`WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
Public Hearing-Data Centers
Freidman Park Grand Ballroom
2700 Park Blvd.
Newburgh, IN 47630
August 11, 2026
9:00 A.M.

The Warrick County Commissioners met in special session with Commissioner Sarah Seaton, President; Commissioner Stacey Franz, Vice President; and Commissioner Terry Phillippe, Member, present.

Attorney Cliff Whitehead and Administrator Debbie Bennett-Stearsman were in attendance.

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

Commissioner Meetings can be viewed via YouTube: https://www.youtube.com/@WarrickCountyMeetings/streams

President Sarah Seaton called the meeting to order at 9:00 AM.

PLEDGE OF ALLEGIANCE

President Seaton said that today's public hearing is in consideration of the recommendation of the Warrick County Area Plan Commission to amend the Comprehensive Zoning Code of Warrick County pertaining to data centers for a deferral period.

She read Ordinance 2026-18 into the record:

Ordinance 2026-18, An Ordinance to Amend the Warrick County Comprehensive Zoning Ordinance of Warrick County, Indiana.

Commissioner Seaton then opened up for Public Comment.

PUBLIC COMMENT

Bradley Ruppel – 8199 Chestnut Drive, Newburgh – He asked that the Commissioners say whoa, not no. He would like to see them hold off for twelve months. He said that 65% of people oppose data centers. He also talked about perceptions. He also suggested they build a house or dig a well by a data center. He appreciated them spending the money for the sound system for the meetings to be held at the event center, but called Commissioner Phillippe out for voting no, because the perception was that he didn't care about him or the public and their concerns. Even if that is not the reality.

President Seaton feels like they have already been working on this for eight to ten months already to get an Ordinance in place and she is proud of their work so far. They are already way ahead.

Monte Graham – 2477 Lashbrook, Boonville – This is technology, and it moves quickly. It will overwhelm us at some time. They need a five-year moratorium. Technology may outrun data centers. They may by then come up with smaller spaces that hold more. They also have the right to free speech regardless if someone likes what they have to say.

Rick Jones – 8622 Greywing Drive, Newburgh – He asked where it was supposed to be built. Commissioner Seaton said that they only gave a general area which would be south of Lynnville. He also asked about cost for building, those employed, utilities, water contamination, and tax breaks. These are all questions that he said needs to be answered. He said he feels that the Commissioners are trying to be transparent and asks that they continue to do so.

President Seaton said that Project Zora is in the early stages. Today is only about the Ordinance. There will be many more public discussions. Commissioner Phillippe said that said that they will answer what they can. He did say that they as Commissioners don't deal with tax breaks.

Commissioner Seaton said that they want to come to the table and discuss, such as a Community Benefits agreement, on what their expectations are and what the company will do.

Mary Bahr – 4977 Yorkridge Court, #D, Newburgh – They have already been promised progress and they are still paying for it in their utilities. This could affect all aspects of their lives. She wants studies that are done by someone that is not benefiting from the data centers. She also went over other questions she has. She wants to know who the someone is behind it all, not the broker. Many things she says have been very vague.

Commissioner Seaton said that they have already asked who the end user is and will give it as soon as they know it.

Sally Herron – 403 Christ Road, Evansville – She has family in Warrick County. The meeting, she feels, was set at an unusual and inconvenient time. She reviewed some of the issues with data centers that they already know. The people of this community should be the top concern and protected before any outside entity. She also went over some of the things that the data centers store and storing data on individuals to bring on digital IDs. Are they willing to sell out their people? Many have shown they don't want this, and she asked that the Commissioners vote no to data centers.

Commissioner Seaton wanted to be clear that the Ordinance for today is to put a pause on data centers for six months. A 'no' vote would mean not voting for the Ordinance to pause them.

Larry Herron – 403 Christ Road, Evansville – This is going to affect everyone here, our kids and grandkids. This is one step closer to taking control over all that we do. He feels it's a battle worth fighting for. They want

representation for the people, not for big business and organizations. Clergy should be in this too. This procedure is immoral and is against the constitution. The Commissioners took an oath to protect it.

Andy Boyer – 1677 Maple Grove Road, Boonville – Warrick County is known for being rural. They would lose this with a data center. He went over the decibels emitted by the data centers. Studies show the affect of sound on the health. He also went over water usage. There is already a community, Corpus Christi, running out of clean water by 2028 due to data centers. He went over other usages by data centers and talked about not trusting the CEO's and businesses that support them and the large profits and benefits that's received from such projects.

Jessica Hodges – 7511 Madden Road, Lynnville – She said she was born and raised in the house her grandparents built. She owns the property that has been handed down in her family and moving is not an option. Many of their neighbors use wells and underground water supplies. These could be directly affected. She also went over the noise pollution and the lawsuits brought by communities that now have data centers. They have beautiful sunsets and you can see the stars at night. There's a reason that Lynnville has an observatory. They need to understand fully the long-term effects. They also promise things that they do not follow through on with jobs and construction. She said there needs to be complete, unbiased studies. They have a responsibility to the citizens to preserve what they have.

Commissioner Seaton said that they are working on launching a website up to help keep the community informed as to what is going on.

Ryan McRoberts – 705 Hemenway Place, Boonville – He is in one of the local unions. He said that he is for the project, and they will bring in long term employment. It is a great way to get our kids into high paying jobs and be part of a construction boom. Almost all the new data centers have their generation on site. It would be very similar to ALCOA. The County should be open to this kind of investment.

Diane Harris – 7333 Madden Road, Lynnville – There are approximately eight hundred people in Lynnville. They care about each of their neighbors. They are not against growth, but not at the expense of the residents. They need to seek jobs that are a benefit and not strain on our communities. She reviewed all the special things that Lynnville has and how these could be greatly affected such as Interlake Recreation, the Lynnville trail, coal museum, and observatory. They already deal with the coal mining that has negatively affected the community for years. Reclaimed land could be turned into public recreation areas. She has had eight generations of family in Warrick County. These decisions will affect generations to come. She asked them to listen to the will of their constituents.

Yvonne Pund – 8299 Angel Drive, Newburgh – She has been a resident for sixty years. The Commissioners have the lives of 66,000 people in their hands. She is not against development, but not at the expense of the citizens. She reviewed water usage and the concerns that would come from a data center. Have studies been done? What costs will be passed to the people? She also went over other questions that they have on the project including where it will be and subsidizing that places the burdens on the people.

Frank Pund – 8299 Angel Drive, Newburgh – He has been a resident for forty-five years. How will this project affect the wellbeing and finances of the citizens of Warrick County? Jobs, taxes, County revenue, water, and the energy required should all be considered. He went over the power usage and the projected amounts. Utilities make their money on return on equity. They need to make sure what is paid for and that it is what's best for the citizens of Warrick County.

Brett Meyer – 1599 County Road, Boonville – He is a licensed mechanical engineer and his wife is a teacher. He urged the Commissioners to not approve anything without all the studies and being verified. He has heard nothing that makes him believe that this is good. Also didn't agree with the short timeline and the time in which they set this meeting.

Yvonne Lemmons – 7933 Jenner Road, Newburgh – Her interest in this is personal as she's said in previous meetings. She wants the experts that they use to be shared. She has in the past asked about other areas with data centers and asked Commissioner Phillippe if he could get the list. Commissioner Phillippe was unsure on the list she was talking about. She said that it was said by the Attorney for APC that they are getting together a group of experts. She said they need to be unbiased. This is a very big project. She thanked them for their time. Hopefully the next meetings can be in the evening or back-to-back.

Commissioner Phillippe said he appreciates all that they are hearing. There are a lot of conversations that need to be had. They were approached just recently. No one has submitted anything. Commissioner Seaton said that they have considered many times and scenarios to try to include everyone as far as having meetings.

Joseph Gollner – 4700 Woodstower Drive, Newburgh – He thanked for the transparency shown from the APC and the Commissioners. He's worked in tech for fifteen years. He's currently in AI driven tech. His point is the topic of jobs. He is skeptical that there would be large scale jobs. They are very automated. They also normally ship in employees that are specialized in the training needed. There is a lot questioned about sustained growth that even the tech market is very cautious.

Tom Newmaster – 4522 Gander Road, Elberfeld – Thanked them for taking the time to have the conversations to protect Warrick County. He is for data centers. The County can either capture the moment or it passes them by. He wants to see the economic development to come to Warrick County.

Ethan Abney – 3139 Capstone Court, Newburgh – He lives in Warrick County. He is a software engineer. They will tell you that the business model for AI data centers doesn't work. It too quickly becomes obsolete. He then spoke to EREP involvement and all the conflicts of interest. EREP should not have any part of this. He said it is a clear vote for the ordinance. He also volunteered to help with any studies.

Elizabeth Seaton – 722 North Second Street, Boonville – She has been a board member on boards and knows decisions have to be made. She quoted Lincoln and the Constitution of Indiana. When constituents vote for the

people to represent them, the Commissioners should be faithful and honest to be representatives for their community.

Melinda Mitchell – 101 Yorkshire Drive, Newburgh – She is requesting for them to vote to end the madness forever. If they vote for the data centers they are turning their backs on their county. It will hurt their children. What happens if the data centers don't follow the rules? They can pay the fees. They can ignore anything that is set before them. She addressed the short term affects to the county. They already have some the highest cancer rates. She also requested to table and have more meetings in the evening to where more voices can be heard.

David Bokodi – 5799 Stacer Road, Newburgh – He worked for Indiana Department Health as a registered Environmental Health Specialist. He said that Todd Rokita wanted coal, natural gas and nuclear power plants for this area to be an energy hub. This is obviously to serve data centers. Do they want this area to become a dumping ground for data centers? This is bigger that this one data center. Indy had decided what this area is going to be. He supports a moratorium to figure out what is really going on. He also quoted George Washington about political parties being tools for ambitious people to steal power from the people.

Steven Byers – Boonville Fire Chief - He went over their research and handed out documents for the requirements for the fire departments and how they would be affected by data centers. He would like to see them slow down so they can have input and know what it would mean to emergency services.

Logan Beaven – 5600 State Road 68, Lynnville – He is the Assistant Fire Chief of the Lynnville Volunteer Fire Department. If a data center is coming to Lynnville, they don't have the resources to cover something like this size. They and all the surrounding fire departments are volunteer departments. Daytime hours coverage is small. They don't have the water capacity to even handle such an event. They would like a seat at the table for discussions on anything proposed. Commissioner Seaton said that that was one of the first topics of discussion, the Lynnville Fire Department and the water resources.

Marana Beal – 6033 Glacier Drive, Newburgh – She is not opposed to either AI or thoughtful development. She is glad they are working to be proactive. She also addressed doing an independent study. She wants to see the pause used purposefully to help protect the quality of life.

Kathleen Pettijohn – 3144 Twin Lakes Drive, Elberfeld – She lives in the Bluegrass Area. This morning she watched a bald eagle catch a fish in her lake. What will happen to their environment with a data center? They can't handle something that large. Her husband was in tech and he said the jobs with data centers are not there.

Barton Heath – 1744 Brent Drive, Newburgh – They are told about China in talk of data centers. China only has about 500. We are aiming at 5,000. Why are so many more proposed here? Why all the capacity? There is no profit in it. EREP is in this guarding private-public partnerships saying it will be wonderful. Some of it is very suspicious. The building trades are temporary. The taxpayers paid for an electrification and now it's going to go to a data center for someone else's going to profit. Its not benefiting us, and no one is saying how it will benefit us. Who is going to profit from this? It's about time the residents get something back.

Laura Engle – Boonville – She thanked the Commissioners for the meeting and considering a moratorium. They need to take time to put in the ordinance the fines and enforcement. Also, they need to look at other communities that have dealt with data centers. They really need to be concerned on how they can enforce and regulate them if they come in. She trusts that they will do the right thing. Also she would like to see them come up with a framework that protects, not just now, but down the road.

Christina Martin – 8855 Hew Harmony Road, Elberfeld – They plan to build their new home this fall on their newly acquired land. They chose it for the peace, quiet, and rural area to raise their kids and grow old. She is not in favor of a data center. There are too many unanswered questions. She gave examples of other communities dealing with the impacts of data centers. The impacts aren't always shown until after it is already there. They have the opportunity to learn from them. She also reviewed lighting. She is architectural lighting designer and is currently a freelance lighting consultant. She reviewed what the lights of a data center could affect and volunteered to help in making that decision. They need a deferral and they have one chance to get this right and asked that they use it.

Karan Barnhill – 515 E. Main St., Boonville – She is a storm water professional. The water quality in our area is poor. About 79% of their water sources are impaired. This will not make it better. They discharge into the waters and they need to please take it into consideration.

Attorney Whitehead said that the Ordinance recommended by the Area Plan Commission before the County Commissioners will set a 180-day strategic deferral period while they work on a more permanent Ordinance. If passed, it will go into effect immediately. If it is denied or changed in any way, it would go back to the APC for further review.

Commissioner Phillippe thanked everyone that spoke. He wished they had more info and thinks that they need to put together a larger group than what is already in place as the community is asking them to do. They do need to pause. This is not closing the door completely but trying to do the right thing.

Commissioner Franz said that they need to have the studies and investigate all that has been brought forward. God has given them the opportunity to represent the constituents and do their due diligence. They all have children. They are a close-knit community. They are learning too. She wants them to know they are sharing everything they know and appreciate that everyone is working together.

Commissioner Seaton said the easiest thing to say is no. But, they need to continue the conversation and make the decision with facts and gathering information. There is a lot that they need to know. They aren't there yet. They need to pull in the experts and it's going to take time. She thinks six months is a reasonable time frame.

CONSIDERATION OF DEFERRAL ORDINANCE 2026-18

Commissioner Terry Phillippe made a motion to approve the Deferral Ordinance 2026-18 as recommended. Commissioner Stacey Franz seconded the motion. The motion carried 3-0.

(Ordinance 2026-18 is located on Pages 4 through 5 on these Official Minutes)

ADJOURNMENT

Commissioner Stacey Franz made the motion to adjourn. Commissioner Terry Phillippe seconded the motion. The motion carried 3-0.

Meeting adjourned at 10:51 A.M.

WARRICK COUNTY BOARD OF COMMISSIONERS

SARAH SEATON, PRESIDENT

STACEY FRANZ, VICE PRESIDENT

TERRY PHILLIPPE, MEMBER

ATTEST:

MICHAEL J. DIETSCH, AUDITOR
WARRICK COUNTY, INDIANA

Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary

ORDINANCE NO. 2026-18
AN ORDINANCE TO AMEND
THE WARRICK COUNTY COMPREHENSIVE ZONING ORDINANCE OF
WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, THAT THE WARRICK COUNTY COMPREHENSIVE ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

WHEREAS, the Board of County Commissioners of Warrick County, Indiana ("**Board**" and "**County**") adopted and has amended from time to time the Warrick County Comprehensive Zoning Ordinance ("**Zoning Ordinance**"), which provides for the administration of zoning regulations within the County;

WHEREAS, neither the current Warrick County Comprehensive Plan adopted in 2024 (the "**Comprehensive Plan**") nor the Zoning Ordinance contemplate or address data center facilities and their potential impacts on the County;

WHEREAS, the Board recognizes the importance of regulating land use and development to protect public health, safety, and welfare;

WHEREAS, the Board believes that it is in the best interests of the citizens of Warrick County to defer the acceptance, processing, and approval of all applications, permits, and approvals related to the development, construction, or operation of data centers, for a period of one hundred and eighty (180) days, to allow adequate time to study and address the potential impacts of data centers and to develop appropriate regulations to ensure their responsible development and operation. It will also provide sufficient time for such considerations to be incorporated into revisions to the Comprehensive Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Warrick County, Indiana, pursuant to I.C. 36-7-4, *et seq.*, as follows:

1. The above recitals are incorporated herein by reference.

2. Article XXIV, Section 1.5 is hereby added to the Comprehensive Zoning Ordinance as follows:

SECTION 1.5 STRATEGIC DEFERRAL

Commencing at the time of enactment of this Section, the filing, processing, review, and/or acceptance of all applications related to data center facilities shall be deferred for a period of one hundred and eighty (180) days from the date of adoption, or until such time as the Board of Commissioners formally adopts comprehensive text amendments regulating data center facilities, whichever occurs first (the "**Strategic Deferral Period**");

During the Strategic Deferral Period, data center facilities shall not be permitted or approved as a principal use under the Zoning Ordinance.

Any application for a zoning permit, approval, or other authorization related to the development, establishment, or operation of a data center facility as a principal use that is submitted during the Strategic Deferral Period shall be reviewed but shall not be approved during the Strategic Deferral Period.

The Strategic Deferral Period shall commence upon the effective date of this Section and continue for one hundred and eighty (180) days, or until an ordinance permitting and regulating data center facilities becomes effective, whichever occurs first.

3. This Ordinance shall not apply to computing infrastructure that is accessory and incidental to another lawful principal use of the premises and is used primarily to support that principal use;

4. The Strategic Deferral Period may be extended by subsequent ordinance; - Can be done by Commissioners.

5. Any prior Ordinances or provisions of the Comprehensive Zoning Ordinance that conflict with this Ordinance are hereby superseded by the provisions of this Ordinance.

6. If any portion of this Ordinance is determined to be unconstitutional or in violation of state law by a court of competent jurisdiction, the remaining portions of the Ordinance shall continue in full force and effect.

7. This Ordinance shall take effect from and after its passage.

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(Adopted and Passed) (~~Denied~~) by the Board of Commissioners of Warrick County, Indiana this 11th day of August, 2026.

VOTE:

Aye — **SARAH SEATON**

Aye — **STACEY FRANZ**

Aye — **TERRY PHILLIPPE**

Approved and Recommended by the Warrick County Area Plan Commission this 10th day of August, 2026.

Jeff Valiant, President.

Molly Barnhill, Executive Director