

**WARRICK COUNTY COUNCIL MEETING  
REGULAR SESSION  
COMMISSIONERS MEETING ROOM  
107 W. Locust Street  
Boonville, Indiana  
January 4, 2024  
6:00 PM**

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

Attorney Cliff Whitehead and Administrator Krystal Powless were in attendance.

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

The public could view the meeting via Warrick County Government YouTube channel at:  
[https://www.youtube.com/channel/UCOK8y7IXcLpK9le8WV4pr9w?view\\_as=subscriber](https://www.youtube.com/channel/UCOK8y7IXcLpK9le8WV4pr9w?view_as=subscriber)

Council President, Greg Richmond, called the meeting to order at 6:05 PM.

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**APPOINTMENTS  
COUNCIL OFFICERS  
PRESIDENT**

Councilman Greg Richmond wanted to thank everyone for his time as president the last five years and reflected on his time leading the Council, but that he felt it was time for him to step down. He then asked for nominations for the position. Councilman Ted Metzger nominated Councilman Brad Overton. Councilman Chris Whetstine nominated Councilman Ron Bacon. Councilman Rick Reid made a motion to close nominations. Councilman Ted Metzger seconded the motion to close.

Acting President Richmond then called for the vote. There were four votes for Councilman Brad Overton: Rob Dimmett, Ted Metzger, Brad Overton, and Rick Reid. There were two votes for Councilman Ron Bacon: Chris Whetstine and Ron Bacon. Greg Richmond abstained.

Newly elected President, Brad Overton, took over the duties of President at this time. He thanked the Board and gave a brief history of his time on the Board before proceeding with the meeting.

**VICE PRESIDENT**

President Overton then asked for nominations for Vice President. Councilman Rick Reid nominated Councilman Ted Metzger. Councilman Chris Whetstine nominated Councilman Ron Bacon. Councilman Metzger made a motion to close nominations. Councilman Reid seconded the motion. President Overton closed the nominations and called for the vote. The votes for Councilman Ted Metzger were: Brad Overton, Rick Reid, and Ted Metzger. Voting for Ron Bacon were: Greg Richmond, Chris Whetstine, and Ron Bacon. Councilman Rob Dimmett had abstained and asked that they give him a minute to think about the appointment.

President Overton, after a brief pause, recalled the vote. Councilman Ted Metzger was elected Vice President receiving four votes: Rob Dimmett, Ted Metzger, Brad Overton, and Rick Reid. Councilman Ron Bacon receive three votes: Greg Richmond, Chris Whetstine, and Ron Bacon.

**COUNCIL ATTORNEY**

Councilman Ron Bacon made the motion to retain Cliff Whitehead as Council Attorney. Councilman Greg Richmond seconded the motion. The motion carried 7-0.

**PERSONNEL COMMITTEE**

President Overton stated that currently on the Personnel Committee was Ron Bacon, Chris Whetstine, and himself. President Overton would like to step down and asked for nominations. Councilman Reid nominated Councilman Rob Dimmett to replace Councilman Brad Overton and for the remaining members, Ron Bacon and Chris Whetstine, to stay. The nomination was approved 7-0.

**COUNCIL ON AGING**

Councilman Rick Reid nominated Councilman Greg Richmond. The Council approved the nomination 7-0.

**ALCOHOL BEVERAGE BOARD**

There were no new nominations. The Board voted 7-0 to retain Steve Williamson.

**BOONVILLE-WARRICK COUNTY LIBRARY BOARD**

Currently serving is Janet Metzger. The Board voted 7-0 to retain her.

**COMMUNITY CORRECTIONS ADVISORY BOARD**

Councilman Ron Bacon stated that he no longer wished to serve on that Board. Councilman Ted Metzger made the motion to approve Councilman Rob Dimmett. Councilman Ron Bacon seconded the motion. The motion carried 7-0.

**ECONOMIC DEVELOPMENT COMMISSION**

The Council voted 7-0 to retain Aric Pryor on the Economic Development Commission.

**ECONOMIC DEVELOPMENT ADVISORY COUNCIL**

The Council voted 7-0 to retain Councilman Ron Bacon on the Advisory Council.

**REDEVELOPMENT COMMISSION**

The Council voted 7-0 to retain Steve Smith, Aric Pryor, and Courtney Tenbarge on the Redevelopment Commission.

**EMERGENCY MANAGEMENT ADVISORY COUNCIL**

The Council voted 7-0 to retain Councilman Ted Metzger to the Emergency Management Advisory Council.

**PROPERTY TAX ASSESSMENT BOARD**

The Council voted 7-0 to retain the current appointments of Kadee Hemmer and David Zengler.

**TOURISM COMMISSION**

The Council voted 7-0 to retain the current appointment of Steve Smith.

**SOLID WASTE MANAGEMENT**

The current appointment is Councilman Ted Metzger. He said that he would continue to serve if they would have him. Councilman Rick Reid seconded the nomination. Councilman Chris Whetstine nominated Greg Richmond to the position. There were five votes for Councilman Greg Richmond: Ron Bacon, Rob Dimmett, Brad Overton, Greg Richmond, and Chris Whetstine. There were two votes for Councilman Ted Metzger: Rick Reid and Ted Metzger. Councilman Greg Richmond will serve on the Solid Waste Management Board.

**HEALTH BOARD**

A new appointment needed to be made to the Health Board. Councilman Rob Dimmett nominated Jacob Green to the Health Board. Councilman Ron Bacon seconded the nomination. The nomination carried with a vote of 7-0.

Attorney Cliff Whitehead then stated, with the Council's permission, that he would follow up with the County Attorney to make sure that the appointment is recognized by the Commissioners and there is no interference with the appointment. This will need to be confirmed in writing by Friday, January 5, 2024 at 5:00 PM, because it is his understanding that a notice has been posted about a Health Board meeting on Monday, January 8, 2023. Attorney Whitehead wants to make sure that their appointment can attend that meeting. If the appointment is not confirmed by the appointed time, he wants to be given the authority to file a declaratory judgement in court on Monday, January 8, 2024. Councilman Whetstine voiced that he would be opposed to starting litigation.

After some discussion, Attorney Whitehead suggested they have a vote and that the motion be to follow the plan. Councilman Ron Bacon made the motion to approve the stated plan by Counsel. Councilman Rob Dimmett seconded the motion. Councilman Whetstine asked for the Plan to be stated. The Plan was stated by Attorney Whitehead: To request that the County Attorney confirm in writing whether the Commissioner will recognize and not interfere with the Council's appointment to the Local Health Board by 5:00 PM, Friday, November 5, 2024. If he does not confirm in writing by the deadline, file suit likely Monday, January 8, 2024. Councilman Whetstine felt that was a little different than just starting litigation and he could support that. The motion carried 7-0.

**NEW BUSINESS**  
**APPROVAL OF MINUTES**  
**DECEMBER 7, 2023 REGULAR MEETING MINUTES**

The minutes from the December 7, 2023 Regular Session Meeting were presented. There was a correction to the minutes where Resolution 2023-04 was incorrectly listed as 2024-04. Councilman Ron Bacon made the motion to

approve the minutes with the stated correction. Councilman Rob Dimmett seconded the motion. The motion carried 7-0.

**COMMISSIONER BUSINESS**

**ADDITIONAL APPROPRIATION – ARPA COMPETITIVE GRANT PROGRAM**

Economic Development      1112.31495.000.0000      ARPA Competitive Grant Program      \$128,131.00

Grants Administrator Debbie Bennett-Stearsman was presented to discuss the appropriation for the ARPA Competitive Grant Program. She handed out a report showing the finances and where the County stood in what is the last year of the program. She also pointed out the balance that was unobligated of \$128,131.00, which is what she’s asking to be appropriated. She asked for any questions.

Councilman Greg Richmond made the motion to approve. Councilman Chris Whetstine seconded the motion. The motion carried 6-1 with Councilman Ted Metzger opposing.

**ADDITIONAL APPROPRIATION – ARPA**

ARPA	8950-31545.000.0000	Friedman Park Security	\$45,120.95
	8950-31550.000.0000	Friedman Park Maze	\$25,000.00
	8950-31560.000.0000	Warrick RLF	\$250,000.00
	8950-31452.000.0000	Unsafe Building Program	\$50,000.00
	8950-31454.000.0000	Scales Lake Shelter house	\$103,000.00
	8950-31462.000.0000	Warrick Nuisance Program	\$44,950.00
	8950-31466.000.0000	Economic Dev. Warrick Branding	\$500,000.00
	8950-31481.000.0000	4-H Fairgrounds Improvements	\$53,522.11
	8950-31481.000.0000	Warning Siren Improvements	\$200,000.00
	8950-31619.000.0000	Bullivant Park Improvements	\$112,376.00
	8950-31400.000.0000	Contractual Services	\$1,416,528.27

Next, Ms. Bennett-Stearsman presented a list showing the funds that had been spent on ARPA. It also showed the projects that were complete and the projects she’s asking for an additional appropriations. She said there are projects that don’t have a signed contract, but have been obligated. She also discussed the balance of the funding.

President Overton asked if she could explain a little bit for the Council what the Contractual Services was. Ms. Bennett-Stearsman said that when they received the ARPA funding, they took just shy of ten million dollars, which the Treasury allowed them to do, and put it all in Contractual Services under the Fund 8950. So, from that, they are awarding and obligating projects as they come. What they see is that balance in the ARPA funding that is not obligated.

President Overton asked for a motion. Councilman Ron Bacon made a motion to approve. Councilman Chris Whetstine seconded the motion. The motion carried 6-1 with Ted Metzger opposing.

**ADDITIONAL APPROPRIATION – JAIL SAVINGS FUND**

Jail Savings Fund      4940.31400.000.0000      Contractual Services      \$900,000.00

County Administrator Heather Soberg presented. She had a handout for the Council. She said this will work to fund some of the projects going on with the Security Center from the Public Safety LIT. The spreadsheet breaks down where they are with everything at the moment. There are some other contracts they paid at the end of 2023 for Baker Tilly and S & P Global that took up the money appropriated last year. There’s a couple of bills that she didn’t get to pay last year. Ms. Soberg did say that she tried to project a little bit based on the contracts they have now. She doesn’t know that the \$900,000.00 will cover everything that will happen this year, but that’s where she’s starting from because it’s what she’s aware of.

President Overton said that he came up with \$941,000.00 from adding up the current due and the projected billing. She said that the appropriation wasn’t enough; it was just a starting point. When she put all the numbers together, it made the Council Administrator nervous, so they started with \$900,000.00.

President Overton asked for a motion to approve. Councilman Ron Bacon made the motion. Councilman Rob Dimmett seconded the motion. Councilman Metzger asked how much was in the fund at this time. Administrator Powless said that there was \$3,272,338.00. There was no further discussion. The motion carried 7-0.

**SALARY ORDINANCE – ANIMAL CONTROL**

Health	Two Animal Control Officers	\$0
Health	Animal Control Supervisor	\$0
Health	Overtime Animal Control	\$0
Commissioner	Two Animal Control Officer	\$40,084.00
Commissioner	Animal Control Supervisor	\$51,334.00
Commissioner	Overtime Animal Control	\$5,000.00

Administrator Krystal Powless said that the Commissioners want to move Animal Control under their budget from the Health Department. This is not moving any of the money; it is only moving these three positions to the Commissioners’ budget so they can begin paying them from the Commissioners’ budget. There will be items on the

Agenda in February for the Council to discuss such as moving the rest of the items from the Health Department to the Commissioners' budget and reducing the budget and doing additional appropriations in the Commissioners' budget for Animal Control.

Heather Soberg stated that this current move is to put the salary ordinances in the Commissioners' budget so these employees fall under the Commissioners and will be paid out of the Commissioners budget in 2024 and not at all from the Health Department budget.

Councilman Rob Dimmett asked Attorney Whitehead if they would be doing anything wrong in doing this. Attorney Whitehead didn't believe so, but something did have to be done because they knew they couldn't pay Commissioner employees from the Health Department's budget. Also, the Commissioners have made the decision to move this over without coming to the Council, so they are a little behind the ball. It has not been run by the State Board of Accounts. They do think it is legal. The only other option would be to not pay the employees, and, in his opinion, he would rather take the risk of doing something they still believe is legal verses not paying the employees.

President Overton asked Ms. Soberg what fund this would be coming out of. She said it would come out of the General Fund, more specifically, out of insurance until the additional appropriation can be made next month.

Councilman Rob Dimmett made a motion to do it so the employees can be paid as long as the Attorney thinks it's the right thing to do. Attorney Whitehead felt it was the lesser of three evils and doesn't feel there is anything directly unlawful. There is a chance the State Board could shake their finger at them, but the alternative is to not pay the employees. So, it is his recommendation, considering all factors, that it be done. Councilman Dimmett said his motion stood. Councilman Ron Bacon seconded the motion.

Councilman Metzger asked what would happen if the State had an issue with it. Administrator Powless said that right now the money for the employees is coming from the Health Department levy. They are moving them to the Commissioners' budget and Commissioners' levy. If the State does find that there was some sort of fault in this, and she really doesn't think that they will, it would just revert back to the Health Department. They are not moving any money. They are just reducing the line items that were budgeted in the Health Department. Their cash stays the same. The Commissioners will take on the employees and make a transfer from within their budget to pay for them. They are not asking for the additional at this time. That will come in February.

President Overton said he didn't see an amount that is being transferred and asked if that was necessary. Ms. Soberg said it was an inline transfer and at this time she just went ahead and transferred the full amount to cover it knowing that they will transfer the full amount back. Ms. Powless went over the positions listed on the agenda and the totals associated with them. It will be reviewed again for additional appropriations in February. If additional appropriations are approved then, the money will be transferred back into insurance. The Commissioners' Office was just trying to get the lines funded for now.

President Overton asked if there were any more comments.

Ms. April Edward, on behalf of the Warrick County Board of Health, asked to address the Board. She wants to make sure that the employees are paid and they don't want it to come out of the Health Fund anymore because this was moved by the Commissioners. She also went over some items she felt were unlawful. Attorney Whitehead asked her to stay within the scope of the motion. Ms. Edwards then went on to say that they have no objection to the people being paid, because they should. They just don't want the Health funds infringed upon without proper procedure.

President Overton then called for the vote, having the motion made by Councilman Dimmett and second by Councilman Bacon, which then carried 7-0.

**STORM WATER BUSINESS**  
**ADDITIONAL APPROPRIATION – CONTRACTUAL SERVICES**

Storm Water Management    1197.31400.000.0000                      Contractual Services                      \$18,000.00

Storm Water Director Steve Sherwood was present. He said the information for the appropriation was sent through Ms. Powless and the use of the \$18,000.00. It was in his summer budget, but it was not approved. He was asked to come back for any substantial increases. This increase is for their Storm Water is for the inspector that they contract with for services and compliance with IDEM paperwork. It also includes monthly inspections for all their Storm Water pollution prevention plans that are required. Councilman Greg Richmond made the motion. Councilman Rick Reid seconded the motion. The motion carried 7-0.

**STORM WATER SUMMARY**

Mr. Sherwood also handed out the 2023 Storm Water Summary and went over the Baker Tilly MS4 Rates Study which was completed. He then went over the rates for surrounding municipalities and the effects of annexations on the Storm Water budget. They also reviewed the amount that is currently in their budget and how much is available. Mr. Sherwood said they are looking at some larger projects for 2024. His department is also looking at starting and establishing a fee for SWPPP reviews. Currently they do them at no cost. There was also a new permit approved that basically quadrupled all their requirements, responsibilities, and paperwork. Lastly, they are updating their Ordinances which is being done by a consultant and should be completed soon.

Ms. Powless did have a question on fees and which Board set the fees. Mr. Sherwood said it was the Commissioners. He also invited members to stop by the office any time to see what they do.

**HANDBOOK POLICY, REIMBURSEMENTS, TRANSFERS OR CORRECTIONS**

President Overton presented the following:

4A. Additional Appropriation -Handbook Area Plan Commission	1000.11350.000.0079	Executive Assistant	\$2,070.00
4B. Salary Ordinance -Handbook Area Plan Commission		Executive Assistant	\$2,069.92
4C. Additional Appropriation -Budget Highway Restricted	1173.22320.000.0000	Bituminous	\$950,000.00
	1173.23100.000.0000	Stone	\$950,000.00
4D. Additional Appropriation -Handbook Assessor	1000.11210.000.0008	Deputy	\$7,187.00
4E. Salary Ordinance -Handbook Assessor		Deputy	\$7,186.83

President Overton did ask if the amounts needed to be read. Attorney Whitehead said it was unnecessary since they were written in the Agenda. Councilman Greg Richmond made a motion to approve items 4A through 4E. Councilman Rick Reid seconded the motion. The motion carried 7-0.

*(Appropriations is located on Page \_\_\_ of these Official Minutes)*

**COUNCIL BUSINESS  
RESOLUTION 2024-01**

The next item presented was a Resolution showing support for the retention of a traffic signal at the intersection of State Road 66 and Grimm Road. Economic Development Director Steve Roelle was present. He said this was a Resolution asking that the Elected Official support what the County's been working on for sixteen years. It's a safety and access issue. They met with Lt. Governor Crouch on it. They will also present a similar Resolution to the Commissioners at their next meeting. They will then follow up with the Lt. Governor to hopefully make this permanent. President Overton read Resolution 2024-01 into the record:

*Resolution 2024-01, A Resolution of the Warrick County Council supporting the Permanent Retention of the Traffic Signal at the Intersection of State Road 66 and Grimm Road.*

Councilman Ron Bacon made the motion to approve. Councilman Rick Reid seconded the motion. The motion carried 6-0-1 with Rob Dimmett abstaining.

*(Resolution 2024-01 is located on Pages \_\_\_ through \_\_\_ of these Official Minutes)*

**RECORDER BUSINESS  
PERPETUATION – PART TIME**

Administrator Powless brought before the Council the rate change of the part time employees working in the Recorder's Office. The Recorder was paying \$15.50 an hour for part time. She is now paying \$16.00 an hour. Ms. Powless said that she didn't have them as part time employees on the salary ordinance and she thinks they need to be added. This money comes out of her perpetuation fund and not County General, but it needs to be approved by Council. President Overton asked for a brief review on how that works, which Ms. Powless explained. Councilman Greg Richmond made the motion to approve the increase. Councilman Rick Reid seconded the motion.

President Overton asked for some clarification on the perpetuation and salary ordinance. Ms. Powless said that the amount was in the Recorder Perpetuation Affidavit which the Council did approve. The salary ordinance was not included and this will put it on the salary ordinance. The motion carried 7-0.

**SHERIFF CONTRACT AMENDMENT**

Ms. Powless said that the Sheriff should be paid 80% of the Prosecutor in the Salary Ordinance. She didn't have the figures at budget time. The new amount is \$146,524.00 which is 80% of the Prosecutor and needs to be approved. Councilman Rick Reid made the motion to approve. Councilman Ted Metzger seconded the motion. The motion carried 7-0.

**ADJOURNMENT**

The next Warrick County Council meeting will be held on February 1, 2024 at 6:00 PM in the Commissioners' meeting room. Councilman Rick Reid made the motion to adjourn. Councilman Ron Bacon seconded the motion. The motion carried 7-0. The meeting adjourned at 6:55 PM.

**WARRICK COUNTY COUNCIL**

\_\_\_\_\_  
Brad Overton, President

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Ted Metzger, Vice President

\_\_\_\_\_  
Ron Bacon

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Robert Dimmett

\_\_\_\_\_  
Richard Reid

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Greg Richmond

\_\_\_\_\_  
Chris Whetstine

ATTEST:

\_\_\_\_\_  
Michael J. Dietsch, Auditor  
Warrick County, IN

*Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary*