

**WARRICK COUNTY COUNCIL MEETING**  
**COMMISSIONERS MEETING ROOM**  
107 W. Locust Street  
Boonville, Indiana  
December 3, 2020  
6:00 PM

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana. Council Members were present either in person or by Zoom Conference Call as allowed by Emergency Health Declaration for the State of Indiana due to COVID-19 Pandemic. Members present were Charlie Christmas, David Hachmeister (via Zoom), Ted Metzger, Brad Overton, Richard Reid, Greg Richmond, and Chris Whetstine.

Attorney Cliff Whitehead and Administrator Krystal Powless were in attendance.

Auditor Debbie Stevens and Secretary Kristine Georges attended and recorded the minutes.

Council Vice President, Brad Overton, called the meeting to order at 6:00 PM.

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**ROLL CALL**

**Brad Overton:** We'll probably, we'll just run through Roll Call. Greg will be right back. So, alright, Roll Call. Charles R. Christmas?

**Charlie Christmas:** Present.

**Brad Overton:** David Hachmeister?

**David Hachmeister:** Here.

**Brad Overton:** Chris Whetstine?

**Chris Whetstine:** Here.

**Brad Overton:** Ted Metzger?

**Ted Metzger:** Present.

**Brad Overton:** Me? I'm here. Brad Overton. Richard Reid?

**Richard Reid:** Present.

**Brad Overton:** And Greg Richmond, Cliff is here. Krystal, you're still here with us, too?

**Cliff Whitehead:** Yes.

**Councilman Overton:** She's here.

**WELCOME AND INTRODUCTION TO COUNCILMAN WHETSTINE WHO WILL BE COMPLETING FORMER COUNCILWOMAN CINDY LEDBETTER'S TERM**

**Councilman Overton:** And as you noticed, since we're all kind of looking to stall for just a little bit of time, and I don't have any jokes, we will introduce our new Council member, Chris Whetstine. Chris should have, I don't know if anybody told him that he has to give at least a small two (2) minute introductory speech at this point in time to help kill some more time. So, Chris, go ahead and get started on that speech.

**Councilman Whetstine:** Oh, golly, two (2) minutes.

**Councilman Overton:** Just kidding. We wouldn't do that to you. But, so, we'll all, Chris will be, he was, losing the phrase, but he was placed in as of Tuesday night.

**Councilman Whetstine:** Caucused in.

**Councilman Overton:** Caucused in, yes. Was that Monday or Tuesday night?

**Councilman Whetstine:** Tuesday evening.

**Councilman Overton:** Tuesday evening and he'll be finishing out Cindy's term cause Cindy has now moved from us and moved up north to Indianapolis. And she will be starting her new term. And that's the direction we'll be taking for at least the next two (2) years, then we'll see what kind of appetite Chris has got for, got for things after that. So, we'll see, we'll get him up to snuff on everything and we'll quickly find out how much he likes this Council and appreciate all of us. So, outside of that, we're going to give Greg just a minute. Cause I know he had already told me he had a couple of minutes. Let's give him just another couple minutes or two (2). Anybody have any Christmas things they'd like to bring up while we're waiting here? Anybody? Charlie, do you have anything you'd like to say since this will be your last Council meeting? Would you like to address everyone at the moment?

**Councilman Christmas:** They haven't got time tonight.

**Councilman Overton:** What's that?

**Councilman Christmas:** They don't have enough time to listen to me.

**Councilman Overton:** They don't have enough time, I know Charlie's a talker. But, we'll kind of let Greg, wait 'til he gets back here as well. I didn't know if you'd have anything you'd want to close with, Charlie. Let's see, anybody, well, we've got a Commissioners so you know they'll have something to talk about.

**Commissioner Saylor:** I always have something to say. Dan Saylor.

**Councilman Overton:** Go ahead.

**Commissioner Saylor:** One (1), I'd like to thank Charlie Christmas for your service to the County over the years. You've done a great job. Appreciate your service, your friendship, and your outlook for the County, so thank you, Charlie. Also, would like to welcome Chris Whetstine to the, to the Council. Thank you.

**Councilman Whetstine:** Thank you very much.

**Councilman Overton:** Thank you very much. I'd also like to echo Dan's comments about Charlie. We do appreciate all the service that he's offered us, not only as a Councilman, but he's also served on the School Board and where else have you served, Charlie?

**Councilman Christmas:** Treasurer.

**Councilman Overton:** Treasurer. And then I know you've also, in the past, you've been on the Fire Department and Police.

**Councilman Christmas:** (Inaudible), Fire Department (inaudible) on the Police Department.

**Councilman Overton:** So, Charlie has served this community in quite a lot of different areas. Now, we'll turn this back over to Greg. I wasn't teasing you when I said he'd be back. So, he is back. And you can go ahead and mark him down as being present as well. I would have had at least a couple jokes or some better lines if I knew I had to fill in. Alright, Greg. I've managed to stall for you and we're just, haven't even started the minutes yet.

**Councilman Richmond:** Okay, thank you.

**Councilman Overton:** You're just in time.

**Councilman Richmond:** I'm out of breathe. I ran up the stairs.

**Councilman Overton:** I wish I could have saw that. Those need passed out?

**Councilman Richmond:** And you did the Pledge of Allegiance?

**Councilman Overton:** Yes, we've done the Pledge.

**Councilman Richmond:** No, I don't need anything passed out. This is all my paperwork.

**APPROVAL OF MINUTES  
NOVEMBER 5, 2020 REGULAR SESSION  
OCTOBER 22, 2020 BUDGET ADOPTION**

**Councilman Richmond:** Okay, the Minutes. First the minutes of November 5<sup>th</sup>, a regular meeting, and on Page 4, I failed to mention that it was both the Additional and the Salary Ordinance when I read the motion. I did put it in my introduction. But, on Page 4, after Councilman Overton, you might add both Additional and Salary Ordinance if that's okay with you, Brad?

**Councilman Overton:** That'll work.

**Councilman Richmond:** Cause that's what it was and we voted on that, both of them together. And one (1) grammar Page 16, someone was thinking of Florida, I think. I don't know if it was Rick or what. The second line, Councilman Reid read, 'right order, so that's fine. They've all been told to do that. So, you're not going to have a beach.' Instead of beach, I think it's a breach of contract. Yeah. That's the only two (2) corrections I found (inaudible). Anybody else have anything? And then the October 22<sup>nd</sup> meeting, that was the Budget Adoption meeting and I didn't find any errors in that. Did anybody find any errors in that one (1)? If not...

**Councilman Metzger:** Motion to approve the minutes as amended.

**Councilman Reid:** Second.

**Councilman Richmond:** Motion by Ted. Second by Rick. All those in favor?

**Councilman Whetstine:** I guess I should probably abstain since I...

**Councilman Richmond:** You can abstain. Yes. And, David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Okay, so that's six, zero, and one abstention (6-0-1 with Chris Whetstine abstaining), our new Council member, Chris. Did they introduce you?

**Councilman Whetstine:** Yes. Thank you.

**Councilman Overton:** We already put him on the spot.

**Councilman Richmond:** Put him on the spot.

**Councilman Overton:** Gave a speech and everything else (inaudible).

**Councilman Richmond:** Okay.

**Councilman Overton:** Very good.

**TAX PHASE IN  
EURONIQUE CONFIRMING RESOLUTION  
RESOLUTION 2020-13**

**Councilman Richmond:** Next is the Tax Phase In for Euronique, Confirming Resolution. Is there a number?

**Kristine Georges:** Yes, this would be '13.

**Councilman Richmond:** '13?

**Steve Roelle:** Good evening. Steve Roelle, Economic Development. We are here for, as Greg said, the Confirming Resolution for the purchase of new manufacturing equipment for Euronique, a manufacturer in Elberfeld, Indiana to allow them to stay competitive. Allow them to continue to grow and expand. They just celebrated twenty (20) years in our community. Last month, the Preliminary Resolution passed five (5) to zero (0). I'm joined by Scott Hasenour in the audience here who is the President and Owner at Euronique in case you guys have any questions. This project has the full support of Economic Development and out Advisory Boards and we're happy to answer any questions.

**Councilman Richmond:** Anybody from the public or Council have any questions? I'm ready for a motion.

**Councilman Reid:** Motion for approval of Resolution (2020)-13.

**Councilman Richmond:** Motion made by Rick Reid. Is there a second?

**Councilman Overton:** Second.

**Councilman Richmond:** Second by Brad Overton. And this would be Warrick County Council Resolution 2020-13, a Resolution Confirming the Declaration of an Economic Revitalization Area for personal property taxes phase in. Any discussion? All those in favor? That's all five (5) of us here? David?

**Councilman Hachmeister:** Aye.

**Councilman Overton:** Six (6).

**Councilman Richmond:** Yeah, six (6) of us here. Seven, zero (7-0) then. Thank you.

**Steve Roelle:** Okay, thank you. Merry Christmas. Happy New Year.

**Several members:** Merry Christmas.

*(Resolution 2020-13 is located on Page 25 of these Official Minutes)*

**HEALTH BUSINESS  
MOTORIZED EQUIPMENT**

**Councilman Richmond:** Next up is Health Department Business, Additional Appropriation, Motorized Equipment, forty-six thousand seven hundred two dollars (\$46,702.00). Aaron, you need to come up and speak?

**Cliff Whitehead:** No, Greg, we looked into this. And because the, the money is already in the fund, the Council actually does not have any jurisdiction, from what we looked at, to appropriate or not appropriate. It's the Health Department's purview to do that. So, technically, there's nothing the Council needs to do with regards to this item since it's coming from this fund.

**Councilman Richmond:** So, I'll mark this no action then.

**Cliff Whitehead:** Correct.

**Councilman Richmond:** Okay. Okay, thank you.

**COMMISSIONER BUSINESS  
CARES ACT TRANSFER DISCUSSION**

**Councilman Richmond:** And next up is the CARES Act Transfer. It says Resolution, but I don't believe we have a Resolution, do we?

**Cliff Whitehead:** No.

**Todd Glass:** Hello, Council. Todd Glass, County Attorney. I think my job tonight here is perhaps just to explain the Commissioners' Resolution 2020-19 that they passed in their last meeting. Hopefully, you got that in your packets. I have extra copies if, if you didn't get it or if you'd like to have it. Both Cliff and I and the Commissioners want to make

sure that the Council has everything that they need in front of them in anticipation of the receipt of the Coronavirus Relief Fund, Funds.

**Councilman Reid:** Todd, can I have one (1) of those too?

**Todd Glass:** Certainly.

**Councilman Metzger:** Sure. I don't think I have that.

**Councilman Reid:** I don't have it either.

**Unknown:** Thank you, Sir.

**Todd Glass:** Those are copies of the Commissioners' Resolution which is required under the Coronavirus Relief Fund. And I know the Auditor has been through this process with us since the beginning. It's been a moving target. But, ever since the CARES Act funds came through, what we've been doing is administering that program through the Commissioners' Office. The County got an appropriation of just a little bit over two million dollars (\$2,000,000.00) to start with. And one (1) thing I do want, Cliff, the summary, you might also have this brief summary in front of you which is a real quick synopsis of what's going on. So, we had the two million dollar (\$2,000,000.00) appropriation for Coronavirus Relief Funds. We've processed just a little bit under a hundred and sixty-four thousand (\$164,000.00) in reimbursements. That's from all County Departments and in other sources in Rounds 1 and 2. We did that with the help of the Auditor's Office. We also, with her help, got Rounds 3 and 4 submitted. And you'll see in this brief summary, what the Round 3 expenses and Round 4 expenses are that have been submitted, processed, analyzed, and they're already up in Indianapolis with the Indiana Finance Authority. And attached to this Resolution is a summary of Round 3 and 4 and what it consists of. You can look at the spreadsheet to see what the Coronavirus Funds were that have been expended that are anticipating to be reimbursed through these funds. And you'll see in the summary, Rounds 3 and 4 include about two hundred ten thousand (\$210,000.00) for Round 3 and about four hundred and twenty-four thousand (\$424,000.00) for Round 4. I just want to mention briefly that those two (2) Rounds, Rounds 3 and 4, are up in Indianapolis and they've kind of been frozen, because the IFA, I think, kind of decided to get out of the business of administering this fund and came up with a new required procedure and that it to request the remaining balance to submit down to Warrick County to eventually get into the General Fund. And that is that one point eight-six-five million (\$1,865,000.00) figure. Even though we've submitted Rounds 3 and 4, they don't want to process those. The want us to process it. They just want to send the one point eight-six-five million (\$1,865,000.00) down, so that we then process the Coronavirus Relief Fund here locally. I can explain that to you at another time why all that's happened that way, but that's where we're at. But, what, what the Resolution was that the Commissioners passed was required in order to get the one point eight-six-five (\$1,865,000.00). That's been approved, and it's on the way down here. It will be arriving Monday, we believe. And Debbie, you can correct me if I'm wrong, but according to the program, I believe that's to be receipted initially into the Fund 8900 line item and then somehow the Auditor gets it to the General Fund.

**Auditor Stevens:** Right.

**Todd Glass:** Then only after it gets to the General Fund, well, let me say that once it gets in the General Fund, then of course, it's subject to the appropriation procedures. Okay? Now, what the Commissioners did in this Resolution is explain that what the Commissioners recommend we do, as other Counties have been doing, is creating a specific grant line item to slide that money to, so that these COVID-19 related expenses can be processed and reimbursed. A lot of other counties have been doing that, SBOA suggests a separate grant line item. She can't use the (Fund) 8900 line item. You need a new line item for it. So, you can read the Resolution yourself. But, it recommends that the Council creates the grant line item, cause it's now in your bailiwick to do that, to slide that one point eight-six-five million (\$1,865,000.00) over into, so that the Coronavirus Relief Fund Program can finish itself out, get these expenses reimbursed. And the interesting thing about the Governor's Emergency Order is that it allows these monies to go from the General Fund to a new grant line item to not only reimburse expenses that have been incurred and approved for reimbursement, but also future expenses that will be incurred and submitted and approved for reimbursement, which I think, is a little different than a typical grant line item. It's a bit unusual. But, it's in recommendation from the Commissioners that this Council create that line item. Cliff can advise you as to when the appropriate time is to do that. But, the money's coming Monday. And Rounds 3 and 4, which you have department and offices and other entities that have already incurred those costs, they are anxious to get that money and we pushed them to get it in before the end of the year. And they spent all that money, so they're kind of anxious to do that. But, of course, you need the grant line item, but then you have to appropriate it into it. And I understand, of course, that would probably require you to do that next meeting. The other thing the Resolution recommends to this Council as far as some simplified process to oversee the receipt of reimbursement requests, and recommend to you which ones to actually approve that they've been documented, that they are actually going to reimburse actual COVID related expenses, is to create a process whereby the President of the Council and the President of the Commissioners looks at those reimbursement requests and makes those recommendations to you for this particular grant line item. So, that's where we're at. One-point-eight-six-five million (\$1,865,000.00) is on the way. There's also another two hundred two thousand dollars (\$202,000.00) that's going to be made available in January. That was a ten percent (10%) holdback of this County's appropriation. So, we have another ten percent (10%) coming, I believe, to be used for the exact same purposes. So, if you have a grant line item, once that money, it needs to be requested, the Commissioners have to pass another Resolution to get that done. But, I, I understand that that will be issued to us if we request it in January. So, that will be added and you'll see, in theory, I put that in at the bottom of the list. This just gives you an idea of, you know, the numbers that have been processed and the numbers that haven't been processed yet. And even if all those were approved, how much you actually will still have left over. And if there's any questions, I'll do my best to explain the process. And be more than happy to continue to help Cliff with the receipt of these funds and...

**Councilman Reid:** Todd, so, what, what we're looking at is five hundred sixty-eight thousand (\$568,000.00) that has not been spent, right?

**Todd Glass:** Correct. Even more than that, because...

**Councilman Reid:** Where's that three hundred thousand (\$300,000.00)?

**Todd Glass:** The around five (\$500,000.00) estimated in the chute, those haven't been processed. There are several expenses and that's on this Resolution. There's, a lot of those expenses have been spent by departments and other entities in anticipation of getting reimbursed that were not in their budgets. But, the process of them requesting that reimbursement is just, they're still in process.

**Councilman Reid:** And where's the three hundred thousand dollars (\$300,000.00) we took out of Rainy Day Fund? Where's that money at? Are we going to get that reimbursed?

**Todd Glass:** That's, Debbie might explain that better, but as we've gone, a hundred and sixty-four thousand four hundred (\$164,400.00) of it's been reimbursed, because as that money's spent, we've gotten a hundred-sixty-four thousand (\$164,000.00) back from the IFA and as soon as we get that back, that in essence reimburses the Rainy Day Fund. So, when, at some point in time, whether it's first of next month or whenever, when these funds are transferred into a new grant item, your three hundred thousand dollars (\$300,000.00) in your rainy Day Fund should still be there.

**Councilman Reid:** She said, no, not yet.

**Auditor Stevens:** It would not work that way.

**Todd Glass:** I'm not the best person to explain Rainy Day Funds.

**Auditor Stevens:** You want me to explain it?

**Councilman Reid:** Yes, please.

**Auditor Stevens:** The appropriation that you made from Rainy Day for CARES Act, that was a total of three hundred forty-five thousand dollars (\$345,000.00). First was for PPE and then the second was the additional three hundred thousand dollars (\$300,000.00) that you appropriated. We are down to about probably less than ten thousand (\$10,000.00) of that appropriation that has not been spent. So, and with no reimbursement back for any of those claims. Those claims were in Round 4. Some of those were in (Round) 5, so there has been no reimbursement to the Rainy Day Fund. So, the only way, you would have to do it by some type of a Resolution from General to Rainy Day, if you want to make Rainy Day whole. Because there will be not be any offset of accounts payable expenses to the Rainy Day Fund from that.

**Councilman Richmond:** So, is the reimbursements that are intended really for Rainy Day Fund going into General Fund, is that what you're saying?

**Auditor Stevens:** It's part of the, the lump sum that we'll receive.

**Councilman Richmond:** 8900? Or, okay.

**Auditor Stevens:** But, it will go to the General Fund, not Rainy Day.

**Cliff Whitehead:** So, where did the hundred and sixty-four thousand (\$164,000.00) go?

**Auditor Stevens:** Well, a lot of that was from just our budgets that had already been appropriated. Most of those claims were expended from our budgets that we had in place. There...

**Cliff Whitehead:** So, I'm sorry...

**Auditor Stevens:** There were none, there (inaudible).

**Cliff Whitehead:** When it came back, when we got reimbursed...

**Auditor Stevens:** Yes.

**Cliff Whitehead:** Where did that, that went back to the budgets?

**Auditor Stevens:** They went back to the budgets, the individual budgets where they had been expended from originally.

**Cliff Whitehead:** Okay. So, if we haven't, if, if the one-sixty-four (\$164,000.00) is the only money that's been outlaid, and that's been reimbursed...

**Auditor Stevens:** Um hum.

**Cliff Whitehead:** So then, what money of the three hundred thousand (\$300,000.00) of Rainy Day has been spent?

**Auditor Stevens:** Just about all of it.

**Cliff Whitehead:** So, that's not accounted for in here?

**Todd Glass:** Well, what she's saying is that it's part of Round 3, part of Round 4 and maybe even part of Round 5. So, if, if I'm understanding the Auditor correctly, once it's in General Fund and you appropriate to the Grant line item, you can appropriate to replenish your Rainy Day Fund and whatever's left, goes to the grant line item.

**Auditor Stevens:** That would be up to you all.

**Todd Glass:** That's your decision. But, but....

**Auditor Stevens:** If you wanted to (inaudible) Rainy Day appropriation to make that whole

**Todd Glass:** That doesn't change the outcome for all the reimbursements, the people still get it.

**Councilman Reid:** Right.

**Councilman Metzger:** So, where is the one million eight hundred sixty-five thousand (\$1,865,000.00), roughly, that's coming Monday going to be deposited? Where in the budget is it going?

**Auditor Stevens:** Okay, good question, Ted. First it will be receipted into the CARES Grant Fund 8900. And then by claim, it will be receipted into the General Fund. But, we have to have the paper trail before that money goes. So, then it goes back to the General Fund cash.

**Councilman Metzger:** Right.

**Auditor Stevens:** It sits there until Council appropriates.

**Councilman Metzger:** And then where, where does the other fund, the grant line item...?

**Auditor Stevens:** That's by appropriation only.

**Councilman Metzger:** Through the General Fund.

**Krystal Powless:** Yes, so like at the January meeting, we'll create a grant line item in County General, so you guys can appropriate to that line item from the cash that was deposited.

**Councilman Metzger:** Okay, so, it's going to go into 8900, automatically. Then what we're trying to do is transfer into the General Fund so, it can then be transferred to the grant line item.

**Auditor Stevens:** By appropriation.

**Krystal Powless:** Appropriated.

**Auditor Stevens:** It's not transferred.

**Krystal Powless:** Appropriated.

**Councilman Metzger:** Appropriated.

**Auditor Stevens:** It's for the Council to appropriate. It's just like cash in General. It will be up to you to appropriate it where, where you choose to appropriate it.

**Councilman Metzger:** And why can't we leave it in 8900? Fund 8900?

**Auditor Stevens:** Well, that is a grant fund and so, the purpose, we're actually reimbursing General Fund because we've submitted a claim to the IFA for Public Safety Payroll.

**Councilman Metzger:** Okay.

**Auditor Stevens:** So, that was the way we (inaudible) lump sum fund.

**Councilman Metzger:** Put it in General.

**Auditor Stevens:** They, the IFA wanted the money out into the communities and it had to be done by December 14<sup>th</sup> that was their deadline. So, rather than try to, well, we just didn't even have over a million dollars (\$1,000,000.00) in claims. We did not have that amount out, spent already. So, it made sense then to submit payroll, which was their instructions to us anyway. They wanted a lump sum claim that they could disperse the total out to the Counties.

**Councilman Metzger:** So, in theory, once we get the money in 8900, we could transfer it into the General Fund. And then from the General Fund, we could appropriate money back into the Rainy Day Fund out of that money before...?

**Auditor Stevens:** (Inaudible) you can by Resolution, right, Cliff?

**Councilman Metzger:** And then (inaudible)....

**Krystal Powless:** We can do a transfer by Resolution to put the cash back in the Rainy Day Fund.

**Auditor Stevens:** Yes.

**Councilman Metzger:** Right. So, we need a Resolution to do that and then what's left over there, would go into this grant line item.

**Unknown:** Yep.

**Councilman Metzger:** Yeah.

**Auditor Stevens:** By appropriation.

**Councilman Metzger:** I would feel comfortable with that.

**Councilman Reid:** Yeah.

**Todd Glass:** At least that gets the Rainy Day Fund back to where...

**Councilman Reid:** Sure.

**Councilman Metzger:** Right. Right up front and quick.

**Auditor Stevens:** Um hum.

**Councilman Whetstine:** I'd like to say, just as the new guy here, I think you guys explained that very well. I, I had read up on this before the meeting. So, I felt like I had a pretty good understanding. But, you clarified a lot of things and looks like a lot of effort was put into making sure it's done right. And I appreciate that. I think it sounds pretty good.

**Todd Glass:** Well, there's a lot of Counties that didn't do it right. And that's one (1) of the reasons why they, I think, threw in the towel and said, let's just get all this money down to the Counties and they can take care of it. But, with the Auditor's help, I think everything that's been approved so far is well documented if an audit comes someday.

**Auditor Stevens:** It will. This if Federal money, all Federal Grants are audited.

**Councilman Whetstine:** Looks like a good job of dotting the 'i's' and crossing the 't's' if you ask me. Just wanted to comment on that.

**Todd Glass:** Thank you, Auditor.

**Auditor Stevens:** You're welcome.

**Todd Glass:** But, I'll continue to work with Cliff between now and January if, if needed. And you'll have plenty of funds, it looks like, left over to finish the administration of the program until you use it all up. But, it'll be, again, for COVID related expenses, unbudgeted expenses that departments or offices of the County incurs, other political subdivisions of the County. Not municipalities, they have their own funds. Townships, for example. And also, you can use this for non-profits and small businesses and you can help them out over the next couple months with a fair amount funds.

**Councilman Reid:** Thanks, Todd.

**Todd Glass:** Yes, thank you, Councilman. And, Cliff, I'll get back with you and we'll move forward with everything else to wrap it up.

**Cliff Whitehead:** Perfect.

**Todd Glass:** Are you good, Mr. President?

**Councilman Richmond:** I'll talk to you later.

**Councilman Metzger:** Thank you.

**Councilman Richmond:** So, I will wait on direction from, Cliff and Krystal can talk it over, talk it over with Todd. Get us ready for the January meeting what we need to do.

**Krystal Powless:** Correct.

**Councilman Richmond:** Okay. So, no action tonight on that, number 4A.

**SALARY ORDINANCE  
FULL-TIME CUSTODIAN FOR 2021**

**Councilman Richmond:** Okay, 4B is Salary Ordinances. This is for the Custodian, I believe.

**Commissioner Saylor:** Good evening, Council.

**Councilman Metzger:** Good evening.

**Commissioner Saylor:** Dan Saylor, County Commissioner. Heather, want to go ahead and introduce yourself?

**Heather Soberg:** Heather Soberg, HR Manager/Assistant Administrator.

**Councilman Richmond:** You, I got the letter. And you're wanting this set up for January, correct?

**Commissioner Saylor:** Um hum.

**Councilman Richmond:** I think everybody else got the letter too.

**Heather Soberg:** My understanding from Krystal would be that this, and Krystal, you may just jump in there and correct me if I'm wrong, but this would be something that actually would be appropriated in January if it was agreed upon tonight. Correct?

**Krystal Powless:** Correct.

**Councilman Richmond:** So, we don't have a Salary Ordinance to act on tonight. Right?

**Krystal Powless:** You can act on it tonight. But, I can also put it on the January agenda. But, the Appropriation would come in January.

**Councilman Overton:** So, I've got a question on this, is there anyway any of these extra tasks could be done possibly with a part-time person since we're hoping this COVID issue is resolved, oh, sometime within the next century. That was sarcasm. Just for the sheer fact that we're tacking on a whole new salary and another set of benefit expenses. I don't know. This might be something we can look at for a few months and see if part-time work would cover that. And, or then a second part of my question would be, if this is for, due to COVID related issues, if it ends up where we decide for a full-time, if this could be a COVID only expense position for a year, only funded by COVID with the understanding that this is going to be reviewed at budget time and personnel meetings. Cause typically, you know, we don't act upon new positions right now. I understand these are unique situations. So, you guys could address those two (2) questions for me, (inaudible).

**Commissioner Saylor:** You want me...?

**Heather Soberg:** Yeah.

**Commissioner Saylor:** So, we, we started, when COVID started, we added hours to our part-time. As much hours as we could to our part-time custodial position. And so, with that, we couldn't go over a certain amount of hours because that would create a full-time, you know, employment situation. So, we even called our temp supplier, our temp agency that supplies our part-time help. They could not, with the government paying them so much to stay home, he just said, guys, I can't find any help. There's nothing out there. So, so we asked our existing staff to do more and, and so, you know, Brad, I don't know. I don't know when this is going to end. Don't have a crystal ball. You know, if it ends in January and it's all over, yeah, we can go back to, you know, the way we were. But, not having a crystal ball, not knowing. I don't know what, I don't know what we're facing. In addition to this, during this COVID time, you know, we weren't doing anything at the Sheriff's Office. We were not doing anything at the outlying buildings, the Highway and that kind of thing. They sent requests in, we want to be cleaned. You know? And so, not only are we cleaning more with the same amount of people, we have asked our people, you know, who normally wouldn't come in and wipe these chairs down after every meeting, to do that. To wipe down everything, everything that's touched, all this glass now. So, we've almost doubled her workload. And so, I've been here four (4) years, and we've hired probably one (1) of the best custodians that I've, look at this building. It's spotless. I challenge anyone to find dust in this, in this building. Anyone. She's the best. She took ownership in this building after it was done. After it was renovated. And it is spotless. She's retiring because the workload's too much. So, we've lost our best one (1) because we've, we've worked her too hard. She just can't, she just can't do it. So, you know, I guess I take some responsibility for that because I, we, we set the bar high and she got the job done. But, she was a racehorse, and now she's done. So, we're gonna lose her in January.

**Heather Soberg:** And to add to that, and your question about part-time work, we do see the turnover because of the part-time salary and the job that you're asking someone to do for ten-ninety-five (\$10.95) an hour, is, is not, is not a very favorable job at that rate. And we've been using all of our part-time money and you're working one (1) person full-time right now because we were able to do that cause it was for a short time, we can average the hours out. But, we're going to have to cut her off and go back to part-time come January 1, without a full-time position, because that's how much money we have available and that's going to cut out cleaning those departments.

**Commissioner Saylor:** So, we're losing half a person.

**Heather Soberg:** We'll lose a half a person doing it. We just kind of played that game through the year as we've been able to. That being said, when we did have someone from Express, that did cost us fourteen dollars and twenty cents (\$14.20) an hour to pay a temporary service to pay somebody, (inaudible) full-time salary. I know there's benefits and other things to that, but that full-time salary is less than that per hour.

**Councilman Overton:** I don't know that I've got a huge problem getting behind that. Just maybe with the understanding that we probably, we really want to come back and review this again, just due to the circumstances.

**Commissioner Saylor:** Sure.

**Councilman Overton:** You know, it's kind of almost, I mean especially if we've got some of this extra funding we wouldn't necessarily have to tap into General Fund at the moment. Maybe we could, you know, allocate some of that through the CARES Act money and almost, kind of possibly think of this like a grant kind of position, like we always advise people, cause you know, we've got, it's kind of a unique circumstance.

**Commissioner Saylor:** Yeah, I think, I think once we're through this, you know, I don't see the government giving people 'x' amount of funds for an extended period of time. So...

**Councilman Overton:** Right.

**Commissioner Saylor:** You know, I think our, our help should go back, you know, the temporary should go back to where we were and so, you know, with three (3) businessmen at the Commissioners' Office, we're always looking at ways to streamline, get the most production out of people we can and that kind of thing. So, we're always visiting that and, and looking at different options, you know, that we have at our disposal.

**Councilman Overton:** Okay, thanks, thanks a lot.

**Councilman Whetstone:** May I ask, Commissioner, if, if, you know, I look around and I see, like, the Plexiglas, the things, you know, that are extra because of COVID. And we all know that's everywhere. Before COVID, did you have enough Custodial staff to be operating efficiently and...?

**Commissioner Saylor:** Well, yes and no. You know, when you have your, probably one (1) of your best custodians you probably ever had, you know, she, she got the job done. You know? And, and, and, Chris, I think that's one (1) of the reasons why she's retiring. She's just worn out. You know? She, she was fretting that she wasn't touching everything. You know? And we told her, Debbie, you don't have to touch everything. This was kind of before COVID. You know, pace yourself. You know, she washes, she wipes down the windows, both sides of the doorways, every day. You know, I mean, Guys, this building is spotless. I'll put this building up against any building in the County as far as cleanliness.



**Councilman Whetstine:** I guess what I was trying to do is to tag onto to Greg's question about temporary for a year or whatever, you know? So, I'm wondering, like, if we were back to the way it was in 2019, did you have enough custodial staff at that, to do the job that needed to be done?

**Commissioner Saylor:** Well...

**Heather Soberg:** In 2019, before we were even aware of the fact that we had offices, the Sheriff's Department and Drug Court and Highway Department, that they had people that were not custodial staff cleaning and taking them away from their regular duties, it wasn't even a consideration. But, that's come to light through COVID, so, no, in 2019, we didn't realize it. But, in 2020, we did.

**Councilman Whetstine:** Okay. So...

**Commissioner Saylor:** So, and then, you know, before I became Commissioners, I think there was more custodial staff here on staff doing, you know, cleaning. And I think Greg, Greg, of course, Rick, you've been around a while, Brad. I think they had cut a person.

**Krystal Powless:** Correct.

**Commissioner Saylor:** Krystal, is that right?

**Krystal Powless:** That is correct.

**Councilman Whetstine:** Okay.

**Commissioner Saylor:** Okay, so, so, you know, we're short anyway and then, then now, we've got the Sheriff's Office that needs to be cleaned and rightfully so. And our Highway, you know, there's COVID at the Sheriff's, there's COVID at the Highway and cleanliness and, and sanitizing. We even have our maintenance staff doing some probably custodial duties just because we don't have enough, we don't have, I've even operated the machine to sanitize things because it can't get done quick enough.

**Councilman Whetstine:** So, to summarize, I'm hearing you saying you were short. Now, we added workload with the COVID, which makes you double short.

**Commissioner Saylor:** And I think that's the reason why we're losing our best, best person. Cause we've just piled too much on her.

**Heather Soberg:** (Inaudible) reasonable.

**Councilman Richmond:** Would I have a motion from someone to draw up the Salary Ordinance?

**Councilman Whetstine:** I'll make the motion, yes.

**Councilman Richmond:** Okay. Motion by Chris to have Krystal draw up the Salary Ordinance for a full-time custodian, 2021, and it will be advertised then and we'll have to do the additional to pay for it in our January meeting. Is that the correct procedure?

**Krystal Powless:** Yes.

**Councilman Richmond:** Okay, is there a second?

**Councilman Overton:** I'll second it.

**Councilman Richmond:** Seconded by Brad. Discussion?

**Councilman Reid:** I feel that when you hire someone on full-time, you don't get rid of them. You know, it's hard to get rid of them. It's easier having two (2) or three (3) part-time workers in there than it is one (1) full-time worker like that. It would be cheaper, too, for several, two (2), two (2) part-timers or something like that than going with a full-time person. That's the way I feel.

**Councilman Metzger:** I think I could go along with it more if the word temporary was in there somewhere. I mean, once COVID's over, COVID's over. They're talking about the vaccine now.

**Commissioner Saylor:** Rick, I don't disagree with you. As, as long as you know we're at a little bit of a clutch because what we pay our part-time people, you know, I mean, I don't have a problem using part-time people. I mean I really don't, because you're right. It is more efficient. But, when you can't get them, you know, and we start looking, okay, what the cost of benefits are, if we're not, if we're not sanitizing stuff properly and we have, you know, half dozen employees get sick or get COVID, then guys we're spending money on Health Insurance like you wouldn't believe. So, I think cleanliness and sanitizing is very important right now during these times. But, and, and I imagine, you know, you say, I don't disagree with you, Rick, there where full-time people are hard to get rid of, but you know, if we have a retirement or something, we might not have, you know, we can shuffle around. But, I can assure you, we will do what the most efficient thing is and to keep, and to keep the building safe and clean.

**Councilman Richmond:** And we can deal with this again at our budget session, cause each year we look at all the positions and if we are discussing and finding out that perhaps things have slowed down a little bit and we are back to normal, hopefully, then we wouldn't have to budget it at budget time.

**Councilman Overton:** Cause in the end, all of our positions anyway, whether you're here for four (4) years or walk in the door and get hired tomorrow, everything's temporary. I mean there's not a single thing here where, where anybody, you know, they could walk us out the door tomorrow. You know, case being. I think they're, I think, I mean, for me with this, yeah, I'm a little hesitant, especially if you had anything else. But, we've got some additional funding here, the

additional funding, CARES Act money, seems to me it correlates pretty well hand in hand with this custodial. And you know, is everything going to be cleaned up and everybody's vaccinated and all this stuff taken care of by the end of the year? Heck, I don't know, I mean, if that's going to happen or not. We may be sitting around here, you know at the worse, at the best we're looking at maybe getting health staff vaccinated by December/January and there's going to be logistical problems all over the place and everything. So, I'd rather err just a little on the side of caution. Hope to God by the time they get around here to September, we've got a better idea where things are at and then we can come to decide on that. And if anybody knows me, I've never been real quick to spend money on anything. But, this seems to me like there's a correlation between the additional CARES Act money that we've got in this position. So, there's my two cents (\$0.02) worth and I'm done.

**Councilman Richmond:** Okay, I'll call for the question. All those in favor of drawing up the Salary Ordinance for a full-time custodian, 2021, raise your right hand. One (1), two (2), three (3), four (4) of us here. David? Is David unmuted?

**Krystal Powless:** He was muted.

**Councilman Richmond:** David, I can see you. Put your thumb up or thumb down.

**Krystal Powless:** (Inaudible).

**Councilman Hachmeister:** Nay.

**Councilman Richmond:** Dave, is that aye?

**Councilman Hachmeister:** Nay.

**Councilman Richmond:** Nay.

**Krystal Powless:** Nay.

**Councilman Richmond:** Okay. So, that's four to three (4-3 with David Hachmeister, Ted Metzger, and Rick Reid opposing). And the three (3) are David, Rick, and Ted. Okay.

**EMERGENCY MANAGEMENT BUSINESS  
TRANSFER FROM GRANT MAINTENANCE TO MOBILE COMMAND**

**Councilman Richmond:** Next up is Emergency Management, EMA. It is a transfer from Grant Maintenance, one thousand eighteen dollars and eighty-eight cents (\$1,018.88); to Mobile Command, one thousand eighteen dollars and eighty-eight cents (\$1,018.88).

**Councilman Overton:** Motion to approve.

**Councilman Christmas:** Second.

**Councilman Richmond:** Motion by Brad. Is there a second?

**Councilman Christmas:** Second.

**Councilman Metzger:** Charlie.

**Councilman Richmond:** Second by Charlie. Discussion? All those in favor? One (1), two (2), three (3), four (4), five (5) of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** So, that'd be six to one (6-1 with Rick Reid opposing) and Rick you were the...

**Councilman Reid:** Nay.

**Councilman Richmond:** Nay. Okay.

**HIGHWAY BUSINESS  
WORKMAN'S COMPENSATION**

**Councilman Richmond:** Next up is Highway Business. And this looks like it's Workman's Compensation. We didn't budget enough for the year. We have to estimate these budget's in July for the following year. Kind of gets hard. So, fourteen thousand eight hundred forty-one dollars (\$14,841.00), and that's an Additional Appropriation. Workman's Comp.

**Councilman Overton:** Have we ever overestimated for any kind of insurance? I don't know. That's a question I would like to have answered.

**Krystal Powless:** I don't like to overestimate.

**Councilman Overton:** That was really just a hypothetical (inaudible), come on, Krystal. You didn't have to call me out. Motion to approve.

**Councilman Christmas:** Second.

**Councilman Richmond:** Motion by Brad. Second by Charlie. Any discussion? All those in favor? That's all of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0). Thank you.

**Councilman Overton:** Is David working in the bat cave or what?

**Councilman Hachmeister:** Yeah.

**Councilman Overton:** Back at the coal mine.

**Krystal Powless:** Brad, if you overestimate, they like to transfer it and spend it somewhere else.

**Councilman Overton:** I know that, Krystal. That's true. That is true.

### **SUPERIOR II BUSINESS PROBATION TRAINING AND SALARY ORDINANCE**

**Councilman Richmond:** Now, Superior Court II Business. The Additional Appropriation for Probation, three thousand one hundred eighty-five dollars (\$3,185.00) for training a new employee to take over a retiree's job. And we discussed this at our last meeting and kind of gave consensus.

**Judge Miskimen:** Correct. And she is due to start December 7<sup>th</sup>. My Probation Officer retires January 5<sup>th</sup>, and it's a highly involved case. She's been a Court Reporter before. But, this is totally something new. So, I'm just asking that that be approved.

**Councilman Richmond:** Judge, would you identify yourself, I'm sorry.

**Councilman Overton:** Yeah.

**Judge Miskimen:** I'm sorry, I'm Judge Amy Miskimen for Warrick Superior Court II. Don't come over here very often because I try not to ask for additional funds. But, the additional fund that I'm asking for is, I have another Court Reporter retiring. When I came, when I came into office, I had five (5) people who had been with the Court for between twenty-four (24) to thirty (30) years. So, this term I'm going to be seeing you all a lot more. But, she is retiring. The lady I have taking her place is another Court Reporter, but she has never handled Misdemeanor cases, cases that involve the BMV. The BMV has to be notified any time there's a license suspension. There's certain paperwork that has to be worded very specifically or the BMV will reject it. She will also be handling protective orders and that is not a user-friendly system. So, she'll be training on that. She's due to start December 15<sup>th</sup> and her trainer will be retiring January 4<sup>th</sup>. It sounds a little long, but when you look at the actual days of training, I think it ends up being fourteen (14) to fifteen (15) days because of all the holidays.

**Councilman Richmond:** Okay, we'll take this one (1) section at a time. 7A, and 7B is the Salary Ordinance at three thousand one hundred eighty-five (\$3,185.00) and the Additional Appropriation is the three thousand one-hundred-fifty (\$3,185.00) to fund the Salary Ordinance. So, I'll take a motion for both of them together.

**Councilman Metzger:** Motion.

**Councilman Reid:** I'll motion...and I'll second.

**Councilman Richmond:** Okay, motion by Ted and second by Rick Reid for both the Additional Appropriation of three thousand one hundred eighty-five dollars (\$3,185.00) and the Salary Ordinance funding, three thousand one hundred eighty-five dollars (\$3,185.00). Any discussion? All those in favor? That's everybody here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0).

**Councilman Reid:** We try not to come over to your place either.

**Judge Miskimen:** I bet. I'm nice over there. Just so you know.

### **SUPERIOR COURT II CONTINUED COURT REPORTER AND SALARY ORDINANCE**

**Councilman Richmond:** Superior Court II Business Continued, the transfer, this is from Law Books, one thousand four hundred forty-six dollars and thirty cents (\$1,446.30); transfer to Court Reporter, eight hundred fifty-two dollars and eighty-one cents (\$852.81); and transfer to Court Reporter, five hundred ninety-three dollars and forty-nine cents (\$593.49). And then after that, the Salary Ordinance is a vacation buy-back, I believe. Is that correct?

**Judge Miskimen:** Correct.

**Krystal Powless:** Correct.

**Councilman Richmond:** Which is Handbook.

**Councilman Overton:** So, Judge, so, Judge, does that mean next year we can reduce the law books by fourteen-forty-six-thirty (\$1,446.30)?

**Judge Miskimen:** I would be fine with that.

**Councilman Overton:** Alright. I like that answer.

**Judge Miskimen:** I don't use the law books. I think I came over during budget time and I wanted to use that for raises for my people instead of buying books every year. I use the internet. I don't need it, quite honestly.

**Councilman Overton:** Best answer we've heard all night.

**Councilman Reid:** Motion for approval.

**Councilman Richmond:** Motion by Rick. Is there a second?

**Councilman Overton:** Second.

**Councilman Richmond:** Second by Brad. Okay, I have a motion and a second. Any discussion? All those in favor? That's everybody here, David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0).

### **SUPERIOR II COURT REPORTER AND SALARY ORDINANCE**

**Councilman Richmond:** And then the last one (1) is what she was explaining. Additional Appropriation for the Court Reporter in training. One thousand five hundred thirty-one dollars (\$1,531.00) and they're training for the retiree's position. And then the Salary Ordinance for that second employee training is one thousand five hundred thirty dollars and sixty-eight cents (\$1,530.68). Take those both together?

**Councilman Reid:** Yes, motion for approval.

**Councilman Overton:** Second.

**Councilman Richmond:** Motion by Rick and second by Brad to approve both 7E and 7F, the Additional Appropriation and Salary Ordinance. All those in favor? That's all five (5) of us here, David. Six (6) of us.

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0).

### **PUBLIC DEFENDER BUSINESS BUDGET REDUCTION – PUBLIC DEFENDER DEPARTMENT BUDGET SALARY ORDINANCE**

**Councilman Richmond:** Okay.

**Judge Miskimen:** And then I'm here for the next thing, too.

**Councilman Richmond:** Public Defender Business.

**Judge Miskimen:** Again, Amy Miskimen on behalf of Superior Court II. I've, I've asked to speak on this today. It's a subject that's near and dear to my heart. I'm a former Public Defender in Columbus, Ohio. And I just want to start off kind of explaining, since you all aren't over these kinds of cases, how it normally goes. When people show up in court and I would say ninety-five percent (95%) of people ask for a Public Defender. Not necessarily all the courts go about appointing Public Defenders the same way. So, there's no uniformity. I don't even know that all the courts go into income questions. I created a new form to, for partial indigency or full indigency on people that come in front of me. Most of them fill it out with zero (0), zero (0), zero (0). And then I find out they come out of their, some of them driving a Cadillac. Some of them working out at ALCOA. So, there's no way for the courts, we don't have the time to verify everyone that comes in front of us. That's where a Public Defender Office would also come in handy, because I don't know if there's any room in the buildings for a Public Defender Office. But, they can look out the window if they have their own building and see what the people are driving up. And that can automatically be counted against them. They can look up their addresses to see where they live and how much that costs them. If they're living in a two hundred fifty thousand dollar (\$250,000.00) house, they're automatically disqualified. We would require them at the Public Defender Office to bring in proof of their income, whether that's tax returns, pay stubs. If they're paid cash under the table for construction, we can require a letter from their employer stating that and as to how much they're paid and how often they work. There's all kinds of things that the Public Defender Office could ask for to qualify people. And I think that could greatly reduce some of the people who don't qualify, to, to not so many people receiving public defender service. Because we're limited by statute as to how much we can charge them for Public Defender fees. The most that we can ask for, for a misdemeanor is seventy-five dollars (\$75.00) and the most that we can order them to pay on felonies are a hundred and fifty (\$150.00). So, that's how much the County gets back on each of those cases now. With a Public Defender Office, we would have two (2), two (2) main attorneys that would work there full-time. They would show up to represent people at their initial hearings. Right now, we don't have any attorneys representing them at initial hearings. That's a requirement that the State has in order for the County to be reimbursed funding. Once we would have that Public Defender Office, for each and every case, the County would get forty percent (40%) reimbursement at the end of the quarter and that would go into the General Fund for the County for you all to use how you wish. The other thing with regard to that, is that once they're qualified, the Public Defenders could farm out those cases to the ones who are currently receiving funding as well, the local attorneys. Because two (2) attorneys, quite honestly, cannot handle the huge caseload. But, they could handle the murder cases. Used to, you wouldn't see a murder case in this County except once every ten (10) to fifteen (15) years. The past few years we've had one (1) to three (3) murder cases every year. And we've yet to have a death penalty case, but I guarantee you it's coming. I can guarantee you now, we're seeing a rise of theft cases cause people aren't working and the past few months every month that is my charging month and I can't speak for the, for the other courts, but in my court alone I have four (4) cases per month of people kicking in doors to rob people. And I don't know about you, but that scares the hell out of me. Eventually, there's going to be something happen where someone is brutally killed. The one (1) I can tell you about is the gentleman, I call him

gentleman, kicked in the door, held the woman, the victim, by knife point. Decided she was too nice. Left and you know, luckily her husband came back, got him, and someone else roughed him up 'til the police could come. But, that was a situation that could have ended very badly. What if there had been a child in the home? What if the child had died? You know, when you're looking at a bad case, and I'm sure Mr. Perry could tell you, you're looking at a case that the Public is going to demand for the death penalty and it's gonna happen. And that is a multi-million dollar case that you would be reimbursed fifty percent (50%) on. Each, each of the two (2) courts that has had the murder cases, have asked for an additional reimbursement, one (1) I know, of a hundred and ninety-five thousand dollars (\$195,000.00). And another of a hundred thousand dollars (\$100,000.00). That is something you would get forty percent (40%) reimbursement on. And because whoever is appointed to be the Public Defenders, they would be the two (2) representing them and they would be salaried. So, to me it comes down to a numbers game. This is, this is not necessarily a new thing. It's just kind of, we already have Public Defenders. They get thirty-six thousand dollars (\$36,000.00) every year. There's seven (7) criminal and one (1) civil attorney who get those. They don't get insurance. This would be two (2) attorneys. They would be full-time. The salary here shown would be benefits. Sixty thousand (\$60,000.00) of the Pauper Counsel would be back, come out from the courts for those, for those attorneys and could be applied towards the funds. I honestly believe, it's my belief, I can't swear to it, but the Supreme Court is eventually going to require it of every county, because they want to ensure the best representation for the defendants. They want fair trials. The other thing I would like to tell you is that once we have an actual Public Defender Office that meets the requirements of the State of Indiana, they can apply for grants, all kind of grants to help with funding. That might help with different supplies. Different things that we're not eligible for right now because we don't have this yet. I just, I hate to see our County, you know, we're one (1) of the last four (4) to get Odyssey in the State and that was required by the State of Indiana. We're lucky that we have enough funds left that we will now qualify for free equipment, but it wasn't a guarantee when we signed on. Want to make sure I go over everything. I think that's everything I wanted to cover. I didn't know if Judge Kelley wanted to speak as well? Okay, thank you all for listening to me. I greatly appreciate your time.

**Councilman Richmond:** Thank you.

**Councilman Metzger:** Thank you.

**David Kelley:** Good evening. My name is David Kelley. I'm the Chairman of the Warrick County Public Defender Board. We were here in October and basically gave you an outline of what we were eventually going to ask for, what the Board was about. Since that time, we have submitted a plan to the Indiana Public Defender's Commission. That was approved in September, I think. So, they've approved our plan. We just now have to basically fund it. And if I understand your agenda correctly, 8A is the actual Ordinance that Mr. Whitehead prepared for voting on whether or not you want this program at all and then the rest of it follows after that. Again, I think it's inevitable that the County's going to have to go this way. And it's a carrot and a stick thing, do what the State asks, they'll give you forty percent (40%) reimbursement for it and as Judge Miskimen suggested, we don't know where there's another murder around the corner, when it's going to happen, or what it's going to amount to. And this way we have full-time Public Defenders, we have two (2) full-time Public Defenders, and then we've provided in our program that the State's approved for five (5) contract Public Defenders who are not employees, do not get benefits, they just get the annual sum. So, I don't know if you want to address each of these particular, 8A, 8B, and 8C separately, if you want to do it all at once, but tell me how you want to do it before I say any more.

**Councilman Richmond:** I have some questions about the A, B, and C all together.

**David Kelley:** Sure.

**Councilman Richmond:** Focusing more on C, I share the same passion. I felt like for a long time we've needed a Public Defender. My first question is, who decided what the salaries would be?

**David Kelley:** Okay, these numbers, I gave a proposed budget, the last time we were here in October. And these numbers, tonight's the first time I've seen the numbers. So, I'm not terribly familiar with them. In 8B for example, there appears to be a, an error, typographical error. I think they're trying to recapture some existing funds that still are in the current budget from the three (3) courts. And Superior II should, if the numbers match, should be twenty thousand (\$20,000.00) instead of two thousand (\$2,000.00). I mean twenty (\$20,000.00), twenty (\$20,000.00), and twenty (\$20,000.00) makes sixty (\$60,000.00) to me.

**Councilman Richmond:** Yeah.

**David Kelley:** And so that should be too. Now, to answer your question, Greg, I'm sorry to divert there. The numbers that are showing up in 8C include all the benefits and PERF and all that that goes along with it. But, the basic salary for the Chief Public Defender is required by the State to participate in this program and that's the equivalent of what the Circuit Court Judges and Superior Court Judges and the Prosecutor get. So, and I checked to make sure if we didn't pay that what would happen and the answer simply was, if you don't pay the salaries that we tell you to pay, then you can't participate in the program. It's kind of, I don't know, Greg's been around long enough to know how it was with Probation Officers some years ago. The salaries started up and we didn't have a choice. It's just you have to pay these people. So, those numbers and again the 8C numbers don't mean a lot to me because this is the first time I've seen them. But, I trust Krystal has done the math and we're trying to get this program started before the end of the year because there's an ability to recapture some of this money before the year's over. And I guess these numbers are smaller than what they need to be. I don't know, Krystal, are you listening?

**Cliff Whitehead:** She just got booted.

**David Kelley:** Okay.

**Cliff Whitehead:** She's trying to get back on now.

**David Kelley:** Okay.

**Councilman Richmond:** I saw some figures of the breakdown of the benefits that we would have to pay and all that.

**David Kelley:** Right. The actual salary for the Chief Public Defender for example was about one-sixty-four (\$164,000.00), I don't know. Mike, you can tell me about what you make.

**Prosecutor Perry:** I'm sorry, sir?

**David Kelley:** You're salary's about one-sixty-four (\$164,000.00), something like that?

**Prosecutor Perry:** I think about a dollar fifty-eight (\$1.58) a week.

**David Kelley:** Okay, well...

**Prosecutor Perry:** No, it's around one-forty-five (\$145,000.00) a year.

**David Kelley:** So, the rest of the difference between one-sixty-four (\$164,000.00) and two-ten (\$210,000.00) number I came up with was a little bit different than that. I had, well, let me find that on my paperwork here. The Chief Public Defender was two-o-four-one-sixty (\$204,160.00). Two hundred four thousand (\$204,000.00), and she came up with two hundred ten (\$210,000.00). So, she knows more about what it's actually costing to have an employee than I do. Is Krystal back on yet?

**Cliff Whitehead:** Nope.

**David Kelley:** No? Okay. And again, I'm assuming that these numbers in the Additional Appropriations and Salary Ordinances are numbers to get us through to the end of the year which is a few more weeks.

**Councilman Richmond:** Well, the breakdown that I have is one-fifty-six-one-twenty-five (\$156,125.00) is the salary. PERF is twenty-two-one-sixty-nine (\$22,169.00), FICA is eleven-nine-forty-three (\$11,943.00), insurance at twenty thousand dollars (\$20,000.00) for a total of two thousand... two hundred ten thousand two hundred thirty-eight dollars and thirty-one cents (\$210,238.31). And the way I understand it, the Judges are paid from the State and I guess the Judges are paid their benefits from the State, too?

**David Kelley:** Yes, yes.

**Councilman Richmond:** Okay. And our insurance is extremely high.

**David Kelley:** Used to be the Judges, everything's paid by the State except that County used to kick in five thousand dollars (\$5,000.00) a year to the Judges salary. I assume that's still...

**Councilman Richmond:** Five thousand (\$5,000.00). And then the Prosecutor's salaries are a percentage of the Judges, right?

**Prosecutor Perry:** (Inaudible).

**David Kelley:** It's a hundred percent (100%). Right?

**Prosecutor Perry:** Yes.

**David Kelley:** They're all the same.

**Prosecutor Perry:** Mike Perry, Prosecutor. The Prosecutor's salary is equal to a Judge's salary. And that's set by Statute. It's governed by the Supreme Court Chief Justice.

**Councilman Richmond:** Cause there was some concern that the, that this person would get the Chief Probation, the Defender, Public Defender, the Chief Public Defender would get more than our Judges and the Prosecutor.

**Prosecutor Perry:** Well, and...

**Judge Miskimen:** It's, right now the Judges is one-fifty-one-one-thirty-seven (\$151,137.00). It's an odd amount, that's why I remember it.

**Prosecutor Perry:** And my apologies, Mr. Richmond. That's partly my fault, because all I was looking at was the bottom line of the two hundred ten thousand two-forty (\$210,240.00), not realizing that that was calculated, that PERF was calculated in there. That the insurance and FICA was also calculated. If it's the same salary, and it's mandated by the rules. I don't have any objections to that.

**Councilman Richmond:** Okay.

**Prosecutor Perry:** But, if I just may, on this idea of the Public Defender's Office, I've spoken about this before. I think it's an absolute necessity for indigent defense in this County and I also think that it's important, we had a study a couple years ago state-wide to see what the status of indigent defense was in the State. And my concern is if we don't act on it of our own, we will be told how to do it and we won't like what happens. Because my fear is it won't be a local Public Defender, it will be either regional or something else where they'll be, you know, centers and people will be sent in here. We won't be able to develop any type of relationship with those folks as we would if it was a local type agency.

**Councilman Richmond:** Okay. The one-fifty-six (\$156,000.00) figure, I would estimate probably that Krystal estimated a salary increase, a raise for the Judges each year. There's usually some kind of raise that comes in.

**Prosecutor Perry:** Yeah, the Chief Justice, I think, the last several years, it's been about three (3%) to three point five percent (3.5%) raise.

**Councilman Richmond:** So, that's probably what all that is, the difference there. And the twenty thousand (\$20,000.00) insurance, perhaps it doesn't cost the State twenty thousand dollars (\$20,000.00) for the insurance. That's what our insurance costs us per person here.

**Cliff Whitehead:** Krystal should be back on.

**Krystal Powless:** I am back on and I apologize because I missed the entire conversation because my internet went down. What number did they come up with for the Chief Public Defender salary? And the second Public Defender salary?

**Councilman Richmond:** The Chief Public defender salary that I have written for me here, the salary actually is one-fifty-six-one-twenty-five (\$156,125.00).

**Krystal Powless:** Okay.

**Councilman Richmond:** PERF was at twenty-two-one-sixty-nine-seventy-five (\$22,169.75).

**Krystal Powless:** Okay.

**Councilman Richmond:** FICA, eleven-nine-forty-three-fifty-six (\$11,943.56). And insurance, twenty thousand dollars (\$20,000.00).

**Krystal Powless:** Right.

**Councilman Richmond:** For a total of two-ten-two-thirty-eight-thirty-one (\$210,238.31). Now, the current Judge's salary is one-fifty-one-one-thirty-seven (\$151,137.00). And so, I assume the one-fifty-six (\$156,000.00) is a three percent (3%) raise or something like that in your estimations.

**David Kelley:** My guess is, Greg, that the one-fifty-six (\$156,000.00) takes into consideration the five thousand (\$5,000.00) the County kicks in.

**Councilman Richmond:** That's right.

**David Kelley:** Where other Counties don't necessarily kick in anything for the Judges salaries. So, the basic statutory salary is the one-fifty-one (\$151,000.00).

**Councilman Richmond:** Okay.

**David Kelley:** (Inaudible), five (5) and one (1) is six (6).

**Councilman Richmond:** Yep, that makes sense.

**Krystal Powless:** Okay, and then what about the second Public Defender? Not the Chief, but the other one (1)?

**Councilman Richmond:** I haven't gotten into that, which leads to another question before we get into that. My personal feeling is that two's not going to be enough the way crime is increasing. The high crimes here have really gotten bad lately.

**David Kelley:** No, two (2) was never contemplated. In other words, when our plan was submitted to the State, it's two (2) full-time and five (5) contract Public Defenders. So, the original, the original budget that we proposed, (inaudible) last (inaudible)...

**Krystal Powless:** Right, and I have, I have those contracted individuals in the appropriations. You don't need Salary Ordinances for those contracted individuals.

**Councilman Richmond:** Okay.

**David Kelley:** And Krystal, my question was, it this just enough appropriation to get us through the end of the year?

**Krystal Powless:** Yes, and then it all has to come back in January.

**David Kelley:** Okay, that's fine. Just wanted to make sure I understood your numbers.

**Krystal Powless:** Yeah.

**David Kelley:** But, it's actually, Greg, seven (7). Two (2) full-times and five (5) contract Public Defenders.

**Councilman Richmond:** Okay.

**David Kelley:** Cause currently...

**Krystal Powless:** But before, before they approve the Salary Ordinance, if they do that tonight, I would need to know the salary of the second Public Defender. Not the Chief, but the other one (1).

**Councilman Richmond:** Yeah, cause you've got ninety-nine-four-seventy (\$99,470.00) down.

**Krystal Powless:** Yeah, but that includes benefits. I need to know just the salary.

**David Kelley:** I think it was the equivalent of a full-time Deputy Prosecutor. Help me out, Mike.

**Prosecutor Perry:** I'm sorry, Sir?

**David Kelley:** The other full-time Public Defender is supposed to be at the same salary rate as your...

**Krystal Powless:** Which would be sixty-two-seven-sixty-four (\$62,764.00).

**David Kelley:** Yeah, I think that's right. That's the number that we worked off of. Plus, plus the other expenses. So, the ninety (\$90,000.00)...

**Councilman Richmond:** So, you'd add PERF to that sixty-two-seven-sixty-four (\$62,764.00) and whatever FICA balances out to be and then the insurance at twenty thousand (\$20,000.00)?

**Krystal Powless:** Right, but, but, the Salary Ordinance on 8C, you just need the salary. So, the Public, the Chief Public Defender is one-fifty-one-one-thirty-seven (\$151,137.00) and the Public Defender is sixty-two-seven-sixty-four (\$62,764.00).

**David Kelley:** So, those numbers need to be amended, I assume is what she's saying.

**Councilman Richmond:** Okay.

**Krystal Powless:** Correct.

**Councilman Richmond:** The Administrative Assistant, two (2) of them, is the same?

**Krystal Powless:** It's correct.

**Councilman Richmond:** Thirty-two-five-forty-one (\$32,541.00) stays the same.

**Krystal Powless:** Yes.

**David Kelley:** (Inaudible).

**Councilman Richmond:** And Paralegal, seventeen-ninety-five (\$17.95) an hour.

**David Kelley:** The Administrative Assistant, two (2), the thirty-two-five-forty-one (\$32,541.00) is that a piece or for both of them?

**Krystal Powless:** That's a piece.

**David Kelley:** Okay. That's fine.

**Councilman Richmond:** And I'm curious, I know that, I guess we don't, since they're contracted, we won't be paying benefits. What are the contracted Public Defenders amounts? Do you know?

**David Kelley:** We budgeted forty thousand (\$40,000.00) each.

**Councilman Richmond:** Okay.

**David Kelley:** We're currently paying thirty-six (\$36,000.00) and I don't think they've had a raise in many, many years.

**Councilman Richmond:** I don't remember one (1) for a while.

**Prosecutor Perry:** (Inaudible).

**David Kelley:** Well, they've got to eat too.

**Krystal Powless:** Judge, well, I want to say Judge Kelley, cause I'm so used to saying that.

**David Kelley:** Thank you.

**Krystal Powless:** How many contracted Public Defenders will you have?

**David Kelley:** Five (5)? And those numbers again, that's not arbitrary. We just didn't think that up. That's what the State has estimated we need. Two (2) full-time and five (5) part-time to meet the, to meet the case load requirements. This entire program, if you want to go back to the beginning for a minute, it's caseload generated if you will. It's always a follow the money thing. The State gets all kinds of money from the Feds for criminal justice. The money filters down. To justify the money from the Federal, they have to show that the caseloads are met, that the Public Defenders aren't overloaded in their caseloads. So, that's why we have to have this number to meet our current caseloads. And they've done case studies on this and come up with these numbers for us. And so, you get to play in their ballparks, so they can get the Fed money, we've got to meet their rules. And the, as I said earlier, the carrot and the stick is we get forty percent (40%) back of everything spent out. Judge Miskimen suggested the murder trials and so forth. But, it's also the operating expense. We don't have to wait for a murder to get forty percent (40%) back. Every penny we spend for the whole Public Defender Program, forty percent (40%) of it's reimbursed every year.

**Councilman Richmond:** Next question is, do we have a place for them?

**David Kelley:** No. As we speak, we don't yet. Now, I think Warren Mathias, Warren has been extremely, extremely helpful in carrying the water in this case for us and making all the contacts. Warren's in a position, I think he's probably going to be our new full-time Prosecutor, and he can be using the office he's currently renting. I don't know what the arrangements are.

**Councilman Richmond:** Mike? You said full-time Prosecutor.



**David Kelley:** Did I? I didn't tell you, you're out of a job. You can go on home now. I'm sorry.

**Councilman Overton:** It's attorney humor night tonight.

**David Kelley:** Well, gotta do something, don't we? We, we've looked around at a couple of places around the square and honestly, our preference is to have it right here on the public square. Because when they walk out of the Courthouse, if they have to get in the car and leave, they'll go get McDonald's or someplace and it will be next Tuesday before they ever see their Public Defender and then they're chasing them all the time. If you walk out the front door and across the street, why, they're more likely to get where they're going to go. So, we're currently looking at some options around the square to try to find some rental space to take and use. I don't, from what I understand, the County doesn't have anything. If you had some free space...

**Councilman Overton:** What about the Jail building over there?

**David Kelley:** The real old Jail building? Yeah, that'd be alright.

**Councilman Richmond:** So, we'll have to set up a budget for rent and operations, also.

**David Kelley:** Yes, I don't know, again, I don't know how much Krystal figured in. But, immediately to get us to the end of the year, I don't think we need to do that.

**Krystal Powless:** I counted rent under operating expense.

**David Kelley:** Alright, good, thank you. Now, as I understand, I just learned this in the last day or two (2), we still have to go before the Commissioners and get their approval to hire these people. And maybe you all don't know the answer to that question. But...

**Cliff Whitehead:** Yes.

**David Kelley:** And we, technically, we're on their agenda for the 14<sup>th</sup>. So, we get it passed here, then we'll take it to the Commissioners.

**Councilman Richmond:** Any other Councilmen besides me have any questions?

**David Kelley:** Anything else, if I can help, we'll try to answer.

**Councilman Overton:** I don't have any questions. I just have a comment. And my comment is just the, unfortunately the timing here is just not the best in my opinion. Just the fact that it's, and I understand what you're trying to get this extra money reimbursed at the end of the year. Unfortunately, I would have rather have seen this at budget time, just for the sheer fact of...and then, you know, I think we keep trying to blame everything on COVID. If there's a way, I think we might be able to do that. But, just with all the, kind of, unsettling circumstances, it's a little, and, you know, I was kind of, you know, I was supporting the maintenance position or the Janitor position. But, so I mean, that's my biggest struggle with this issue is just the sheer timing. You know, I would rather see us look at this and review this at budget time and perhaps, you know, it sounds like our salary issues are kind of one (1) of those things where we don't have a whole lot of control over that anyway. But, I mean, that's just kind of my two cents (\$0.02) worth. I think for the amount of money that we would, we're going to be spending, I would rather have factored this into the broader picture where we can look at that for our current budget or our new budget for '22 and see where that's going to be at. At least that's my, I didn't have any questions, just some comments.

**David Kelley:** Anyone else want to comment?

**Councilman Whetstine:** Could I ask, do I understand right that if it's approved tonight, in December, that the 2020, you get reimbursed for your 2020 expenses? You can get forty percent (40%)?

**Cliff Whitehead:** Last quarter.

**David Kelley:** Yes. Yes.

**Councilman Whetstine:** For the last quarter. Okay. Do you know about how much that would be?

**David Kelley:** No, not really.

**Councilman Whetstine:** No? Okay.

**Judge Miskimen:** I believe for the entire year it would have been one hundred fifty thousand (\$150,000.00), so if you divide that by four (4), not great at math, that's about how much we'd be getting back.

**Councilman Whetstine:** About thirty-five thousand (\$35,000.00) or so?

**Cliff Whitehead:** (Inaudible).

**Councilman Richmond:** I have the Resolution here. Anybody want to do anything with this? What's the mood of the Council?

**Cliff Whitehead:** To the action, it would be to approve the two (2) positions and to approve the Ordinance.

**Councilman Reid:** Can we do that together?

**Cliff Whitehead:** Yes.

**Councilman Reid:** I make that motion.

**Councilman Richmond:** So 8C and 8A. Is that correct?

**David Kelley:** Well, I think they want 8B as well. That's just to capture the money that's...

**Councilman Richmond:** Did you want to put 8B in that too, where that budget reductions are in? And then funding the budget for the rest of this year?

**Councilman Reid:** Yeah, that's fine. Um hum.

**Councilman Richmond:** Okay so A, B...8A, B, and C. And first, what would you recommend, Cliff, you said, what do do first?

**Cliff Whitehead:** No, I think the motion is for A, B, and C, so you're really doing it all at once.

**Councilman Richmond:** Okay.

**Cliff Whitehead:** As far as the, the Ordinance creating the Public Defender's Fund, all you need to do is read the title of that which I do not believe has been done. But, I believe you have gone over 8B and 8C is as far as those numbers.

**Councilman Richmond:** Okay. The Ordinance would be Warrick County Council Ordinance number, what number?

**Kristine Georges:** It'd be '05.

**Councilman Richmond:** 2020-05. An Ordinance of the County Council of Warrick County, Indiana, creating the Public Defender Department. So, where, the motion is, by, it was made by Rick Reid. Who seconded that?

**Cliff Whitehead:** We don't have a second.

**Councilman Richmond:** Need a second for A, B, and C.

**Councilman Whetstine:** I'll second it.

**Councilman Richmond:** Second by Chris. Any more discussion or questions?

**Prosecutor Perry:** May I approach?

**Councilman Richmond:** Yes, you may.

**Prosecutor Perry:** I actually have one (1) question. On the, the part-time contractual for the Public Defenders, not every case is, individual. We had that, had one (1) case right now that has co-defendants that are charged with killing the same person. So, by its very nature the Public, if the Public Defender's Office is created, then the Public Defender's Office would, would, you know, possibly could handle one (1) case, but could not handle the second case because of conflict of interest. So, then we'd have to appoint either the one (1) of the contractuals, as a person to represent this other defendant. Is it contemplated in the contractual salary that they would operate on a flat fee or would they be compensated for hours over and above what a normal case would entail? Sorry...

**Judge Miskimen:** I would think that we would put in the contracts that forty thousand (\$40,000.00) period. And maybe, you know, I mean, if it's, I would think that we would have to do it that way.

**Prosecutor Perry:** Okay. Cause I know, and I've worked as a Public Defender myself in Arizona and we were under a contractual basis and we had to take so many cases that were assigned to us by the courts. We also had to, bless you, we had to maintain hourly on these cases and if it ever got to twenty (20) hours and above, then we would start, you know, keeping those hours and provide it to the presiding Judge at that time for compensation over and above what our contract was. I would assume, and I know what happens when you assume. I've been told that by my son on many occasion. But, I would think that, that those people who are appointed as contractual to handle, in complicated case like a murder case, would find it offensive to them to take that on a flat fee when it was going to cut into a lot of their other cases. Because these contractual people are obviously going to be the attorneys that also have private practices and then handle cases on their own. So, there's going to be a pushback, I would imagine, from them that they would not accept a murder case or any type of complicated case on just a flat compensation.

**Judge Miskimen:** And I think, I think to get it to work like that, we'd still, the County would still be compensated the percent (40%) for any additional (inaudible) paid.

**Prosecutor Perry:** Thank you.

**Councilman Richmond:** Have a motion and second on the floor.

**Councilman Whetstine:** I guess, Greg, I'd just like to add that I'm seeing that if we approved it here in December to get thirty-five grand (\$35,000.00) reimbursed, roughly, give or take. And I know there's line items and I know there's different accounts these have to go through, but, sounds to me like it pays for that Custodian we talked about. You know, just to, it's all different pockets on the same pants, right? I don't know. I like the idea, I guess. Just because I like getting the freebie ride from 2020.

**David Kelley:** You will learn they're not pockets on the same pair of pants.

**Councilman Whetstine:** Well, you know, I know, so, I hope I don't break something here. I don't know.

**David Kelley:** Those pants got more pockets than you can imagine.

**Judge Miskimen:** The thing I would like to say, too, is these attorneys are already getting paid to handle these cases. And we're not getting reimbursed the forty percent (40%). We're missing out on a whole lot of money that, that we

could get by setting up two (2) permanent Public Defenders, a couple of assistants, and a building. Period. I mean we're missing out on all this money. A hundred and fifty thousand dollars (\$150,000.00) in the General Fund and with the number of cases rising because of people not working right now with COVID going on. The thefts and again the kicking in the doors and essentially robbing people, you know, those numbers are rising too.

**Councilman Richmond:** Okay. I'd like to call for the vote. All those in favor of 8A, 8B, and 8C, raise your hand. That's one (1), two (2), three (3), four (4) here. And...

**Councilman Whetstone:** Did you say, I'm sorry, did I, did you say in favor?

**Councilman Richmond:** In favor of, yes. In favor of, right, four (4) of us. Okay. And opposed?

**Cliff Whitehead:** Oh, I'm sorry, we hear anything from David?

**Councilman Richmond:** David?

**Councilman Hachmeister:** Nay on me.

**Councilman Richmond:** Alright. So, that's three opposed.

**Councilman Reid:** Was that three (3) nays?

**Councilman Richmond:** Yes.

**Councilman Reid:** (Inaudible) heck (inaudible).

**Councilman Richmond:** (Inaudible) four to three (4-3 with David Hachmeister, Ted Metzger, and Brad Overton opposing). And the three (3) opposed were David, Brad, and Ted. Okay, we've got something to get started with then.

**David Kelley:** Thank you.

**Krystal Powless:** It will be back in January for the full amounts to be appropriated.

**Judge Miskimen:** Thank you all.

**SHERIFF BUSINESS  
MOTORIZED EQUIPMENT – DEPUTIES VACATION PAY OUTS**

**Councilman Richmond:** Sheriff's Business, Additional Appropriation, Motorized Equipment, fourteen thousand six hundred thirty dollars (\$14,630.00) and then the Vacation payout. That's as per Handbook, three thousand five hundred six dollars (\$3,506.00), for a total of eighteen thousand one hundred thirty-six dollars (\$18,136.00). And I think you got the paperwork on the Motorized Equipment.

**Sheriff Wilder:** Sheriff Mike Wilder. And I think we did send up an email on that. That money will cover a vehicle, we had a vehicle that was crashed and considered totaled out. The insurance reimbursed us up to a certain amount and I have money to move over from what the insurance gave me, excuse me, I'm moving over and I need that amount to finish that, to complete the, get the vehicle back.

**Councilman Richmond:** Okay. And the Deputies Vacation days, that is the Salary Ordinance that's 9B. If you add the one thousand one hundred five dollars and seventy-seven cents (\$1,105.77), one thousand two hundred fifty-one dollars and ninety-three cents (\$1,251.93), and one thousand one hundred forty-seven dollars and sixty cents (\$1,147.60). It rounds off to three thousand five hundred six dollars (\$3,506.00), which is what the additional is. So, we could do A and B together then. Does somebody have a motion?

**Councilman Reid:** Motion.

**Councilman Richmond:** Rick. Motion by Rick. Is there a second.

**Councilman Metzger:** I'll second it.

**Councilman Richmond:** Second by Ted. Any discussion. All those in favor? One (1), two (2), three (3), four (4), that's all six (6) of us, all six (6) of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0) on that one (1) on A and B.

**MAINTENANCE AND JAILER VACATION PAY OUTS**

**Sheriff Wilder:** And, Greg, on 9C, the Maintenance Additional Appropriation of six-ninety-seven (\$697.00), you can strike that. We came up with some money where we won't need that Appropriation.

**Councilman Richmond:** Okay, but you'll need the Salary Ordinance, won't you?

**Sheriff Wilder:** Yes, cause he's still going to be paid, but I have money to come up with.

**Councilman Richmond:** Okay, so the Additional Appropriation then will be seven hundred fifty-nine dollars (\$759.00) and that's the total also. And then we could do an A and B... I mean a C and D on this one (1). The Salary Ordinance, Vacation Days, Employee Handbook requirements for payout. Five (5) vacation days, Jailer, seven hundred fifty-eight

dollars and fifty cents (\$758.50); Maintenance, five (5) vacation days, six hundred ninety-six dollars and sixty-six cents (\$696.66).

**Councilman Reid:** Motion.

**Councilman Richmond:** Motion by Rick. Is there a second?

**Councilman Metzger:** Second it.

**Councilman Richmond:** Second by Ted.

**Councilman Metzger:** Yep.

**Councilman Richmond:** Any discussion? This is for 9C and 9D, the Additional Appropriation and the Salary Ordinance for it. All those in favor? That's all six (6) of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** So, that's seven, zero (7-0).

### **TRANSFER REPAIR AND MAINTENANCE TO MOTORIZED EQUIPMENT**

**Councilman Richmond:** And you have a transfer, Repair and Maintenance, seventeen thousand dollars (\$17,000.00); transfer to Motorized Equipment, seventeen thousand dollars (\$17,000.00). That's the insurance reimbursement.

**Sheriff Wilder:** Yeah, that check was put into Maintenance, that's what I'm moving over to complete that car. That was the insurance check. It's just a reimbursement. We're putting into the new car.

**Councilman Metzger:** Motion to approve.

**Councilman Reid:** Second.

**Councilman Richmond:** Motion by Ted. Second by Rick. Any discussion? All those in favor? That's all six (6) of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0).

### **SHERIFF UPDATE OF RAPID TESTS FOR THE SHERIFF'S DEPARTMENT**

**Sheriff Wilder:** I just have two (2) other things real quick. I just, this is one (1) more kind of report to the Council. I just want to let you know today, it was kind of exciting, we received rapid tests that we can use at our Jail for employees and inmates. It will be administered by our Jail nurse. So, we can, it's a fifteen (15) minutes response/results. So, pretty excited, hope maybe keep our Jail population safe, which we have at this point. Which is more luck than what we're doing, I mean, to be honest with this COVID. But, we have, but this will help and it's also with our employees. So, just kind of something new to pass on that we'll be doing there at the Sheriff's Office. So, I just wanted to kind of give that news. We received those tests today and we'll start using them, probably, in fact, start tomorrow after the training's complete.

**Councilman Reid:** Great news.

**Sheriff Wilder:** So, that will keep our staff safe. And last item, just want to welcome Chris to the Council.

**Councilman Whetstine:** Thank you.

**Sheriff Wilder:** And wish you well. Give the Sheriff what he needs. And Charlie, thank you for your time and I don't know if Cindy's watching, but they both, thank both of them for their time and their service to the Council. So, that's all I have, thank you.

**Councilman Christmas:** Thank you.

**Councilman Overton:** Thanks a lot.

**Councilman Whetstine:** Thank you, Sheriff.

### **PROSECUTOR BUSINESS TRANSFER FROM GENERAL, POSTAGE, AND PRINTING TO COMPUTER EQUIPMENT**

**Councilman Richmond:** And next up is a transfer, Prosecutor Business.

**Prosecutor Perry:** Good evening. Mike Perry, Prosecutor again. Yeah, I wanted to echo what Sheriff Wilder said. I wanted to recognize Charlie Christmas for all his years of dedication and service to this County. He is what a servant is. And I appreciate the, what you've done for this County throughout your career, Sir. Thank you and wish you well. So, I'm asking for a transfer from these different funds for the purchase of computer equipment. And it's my understanding that the four thousand three hundred ninety-five dollars (\$4,395.00) for the computers will be recouped through the CARES Act Grant. We requested four (4) additional laptops and, just in case there's another shutdown, which God forbid, but that way that our office could work at a hundred percent (100%) capacity no matter where we're at. You know we were pretty much shut down from March until sometime in July. But, my dedicated staff was able to,

to work and we passed laptops around so people could continue to get their work done and keep the citizens of this community safe even though we weren't physically in the office. Well, most, I was there every day, but most everybody else was not. So, we're just asking for that money to be transferred for, we've already got the computers. We just need to pay for them.

**Councilman Overton:** Motion to approve.

**Councilman Richmond:** Wait a minute. Let me read it. Transfer from General, three thousand three hundred dollars (\$3,300.00); transfer from Postage, one thousand dollars (\$1,000.00); transfer from Printing, ninety-five dollars (\$95.00); and transfer to Computer Equipment, four thousand three hundred ninety-five dollars (\$4,395.00). And Brad, you made the motion to approve.

**Councilman Reid:** Second.

**Councilman Richmond:** Second by Rick. Any discussion on that? All those in favor? That's all six (6) of us here. David? David, you with us?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Aye? Okay. Seven, zero (7-0), then. Thank you.

**Prosecutor Perry:** Alright. Thank you.

**Councilman Reid:** Thank you.

**Prosecutor Perry:** Have a good holiday, guys.

**Councilman Overton:** You too.

**Councilman Richmond:** You too.

**Councilman Metzger:** Merry Christmas.

**Prosecutor Perry:** Merry Christmas.

**AUDITOR BUSINESS**

**TRANSFER FROM OFFICIAL RECORDS TO ELECTRONIC DATA STORAGE  
TRANSFER FROM OFFICIAL RECORDS, POSTAGE, TRAVEL, AND EQUIPMENT  
MAINTENANCE TO FURNITURE  
TRANSFER FROM GENERAL SUPPLIES TO COMPUTER EQUIPMENT**

**Councilman Richmond:** Next up is Auditor Business. Have a transfer from Plat Book, Official Records, one thousand six hundred dollars (\$1,600.00), transfer to Electronic Data Storage, one thousand six hundred dollars (\$1,600.00). And the Auditor's transfer from Official Records, three thousand dollars (\$3,000.00); transfer from Postage, two thousand dollars (\$2,000.00); transfer from Travel, one thousand dollars (\$1,000.00); transfer from Equipment Maintenance, one thousand dollars (\$1,000.00); transfer all seven thousand dollars (\$7,000.00) to Furniture. And then there's also a Computer transfer from General Supplies, eight thousand dollars (\$8,000.00) to Computer Equipment, eight thousand dollars (\$8,000.00).

**Auditor Stevens:** Thank you. Debbie Stevens, Warrick County Auditor. Questions?

**Councilman Overton:** Is that new, is that laptops, Debbie? Do you guys just needing new PC's?

**Auditor Stevens:** For the Computer budget?

**Councilman Overton:** Yeah.

**Auditor Stevens:** We do. We have three (3) PC's in our department. We have two (2) people working on laptops and their desktops need, they've just crashed.

**Councilman Overton:** I just, the Prosecutor said he wanted laptops. I just didn't, I just wanted to see what you were actually asking for.

**Auditor Stevens:** We did actually, Mr. Overton, we did get four (4) laptops during COVID. So, we were working remote and in the office and sharing laptops. And so, we've had two (2) computers crash and they're working off of laptops at their desks.

**Councilman Reid:** Motion.

**Councilman Richmond:** Motion by Rick. Is there a second?

**Councilman Metzger:** Second.

**Councilman Richmond:** Second by Ted. Any discussion? All those in favor? That's all six (6) of us here. And David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0). Thank you.

**Auditor Stevens:** Thank you. I guess you took all of them at the same time?

**Councilman Richmond:** Yes, we did.

**Auditor Stevens:** Alright, thank you so much.

### **COUNCIL BUSINESS**

#### **DECLARATION FOR THE FISCAL BODY OF BOONVILLE PUBLIC LIBRARY**

**Councilman Richmond:** Catching up. Declaration of Fiscal Body is the next order of business, 12A. It says Fiscal Body of Boonville Public Library. It's required by the new legislation, if you've read this, that in case we become, where they change the binding of their budgets, approval of their budgets. Whereas officials typically submit the libraries annual budget for non-binding review by a separate Fiscal Body, if there's ever a change in that where it says it has to be binding, then we would be designated the one (1) to do it. We did this for Newburgh, Ohio Township. Do I need to read any of this, Cliff?

**Cliff Whitehead:** No. Yeah, it's just, all that we did for Newburgh was the Council authorized you to sign the declaration agreeing to serve as that Fiscal Body if the conditions applied. So, I honestly can't remember if we did a motion. I don't think it's necessary. But, I guess if we did it once, we can do it again. So, I think what would be necessary would be, could do a motion to approve or to allow the President of the Council to sign any documents acknowledging the Council will serve as the Fiscal Body for that library if the conditions do therefore apply. Say, take my motion of what I just said, I'm happy with that.

**Councilman Reid:** Motion.

**Councilman Overton:** Second.

**Kristine Georges:** I have a quick question. Does this require a number for the Declaration?

**Cliff Whitehead:** No, it's not a Resolution or Ordinance. It's just a motion.

**Kristine Georges:** Okay. Well, I, it's, it was considered a Declaration, which we do have Declarations. I just wanted to clarify.

**Cliff Whitehead:** I looked back at the other one (1). We did not have a Declaration number for the other one (1), so I think we just continue with that.

**Kristine Georges:** Okay. I'm sure it would be '01 and it wouldn't change until the end of the year. But, just, just to cross, cross t's and dot i's.

**Cliff Whitehead:** Thank you. I agree.

**Councilman Richmond:** Rick, you made the motion?

**Councilman Reid:** And Brad seconded.

**Councilman Richmond:** And Brad seconded. Thank you. Any discussion? All those in favor? That's all six (6) of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Seven, zero (7-0).

#### **ATTORNEY CLAIM CARES ACT REIMBURSEMENT**

**Councilman Richmond:** The Attorney's Claims now. This is our Council Attorney. He did a lot of work for us concerning COVID and is submitted to be reimbursed for that. Well, actually submitted his claim for that and then he will be reimbursed by the CARES Act money.

**Councilman Overton:** Motion to approve.

**Councilman Reid:** Second.

**Councilman Richmond:** Motion by Brad. Second by Rick. Any discussion? All those in favor? That's all six (6) of us here. David?

**Councilman Hachmeister:** Aye. (Motion carried 7-0).

**Cliff Whitehead:** Thank you.

*(December Appropriations are located on Page 26 of these Official Minutes)*

**COUNCIL MEETING DATES FOR 2021  
RESOLUTION 2020-14**

**Councilman Richmond:** Now, next order of business is a Resolution for meeting dates 2021. It's basically the first Thursday of each month except the July one (1) is the second Thursday. It's the 8<sup>th</sup> instead of the 1<sup>st</sup>. I would have a request also. You don't have to do this. I will be out of town the 1<sup>st</sup> but be back the 8<sup>th</sup> which is real close to the beginning of the month anyway. Did this last year.

**Councilman Overton:** Which month, Greg?

**Councilman Richmond:** April. April 1<sup>st</sup>, move that to the 8<sup>th</sup>. That would be my request. And if anybody else has any requests. You don't have to approve my request. The, I'm not sure why the July one (1) was moved. Probably cause (inaudible)...

**Krystal Powless:** I did that cause I figured there might be a lot of people out of town, you know, for maybe that weekend.

**Councilman Richmond:** July 4th.

**Krystal Powless:** So, we don't have to do that though.

**Councilman Overton:** Motion to approve with Greg's change.

**Councilman Reid:** Second.

**Councilman Richmond:** Brad made the motion and Rick seconded.

**Kristine Georges:** Resolution number would be '14, if it's required.

**Councilman Richmond:** Okay. Warrick County Council Resolution 2020-14. Again, all the meetings are scheduled, the regularly scheduled meetings are scheduled for the first Thursday of each month except for the change made in April. It will be on April 8<sup>th</sup>.

**Krystal Powless:** Any July.

**Councilman Richmond:** And July, yes. It will be on the 8<sup>th</sup>. I'm writing and thinking at the same time. Okay, any further discussion? All those in favor? That's all six (6) of us here. David?

**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Okay, so that's seven, zero (7-0).

*(Resolution 2020-14 is located on Page 26 of these Official Minutes)*

**APPOINTMENT LIST FOR 2021**

**Councilman Richmond:** And then the appointment list, if you haven't received, I know it was in the paperwork, the list of appointments, I have a couple of spare copies.

**Councilman Reid:** I'll take one (1), please.

**Councilman Richmond:** Anybody else need one (1)? Did you get an appointment list? There. Thank you.

**Krystal Powless:** When, when I get all the updates in of course I will send another one (1). I've, I've made contact with everyone and I will let you know who is willing to serve another term or not.

**Councilman Richmond:** And I made contact with Howard Nevins. He will serve on both those Boards.

**Unknown:** Good.

**Councilman Richmond:** In fact, all of the EDAC Board said they would return. Alan Holweger and Eric Pryor and Howard Nevins. Howard is also on the Economic Development Coalition of Southwest Indiana which may be changing. I think they're merging with the Chamber and some other group, Indiana Southwest Chamber and some other group. And keep this. And then think about what you would like to serve on next year and discuss that among yourselves. You can relay that to Krystal or me either one (1). And the, one (1) thing, I don't covet this position. It's not very powerful. If you want power, you're not going to get it here. And the pay is extremely extravagant, not really. That's a joke. But, it is very frustrating at times. I know I've had, this year has been challenging for every one of us and it's been a busy, busy year. My goals were to be accessible and I'm conveniently located. Transparency. I'm retired. I try to communicate with you all. And I attend all the meetings I need to attend as far as, not just Council Meetings, but Commissioners, other committees that we have out there, Park Board, things like that. And I'm also on call. That was my goal too, to all the Office Holders and Department Heads to be accessible at any time you need me. And I've tried to make that my goal. And I've also tried, my motto has always been treat others as you want to be treated. Do unto others as you would like done to you. So, in that, it won't hurt my feelings if I'm not President next year, but if you would like me to continue, I'll continue. I'm okay with that. That's all I need to say about that. Anyone else have anything to add?

**RECOGNITION OF CHARLES CHRISTMAS FOR HIS YEARS OF SERVICE**

**Councilman Richmond:** I have one (1) more thing. This is what I ran home for, Charlie. I picked up the egg nog and the cookies, but I forgot Charlie's gift. Charlie, in appreciation for all your service to the Council. We sure do appreciate all you've done and before that you were four (4) years... eight (8) years as Treasurer and eight (8) years on the Warrick County School Board. You were School Board member and School Board President, I believe, while I was teaching. So, Charlie's had a tremendous amount of service to Warrick County. Before that you've been a policeman. So, you've done a lot of things in the County. We sure appreciate it. We'll miss you. Next meeting is January 7<sup>th</sup> at 6:00 PM. And I'm ready for a motion.

**Councilman Reid:** Motion to adjourn.

**Krystal Powless:** Wait.

**Councilman Richmond:** Wait.

**Councilman Reid:** Too late.

**Krystal Powless:** Be on the lookout for several DocuSign documents.

**Councilman Richmond:** Okay, and are you going to be in your office if I drop something in the mailbox for you?

**Krystal Powless:** Yes, I'm down here.

**Councilman Richmond:** Okay, next meeting's...

**Krystal Powless:** Alright.

**Councilman Richmond:** Huh? I'm sorry, go ahead.

**Krystal Powless:** No, I'm good.

**Councilman Richmond:** Okay, next meeting's January 7<sup>th</sup>, 6:00 PM and motion by Rick Reid. Is there a second?

**Councilman Metzger:** Second.

**Councilman Richmond:** Second by Ted. All those in favor? Aye.

**Several Members:** Aye.

**Councilman Reid:** Good night.

**Councilman Richmond:** Thank you. Good night, everybody. (Motion carried 7-0).

**ADJOURNMENT:** Meeting adjourned at 7:48 PM.


**WARRICK COUNTY COUNCIL**

  
Greg Richmond, President


Charles R. Christmas

  
Ted Metzger

Christine Augustine  
DocuSigned by:  
11785920255472...

  
Brad Overton, Vice President

David Blachmeister  
DocuSigned by:  
58A252C594172A...

  
Richard Reid

**ATTEST:**  
  
Deborah K. Stevens, Auditor  
Warrick County, IN



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RESOLUTION 2020-14**

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**Councilman Richmond:** Brad made the motion and Rick seconded.

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**Councilman Hachmeister:** Aye.

**Councilman Richmond:** Okay, so that's seven, zero (7-0).

*(Resolution 2020-14 is located on Page 26 of these Official Minutes)*

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**Councilman Richmond:** Second by Ted. All those in favor? Aye.

**Several Members:** Aye.

**Councilman Reid:** Good night.


**Councilman Richmond:** Thank you. Good night, everybody. (Motion carried 7-0).


**ADJOURNMENT:** Meeting adjourned at 7:48 PM.

WARRICK COUNTY COUNCIL

  
Greg Richmond, President

  
Brad Overton, Vice President

Charles R. Christmas  
  
Ted Metzger

David Hachmeister  
  
Richard Reid

Chris Whetstone

ATTEST:  
  
Deborah K. Stevens, Auditor  
Warrick County, IN

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WARRICK COUNTY COUNCIL

RESOLUTION NO. 2020 - 13

A RESOLUTION CONFIRMING THE DECLARATION OF AN ECONOMIC REVITALIZATION AREA FOR PERSONAL PROPERTY TAX PHASE-IN  
(Euronique, Inc.)

WHEREAS, Euronique, Inc. (the "Applicant") has made application for Economic Revitalization Area designation pursuant to IC 6-1-1-12.1 et seq. and for Tax Phase-In for certain personal property, which will be located in Warrick County, Indiana and described as:

Parcel 2A of Minor Subdivision of the Town of Elberfeld Industrial Park Property, Elberfeld, Indiana 47613, with a street address of 7633 St. Johns Road, Elberfeld, Indiana 47613 and Parcel Number 87-04-30-201-001.000-007 (the "Property").

WHEREAS, on the 5th day of November, 2020, under provision of Preliminary Resolution No. 2020-12 (the "Preliminary Resolution"), the Warrick County Council ("County Council") found the Property to meet the requirements of an Economic Revitalization Area, pursuant to IC 6-1-1-12.1 et seq., and declared the Property to be an Economic Revitalization Area and further approved property tax deductions for personal property taxes for six (6) years commencing with increases in assessed value as more specifically set forth in that Preliminary Resolution; and

WHEREAS, notice of the adoption and substance of the Preliminary Resolution have been published in accordance with IC 5-3-1 and the County Council has conducted a public hearing as of the date hereof to determine whether the qualifications for an Economic Revitalization Area and approval of property tax deductions for personal property taxes have been met.

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

Section 1. The Property description, included above, is made a part hereof.

Section 2. The Preliminary Resolution, which was adopted by the County Council on the 5th day of November, 2020, is hereby confirmed.

Section 3. This Confirming Resolution shall be in full force and effect from and after its passage and execution by the County Council.

DocuSign Envelope ID: 27F8C43C-BECB-4DEC-9D9A-F06FD820C9D2

PASSED, ISSUED, AND APPROVED by the County Council this 3rd day of December, 2020.

DocuSigned by:  
*Greg Richmond*  
Greg Richmond, President

Charles Chittistmas  
*Ted Metzger*  
Ted Metzger  
Richard Reid

Warrick County Council  
DocuSigned by:  
*Brad Overton*  
Brad Overton, Vice President

*David Hadlmeister*  
David Hadlmeister  
*Chris Whetstone*  
Chris Whetstone

ATTEST:  
*Deborah K. Stevens*  
Deborah K. Stevens, Auditor  
Warrick County, Indiana

DocuSign Envelope ID: 00156A41-1488-4CF3-8602-E0831FC82634

WARRICK COUNTY COUNCIL RESOLUTION 2020-14

WHEREAS, the last meeting in December 2020 the Warrick County Council desires to establish their regular meeting dates for the calendar year of 2021.

NOW THEREFORE, be it resolved by the Warrick County Council that said Board shall hold regular meeting dates on the following days:

Table with 2 columns: Day of the week and Date/Time. Rows include JANUARY 7, 2021 (6:00 P.M.), FEBRUARY 4, 2021 (6:00 P.M.), MARCH 4, 2021 (6:00 P.M.), APRIL 8, 2021 (6:00 P.M.), MAY 6, 2021 (7:00 P.M.), JUNE 3, 2021 (6:00 P.M.), JULY 3, 2021 (6:00 P.M.), AUGUST 2, 2021 (6:00 P.M.), SEPTEMBER 2, 2021 (6:00 P.M.), OCTOBER 7, 2021 (6:00 P.M.), NOVEMBER 4, 2021 (6:00 P.M.), DECEMBER 2, 2021 (6:00 P.M.).

This Resolution passed and ordained this 3 day of December, 2020.

Attest: David Hochmeister, Clerk. Charles R. Christensen, Treasurer. Chris Williams, Auditor. Richard Neff, Auditor.

WARRICK COUNTY COUNCIL

Attest: Greg Richmond, Clerk. Ted Metzger, Treasurer. Brad Overton, Auditor.

Attest: Deborah H. Stevens, Auditor, Warrick County.

DocuSign Envelope ID: 601DCC61-4489-4708-A628-150948482888. Following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws of the State of Indiana.

Table with 4 columns: APPROPRIATION #, DESCRIPTION, AMOUNT REQUESTED, AMOUNT APPROVED. Rows include Sheriff, Jail, Budget Reduction Circuit Court, Superior Court, Superior Court II, Public Defender Fund, Local Public Defender Fund, Total Public Health Maintenance, Highway, Superior 2, Total Superior 2, Motorized Equipment, Workman's Comp, Probation Reporter.

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 3 day of Dec, 2020.

Attest: David Hochmeister, Clerk. Charles R. Christensen, Treasurer. Chris Williams, Auditor. Richard Neff, Auditor.

DocuSign Envelope ID: 00156A41-1488-4CF3-8602-E0831FC82634

Attest: David Hochmeister, Clerk. Charles R. Christensen, Treasurer. Chris Williams, Auditor. Richard Neff, Auditor.