

WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM

107 W. Locust Street
Boonville, Indiana
March 2, 2023
6:00 PM

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana.

Attorney Cliff Whitehead and Administrator Krystal Powless were in attendance.

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

The public could view the meeting via Warrick County Government YouTube channel at:
https://www.youtube.com/channel/UCOK8y7IXclpK9le8VV4pr9w?view_as=subscriber

Council President, Greg Richmond, called the meeting to order at 6:00 PM.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call showed the following Councilmen present in person: Ron Bacon, Rob Dimmett, Ted Metzger, Brad Overton, Richard Reid, Greg Richmond, and Chris Whetstine.

ITEMS FOR DISCUSSION
STATE BILL 300 AND STATE BILL

President Richmond wanted to call to the attention of the Council members, Indiana Senate Bill 300 and Senate Bill 78. He stressed the importance of contacting the State Representatives about these bills. Senate Bill 300 involves Housing Development TIF Districts. It would work like an Industrial TIF District. Once the district is declared and set apart, all the increased property taxes from the improvements will go to the district for sewer, water, streets, etcetera. The County will not receive any benefits. There will be more people in these districts and more services needed, but the County won't receive property taxes from that area for twenty years.

Senate Bill 78 involves the Townships. It changes the language in the Public Safety LIT Tax from 'may' to 'shall'. It will be population based which means that the larger townships will get more than what they are currently getting off the top of what is received in the Public Safety LIT. This will be to the detriment of the County. It will not hurt cities and towns. With the County currently looking at a bond issue for a new jail, the County needs every penny that it can get from the Public Safety LIT.

President Richmond stated that both bills passed in the Senate, but hopefully can be stopped in the State House of Representatives. It would be another mandate taking away from the County Funds.

There were no tabled items.

TABLED ITEMS

NEW BUSINESS
APPROVAL OF MINUTES
FEBRUARY 2, 2023

The minutes from the February 2, 2023 Council Meeting were presented. President Richmond found no issues and finished them quickly. Chris Whetstine also commented that he appreciated the new summary format. It was easier to read and still very factual. Several Council Members expressed their appreciation to the Recording Secretary. President Richmond called for a motion. Rick Reid made the motion to approve the minutes. Ron Bacon seconded the motion. Ted Metzger abstained as he was not present for the February Council meeting. The motion carried 6-0-1 with Ted Metzger abstaining.

COMMISSIONER BUSINESS
JUVENILE DETENTION

Administrator Heather Soberg presented several items for the Commissioner's Office. The first was for an additional appropriation for Juvenile Detention in the amount of \$125,000.00. She stated that this was something that was out of their control. The Courts make the decision to make placements for Juvenile Detention. The funds have already been spent that were appropriated in the budget and several invoices have been received that need to be paid. Councilman Ron Bacon made a motion to approve the appropriation of \$125,000.00. Ted Metzger seconded the motion. The motion carried 7-0.

PUBLIC SAFETY LOCAL INCOME TAX
OTHER SERVICES AND CHARGES
BUILD OUT FOR THE LIBBERT FIRE STATION

The Commissioners presented a request for an additional appropriation from the Public Safety Local Income Tax in the amount of \$275,000.00. This is for the build out of the Libbert Road EMS Station that will be housed in the building just built by Ohio Township for the new fire station. This will be a home for the EMS truck as well as quarters for the EMS employees. It is a requirement of the County to provide that space for them. Ms. Soberg stated that the current rent is \$750.00 a month; however, if the build out is not funded, the rent will be increased to \$3,500.00 a month.

Councilman Overton asked, if the money was coming from the LIT Fund, were we contractual obligated to pay rent for something we just paid for. Ms. Soberg stated that we were renting from them now, and rent would cover the expenses such as utilities, maintenance, and things of that nature. If the County was to build the building it would cost several million dollars to build. She used the example of the Chandler EMS Station which cost the County \$1,500,000.00 to build several years ago. The County also has to maintain it. This is an opportunity to have the space, but have it managed by someone else at a much smaller cost.

Councilman Dimmett also asked if there was a contract for the \$750.00 a month in rent and the length of the current contract. Ms. Soberg stated that there was a contract, but she did not have that information with her. But, she would verify that information for him.

Councilman Overton was concerned that the County was paying a large sum for a build out as well as paying rent. He also questioned whether this money couldn't have been found elsewhere with all the PS-LIT funds that were received last year. Ms. Soberg responded that she didn't know it was supposed to be built by those funds. All of the build was with Township money because they were building it. The reason they were requesting it out of the PS-LIT was because it was for EMS. Administrator Powless clarified Councilman Overton's statement in that Ohio Township received money from the PS-LIT last year and why money for the build couldn't have come out of that extra money the County gave them. Councilman Overton stated that maybe this was something that needed to be taken up in the fall as to the allocating of additional funding there.

Councilman Dimmett asked if the Township just mis-budgeted the \$275,000.00 extra or if it was because of inflation affecting the cost. Why the extra money was needed? Ms. Soberg said that it was the County's portion of the building. The County was able to have that portion of the building within the Township's building so that the County doesn't have to build its own. The build out cost is just additional. The Township was going to build the building regardless. It was clarified that the EMS Station would be attached to the fire station. It will be a big convenience for both sides.

Councilman Dimmett also asked, if the County didn't approve the appropriation, would Ohio Township automatically take the rent to \$3,500.00? Ms. Soberg stated that they would.

Councilman Overton expressed that he felt the County was between a rock and a hard place, but the Council needed to remember this money when it came back in the fall and take a hard look at Township allocations. Councilman Bacon was in agreement.

Councilman Dimmett said that that was why he was asking questions. He said it was a huge step between \$750.00 and the \$3,500.00 a month. He just doesn't like that big jump.

Ms. Soberg stated that even with this cost, and she has run all the numbers, it is still cheaper than building a facility. It would be a benefit to both Warrick County and Ohio Township.

Councilman Ron Bacon made the motion to approve the additional appropriation of \$275,000.00 from the Public Safety LIT. Chris Whetstine seconded the motion. The motion carried 5-2 with Ted Metzger and Rick Reid opposing.

CUMULATIVE CAPITAL – RAINY DAY FUND COMPUTER EQUIPMENT

Administrator Soberg presented a request for an additional appropriation, half from Cumulative Capital in the amount of \$173,500.00 and the other half from the Rainy Day Fund in the amount of \$173,500.00 for replacing and upgrading computers for the County. IT Director Guy Whelan has set up a rotation to replace outdated computers over the next three years. This is necessary as many of the current computers will not be able to interface with Windows 11 after 2025. Then he will put the computers on a five-year rotation going forward to keep them updated in the future. This requested amount is a worst-case scenario from the first quote that they had, but they are vetting other options.

Councilman Overton asked about employees working both onsite and remote. Ms. Soberg said only a few employees occasionally work remote, but not as a continual thing. He then asked if they were working on a laptop at home or from personal computers. Ms. Soberg said they don't allow home PC's into the County System. It is always something that has been issued by the IT Director.

Councilman Overton also questioned why ARPA Funds were not appropriated for this. Ms. Soberg stated that it was something that did come up with a long list of items, but she couldn't speak as to why the Commissioners didn't select it. The money was spent on other high dollar items where maybe it was felt they could find the funding for this in another way. Councilman Overton then discussed the \$500,000.00 used for rebranding Warrick County, while the County will need to take money out of Rainy Day and Cum Cap to pay for computers. He was very concerned about this and how the computers were not deemed important. He felt that this should have been more important and shouldn't have to come out of Rainy Day Funds when there was money from the ARPA available to do that. Ms. Soberg stated that unfortunately Steve Roelle was not present to speak to the rebranding.

Councilman Metzger made a motion to approve the \$173,500.00 out of Cum Cap only. Rick Reid seconded the motion. President Richmond asked for any further discussion.

Councilman Whetstine asked if that amount would cover the expenses. Krystal Powless stated that it would not. Ms. Soberg also stated it wouldn't according to the quote they had, but they were exploring other options. They would do their best to work within that number if it was what the Council decided. Councilman Whetstine understood Councilman Overton's concern over money coming out of Rainy Day, but he also sees how computers are essential and doesn't have an issue with using the Rainy Day. He doesn't wish to short them on money. Ms. Soberg agreed and stated that the full amount could come as easily from just Cum Cap. That would allow them to do what they needed to do.

Administrator Powless then stated that she was concerned that this might be an issue, so she advertised the full amount of \$347,000.00 from Cum Cap. She also advertised the full amount of \$347,000.00 coming out of Rainy Day. She did this to cover all bases and scenarios. This way, the Commissioners would not have to wait and no other amounts would have to be advertised for next month. The full amount could come out of Cum Cap or Rainy Day.

Councilman Overton asked what the cash balance was in Cum Cap. Ms. Powless stated that it was \$2,700,000.00, but that didn't include their budget items that come from Cum Cap. Rainy Day has a balance of \$2,200,000.00.

Ted Metzger amended his motion to approve the entire amount of \$347,000.00 coming from Cumulative Capital for the Computer Equipment. Rick Reid amended his second of the motion. The motion carried 5-2 with Rob Dimmett and Brad Overton opposing.

HEALTH DEPARTMENT BUSINESS
LOCAL HEALTH TRUST – MOSQUITO DISTRIBUTION

The Health Department was requesting an additional appropriation for the Mosquito Distribution in the amount of \$28,800.00. Administrator Powless stated there was plenty of money and it was a Grant Trust Fund.

Councilman Brad Overton made a motion to approve the appropriation. Ron Bacon seconded the motion. The motion carried 7-0.

PUBLIC DEFENDER BUSINESS
ADDITIONAL APPROPRIATION - LEGAL SERVICES
TRANSFER FROM PART TIME TO OPERATING EXPENSES

Public Defender Warren Mathies was present to request an additional appropriation of \$60,000.00 for Legal Services. He also was requesting a transfer from Part Time of \$15,000.00 to Operating Expenses. The \$15,000.00 transfer was a correction from the \$20,000.00 that was listed on the agenda. Ms. Powless stated that she checked and there wasn't \$20,000.00 budgeted, so it needed to be \$15,000.00.

Mr. Mathies said the transfer from the Part Time Fund to their Operating Funds would enable them to pay outstanding murder appeals that have been unpaid since last June. According to Mr. Mathies, when there is a murder case, the stakes are so high, they're almost always appealed. In these cases, both were. However, now they can cap the amount that lawyers can charge allowing them to negotiate around the area and as far away as Terre Haute. They were able to get both capped at \$10,000.00 each. Unfortunately, they don't have the line item set up for those expenses. Mr. Mathies assumed they could use the Part Time line item for the expenses, but it can only be used for his staff, not outside part time help. He needs the transfer to pay for outside attorneys that were hired part time.

Mr. Mathies also went over the additional appropriation they are asking for in Legal Services of \$60,000.00. He is asking that a line be created styled, Outside Legal and Documents, where they don't have this problem in the future. Money can be put in there for these appeals. They currently have four outstanding appeals. With each of the appeals comes a transcript that needs to be typed, and by statute, they have to pay \$4.50 a page. Those amounts can range anywhere from \$1,000.00 to \$2,000.00 per case. So, that would mean they have about \$5,000.00 coming. These aren't murders, but two are CHINS cases. One was appealed and part was overturned, but the attorney is still owed money. He also stated he had a situation where he didn't have enough lawyers for a case. All the contracted attorneys were conflicted out and there was still one dad left that needed an attorney. So, they had to hire an attorney to do that. This household had three different dads. It was a very unusual situation. He also spoke of one case that would be close to \$5,000.00. The appeal has not been written, but it involved a Level 5 Felony. So, for those reasons, Mr. Mathies is asking for the Council to appropriate those funds to be able to properly fund this in the future.

Mr. Mathies stated that his office has brought back over \$200,000.00 in reimbursements from the State that has gone into the General Fund. With the creation of the Public Defender Department, they have been able to go after grant money, reimbursement money and capture federal dollars. He also said that the County had been allocated about \$1,200,000.00 in opioid money that's going to be coming. So, they are going to try to get some of that. Mr. Mathies stated that the Public Defender's Office is one of those unique departments that can find money sometimes.

Councilman Metzger asked if the appropriation in the new established line item would get them through the rest of the year. Mr. Mathies stated that it should for all the rest of their appeals and documents that they know are coming down the pipeline. There could be something really strange happen, but based upon how the timing goes, he'll know in June or July if they have a new appeal. He would then try to roll it into the next year.

Brad Overton made the motion to approve both the additional appropriation of \$60,000.00 and the transfer for \$15,000.00. Rick Reid seconded the motion. The motion carried 7-0.

SUPERIOR COURT I BUSINESS
ADDITIONAL APPROPRIATION – INTERPRETER
PROBATION OFFICER TRAINING

Ms. Ellen Sprinkle was present representing Judge Weiberg from Superior Court I who was requesting an additional appropriation of \$5,000.00 for an Interpreter. Ms. Sprinkle stated they had been working out of a grant and it had held them well until now. The grant currently has only \$600.00 remaining. Superior Court I has a Mandarin case requiring an interpreter. The only one available will cost \$1,376.00. That does not include, if there's a guilty verdict and additional sentencing is needed, for them to come back. So, they're asking for that line item to be funded with some money for that purpose.

Superior Court I was also requesting a salary ordinance in the amount of \$4,396.95 for the three-week training of a new Probation Officer. The current Probation Officer is retiring after over thirty-six years with the County. They have a candidate that they have made the offer of employment. She has accepted and is available to start on March 13, 2023. This would give her three weeks training with the Probation Officer. There are many facets to the job and three weeks is not nearly enough. But, the main reason is that there is required Indiana Probation Officer Orientation, April 2, 2023, and she needs to have that orientation. However, she has to complete modules, which involves watching videos and doing some testing, before she can qualify for the orientation. If she doesn't get it in April, the next one isn't until October. It's also a requirement that she pass, in the first six months of employment, the Probation Officer Test. This would mean passing the test before orientation if she attended the October session. So, the Court would really like to fast track this. Even with the retiree's payout, they still have the money in the budget to cover the requested amount.

Councilman Brad Overton made the motion to approve both the additional appropriation of \$5,000.00 for the Interpreter and the \$4,396.95 for the salary ordinance. Councilman Rick Reid seconded the motion. The motion carried 6-1 with Ted Metzger opposing.

HANDBOOK POLICY, REIMBURSEMENTS, TRANSFERS, OR CORRECTIONS

The following items were presented for approval by the Council:

6A. Additional Appropriation-Missed Encumbrances Sheriff Public Safety	1170.22200.000.0000 1170.44000.000.0000 1170.35100.000.0000	Tires Equipment and Technology Training	\$5,275.00 \$60,413.00 \$1,200.00
Sheriff	1000.22100.000.0005 1000.32410.000.0005 1000.39900.000.0005	Fuel Cell phone Drug Enforcement	\$6,173.00 \$2,383.00 \$2,666.00
Jail	1000.22400.000.0380 1000.22710.000.0380 1000.36200.000.0380	Janitorial Inmate Meals Building	\$1,066.00 \$8,816.00 \$1,813.00
6B. Additional Appropriation-Missed Encumbrances Storm Water Storm Water	1197.44000.000.0000 1197.44610.000.0000	Equipment Buildings	\$189,036.00 \$39,232.00
6C. Additional Appropriation-Missed Encumbrances Extension Extension	1000.21100.000.0011	Office Supplies	\$505.00
6D. Additional Appropriation-Missed Encumbrances Election Election	1215.44301.000.0000	Election Equipment	\$8,150.00
6E. Additional Appropriation-Highway Budget approved correction to account Highway Restricted	1173.22320.000.0000 1173.23100.000.0000	Bituminous Gravel	\$900,000.00 \$900,000.00
6F. Additional Appropriation-Health Reimbursement *Health	1159.21375.000.0000 1159.22500.000.0000	Vax Care Animal Control	\$5,031.00 \$4,107.00
6G. Salary Ordinance-Handbook Policy Cumulative Drain Deputy Surveyor	160 Hours PTO No appropriation needed	employee leaving	\$2,908.80
6H. Salary Ordinance-Handbook Policy Superior Court 1 Probation Officer	440 Hours PTO	employee retirement	\$16,626.72

There was no discussion on the presented items. Brad Overton made the motion to approve 6A through 6F. Ted Metzger seconded the motion. The motion carried 7-0.

(March Appropriations are located on Page 5 of these Official Minutes)

**COUNCIL BUSINESS
ENCUMBRANCES RESOLUTION 2023-02**

An Encumbrances Resolution was put before the Council for their approval. President Richmond read the following into the record:

"A Resolution of the County Council of Warrick County, Indiana, approving encumbrances from the 2022 Fiscal Year."

These are funds that are brought forward from 2022. Ted Metzger made the motion to approve Resolution 2023-02. Brad Overton seconded the motion. The motion carried 7-0.

(Resolution 2023-02 is located on Page 6 of these Official Minutes)

**HIGHWAY DEPARTMENT BUSINESS
RETIREMENT – TRUCK DRIVER**

Council Administrator Powless presented a salary ordinance for a retirement pay out of \$2,126.87 for a Truck Driver in the Highway Department. Councilman Ted Metzger made the motion to approve the payout. Brad Overton seconded the motion. The motion carried 7-0.



OTHER BUSINESS


There was no other business or public that came before the Council.

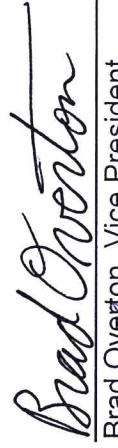
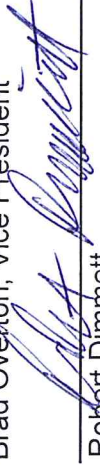

ADJOURNMENT

The next Warrick County Council meeting will be held on April 6, 2023 at 6:00 PM in the Commissioners meeting room. Rick Reid made the motion to adjourn. Rob Dimmett seconded the motion. The meeting was adjourned at 6:46 PM.

WARRICK COUNTY COUNCIL

Greg Richmond, President

 Ron Bacon

 Ted Metzger

 Chris Whetstone



 Brad Overton, Vice President

 Robert Dimmett
 Richard Reid


ATTEST:


 Michael J. Dietsch, Auditor
 Warrick County, IN







Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary

See: I Be it ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expenses of the taxing unit the following items and sums of money are hereby appropriated out of the funds named and for the proposed specified, subject to the laws governing the same:

FUND	APPROPRIATION NUMBER	DESCRIPTION	AMOUNT REQUESTED	AMOUNT APPROVED
Public Safety	1170.22200.000.0000	Tires	\$5,275.00	5,275
	1170.44000.000.0000	Equip. & Tech.	\$60,413.00	60,413
	1170.35100.000.0000	Training	\$1,200.00	1,200
Sheriff	1000.22100.000.0005	Fuel	\$6,173.00	6,173
	1000.32410.000.0005	Drug Enforcement	\$2,383.00	2,383
Jail	1000.39900.000.0005	Drug Enforcement	\$2,666.00	2,666
	1000.22400.000.0380	Juvenial	\$1,066.00	1,066
	1000.22710.000.0380	Inmate Meals	\$8,816.00	8,816
Storm Water	1000.36200.000.0380	Building	\$1,813.00	1,813
	1197.44000.000.0000	Equipment	\$189,036.00	189,036
Highway Restricted	1197.44610.000.0000	Building	\$39,232.00	39,232
	1173.22320.000.0000	Bituminous	\$900,000.00	900,000
Commissioner	1173.22310.000.0000	Gravel	\$900,000.00	900,000
	1000.31501.000.0068	Juvenile Detention	\$125,000.00	125,000
PSLIT	1170.30200.000.0000	Other Services	\$275,000.00	275,000
Cum cap	1138.44400.000.0000	Computer Equip.	\$347,000.00	347,000
Rainy day	1186.44400.000.0000	Computer Equip.	\$347,000.00	0
Public Defender	1000.31200.000.0271	Legal Services	\$60,000.00	60,000
Extension	1000.21100.000.0011	Office Supplies	\$505.00	505
Local Health Trust	1206.31510.000.0000	Mosquito Dist.	\$28,800.00	28,800
Election	1215.44301.000.0000	Election Equipment	\$8,150.00	8,150
Superior Court I	1000.11225.000.0201	Interpreter	\$5,000.00	5,000
Health	1159.21375.000.0000	Van Care	\$5,031.00	5,031
	1159.22500.000.0000	Animal Control	\$4,107.00	4,107

Taxpayers appearing in the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the State Board of Tax Commissioners. The Board will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action.

Adopted this 2 day of March 2023.

AYE





 ATTEST:

 Auditor Warrick County

Mike Dietsch

RESOLUTION NO. 2023 - 02

A RESOLUTION OF THE COUNTY COUNCIL OF WARRICK COUNTY, INDIANA APPROVING ENCUMBRANCES FROM THE 2022 FISCAL YEAR

WHEREAS, the Warrick County Council (the "Council") has the authority and duty to maintain and oversee the fiscal operations of Warrick County (the "County") and to reconcile the County's financial and budgetary records; and

WHEREAS, the County has outstanding encumbrances in various funds for which the services or products have not yet been paid in full as provided for in Exhibit A; and

WHEREAS, in order to complete these projects, programs, or purchases using funding set aside in the 2021 fiscal year and in order to be consistent with Indiana law and Indiana Department of Local Government Finance ("DLGF") procedures, this action must be taken pursuant to a resolution adopted and approved by the Council.

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

Section 1. That those certain County funds, purchase orders, and invoices, as identified on Exhibit A and attached hereto and made a part hereof, are hereby encumbered.

Section 2. The County Auditor is hereby directed to encumber the said for same accounts.

Section 3. This Resolution shall be in full force and effect upon passage

Adopted this ^{2nd} day of March 2023.

Greg Richmond
Greg Richmond, President

Chris Whetstone
Chris Whetstone

Richard Reid
Richard Reid

Ron Bacon
Ron Bacon

WARRICK COUNTY COUNCIL

Ted Metzger
Ted Metzger, Vice President

Robert Dimmett
Robert Dimmett

Brad Overton
Brad Overton

ATTEST: this 2nd day of March, 2023

Mike Dietsch
Mike Dietsch, Auditor

The Encumbrances Worksheet is located on file in the Auditor's Office.