson, Vice-President

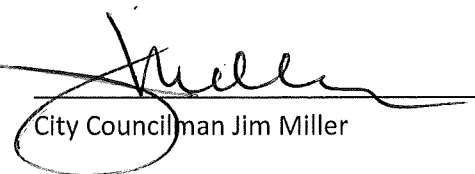
  
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Commissioner Dan Saylor, Secretary

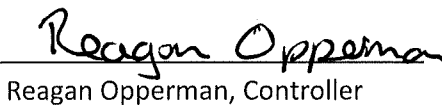
  
\_\_\_\_\_  
Chandler Town Councilman Ron Whitledge

  
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Boonville Mayor Charlie Wyatt

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County Councilman Greg Richmond

ATTEST:

  
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City Councilman Jim Miller

  
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Reagan Opperman, Controller

**WARRICK COUNTY SOLID WASTE MANAGEMENT DISTRICT**

**RESOLUTION NO. 2022-01**

**DECLARATORY RESOLUTION TO MAINTAIN FACILITIES OF THE DISTRICT AND PRELIMINARILY AUTHORIZING THE ISSUANCE OF REFUNDING BONDS TO REFINANCE CERTAIN PRIOR LOANS AND APPROPRIATING THE PROCEEDS THEREOF TO PAY SUCH COSTS**

**WHEREAS**, the Warrick County Solid Waste Management District (the "District"), previously incurred (i) a loan of the District, dated October 9, 2015, in the original aggregate principal amount of \$2,967,718.83, bearing interest at a rate of 5.50% per annum, to finance the acquisition and/or construction a new recycling and processing center facility operated by the District, and (ii) a loan of the District, dated October 9, 2015, in the original aggregate principal amount of \$600,478, bearing interest at a rate of 4.00% per annum, to finance certain equipment to be used by the District at such recycling and processing center facility (collectively, the "Prior Loans"); and

**WHEREAS**, such Prior Loans of the District are currently outstanding on the date hereof in the aggregate principal amount of \$2,589,326.99; and

**WHEREAS**, the District has been advised that, based on prevailing market interest rates, the District could achieve a substantial interest cost savings with respect to the Prior Loans through the issuance of refunding bonds of the District; and

**WHEREAS**, pursuant to Indiana Code 13-21-7, as amended (the "Act"), the Board of Directors (the "Board") for the District has given consideration to the issuance of refunding bonds of the District for the purpose of providing funds to (i) refinance the Prior Loans, thereby achieving a substantial savings in the interest expense associated with such prior loans, and (ii) pay the costs of selling and issuing the bonds (collectively, the "Refunding"); and

**WHEREAS**, the proposed bonds would be payable from legally available revenues of the District, and, to the extent such revenues are insufficient, from a special benefits tax levied on all taxable property in the District; and

**WHEREAS**, the Board now determines that the cost savings to be achieved by refinancing the Prior Loans, and the financing thereof through the issuance of refunding bonds, will be of public utility and benefit and will further the public purposes set forth in the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE WARRICK COUNTY SOLID WASTE MANAGEMENT DISTRICT, as follows:**

Section 1. Declaration of Public Benefit. Upon investigation, the Board hereby finds and determines that the facilities and equipment financed with the proceeds of the Prior Loans (collectively, the "Project") were necessary for the public health and welfare and are of public utility and benefit. The Board further finds and determines, upon investigation, that it is necessary for the public health and welfare, and will be of public utility and benefit, to proceed with the Refunding and the issuance of the bonds for such purpose. The Board hereby finds and

determines that the estimated costs of the Refunding, including the issuance of the bonds, will not exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000), and that information related to the Project and the estimated costs of the Refunding shall be open to public inspection in the offices of the District by all persons interested in or affected by the Project or the Refunding. The Board hereby authorizes publication of a notice of the adoption of this resolution and orders that this resolution be open to inspection by all persons interested in or affected by the Project or the Refunding. The notice shall state that the Board will conduct a public hearing on March 2, 2022, at 12:00 p.m. (local time), in the Commissioners Meeting Room of the County Courthouse, located at 107 West Locust Street, Boonville, Indiana, at which the Board will receive or hear remonstrances from persons interested in or affected by the proceedings, and after which the Board will take final action determining the public utility and benefit of the Project and the Refunding and confirming, modifying and confirming, or rescinding this resolution.

Section 2. Preliminary Approval of Bonds. Subject to final approval by the Warrick County Council in accordance with Indiana Code 6-1.1-17-20.5 and Indiana Code 13-21-3-16(f), each as amended, the Board hereby preliminarily authorizes the issuance of refunding bonds of the District, to be issued pursuant to Indiana Code 5-1-5 and 13-21-7, each as amended, and designated as the "Warrick County, Indiana Solid Waste Management District Refunding Bonds, Series 2022," together with such additional or different series designation determined by the District to be necessary or appropriate (the "Bonds"), for the purpose of providing funds to (i) refinance the Prior Loans, and (ii) pay the costs of selling and issuing the Bonds. The Bonds shall be issued in an original aggregate principal amount not to exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000), shall have a final maturity date no later than January 1, 2036, and shall bear interest at a maximum rate per shall bear interest at a rate or rates producing a yield not to exceed five percent (5.00%) per annum. The proceeds of the Bonds shall be applied solely for the purpose of the Refunding, including paying costs of issuance incurred on account of the issuance and sale of the Bonds.

Section 3. Preliminary Additional Appropriation. Subject to conducting a public hearing and the approval of the Warrick County Council, the District hereby preliminarily makes an additional appropriation in the amount of \$2,800,000 (the "Additional Appropriation"), which is to be provided for out of the proceeds of the Bonds, together with all investment earnings thereon, for the purpose of paying the costs of the Refunding. The Additional Appropriation shall be in addition to all appropriations provided for in the existing budget and levy of the District, and shall continue in effect until the completion of the Refunding. Any surplus of such proceeds shall be credited to the proper fund as required by law. The Board hereby authorizes, ratifies and approves the publication of a notice that the Board will conduct a public hearing on the appropriation of the Bonds proceeds on March 2, 2022, at 12:00 p.m. (local time), in the Commissioners Meeting Room of the County Courthouse, located at 107 West Locust Street, Boonville, Indiana.

Section 4. Authorization of Other Actions. Any member of the Board, and any other officer, employee or agent of the District is hereby authorized and directed, for and on behalf of the District, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this resolution, such determination to be conclusively evidenced by



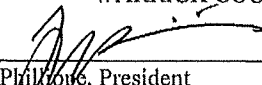
such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action.

Section 5. Repeal of Conflicting Resolutions. All resolutions and orders, or parts thereof, in conflict with the provisions of this resolution, are, to the extent of such conflict, hereby repealed.

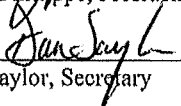
Section 6. Effective Date. This resolution shall be in full force and effect from and after its adoption by the Board and upon compliance with the procedures required by law.

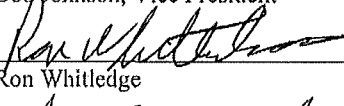
DULY PASSED and ADOPTED on this 17<sup>th</sup> day of February, 2022, by the Board of Directors of the Warrick County Solid Waste Management District, by a vote of 5 in favor, 0 opposed, and 0 abstaining.

WARRICK COUNTY SOLID WASTE MANAGEMENT DISTRICT

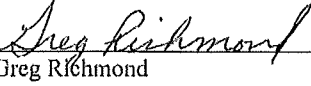
  
\_\_\_\_\_  
Terry Philippe, President

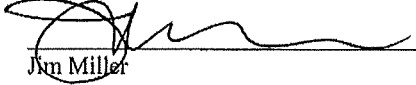
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Bob Johnson, Vice President

  
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Dan Saylor, Secretary

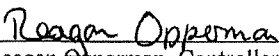
  
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Ron Whittedge

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Charlie Wyatt

  
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Greg Richmond

  
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Jim Miller

ATTEST:

  
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Reagan Opperman, Controller