

**WARRICK COUNTY COUNCIL MEETING**  
**REGULAR SESSION**  
**COMMISSIONERS MEETING ROOM**  
107 W. Locust Street  
Boonville, Indiana  
June 6, 2023  
6:00 PM

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

Attorney Cliff Whitehead and Administrator Krystal Powless were in attendance.

Auditor Michael Dietsch and Chief Deputy Barbi Shelton attended and recorded the minutes.

The public could view the meeting via Warrick County Government YouTube channel at:  
[https://www.youtube.com/channel/UCOK8y7IXclP9le8WV4pr9w?view\\_as=subscriber](https://www.youtube.com/channel/UCOK8y7IXclP9le8WV4pr9w?view_as=subscriber)

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

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**EXPRESSION OF THANKS FROM ADMINISTRATOR**

Administrator Krystal Powless thanked the Council for the rescheduling of this month's meeting so she could attend her daughter's college graduation which was out of town. She said it was a wonderful trip and was thankful she was able to go.

**APPROVAL OF MINUTES**  
**MARCH 27, 2023 REGULAR MEETING MINUTES**

The minutes from the May 4, 2023 Regular Session Meeting were presented. Councilman Rick Reid made the motion to approve the minutes as presented. Councilman Ron Bacon seconded the motion. The motion carried 7-0.

**HEALTH BUSINESS**  
**BUILDINGS**

An additional appropriation for Buildings, \$7,500.00, was presented for the Health Department. Aaron Franz brought this item before the Board in May. A consensus had been given at the time to advertise for the amount. Motion to approve was made by Councilman Ron Bacon. Councilman Rob Dimmett seconded the motion. The motion carried 7-0.

**COMMISSIONER BUSINESS**  
**JAIL SAVINGS FUND - CONTRACTUAL SERVICES**

An additional appropriation for Contractual Services in the Jail Savings Fund was presented in the amount of \$666,122.00. There was a correction on the agenda which stated, "Longevity," and this does not involve Longevity. This will be for the engineering plan on the Jail Project.

Councilman Brad Overton made the motion to approve the appropriation. Councilman Rob Dimmett seconded the motion. President Richmond asked for discussion.

Councilman Metzger asked why the total of the presented invoices didn't total the \$666,120.00. County Administrator Heather Soberg came up to address the question. She pointed out that one of the pages she provided to the Council for RQAW had the contractual amount for the design and development which was \$639,600.00. When added to the Baker Tilly invoice for \$26,541.00, it totaled the \$666,120.00. There was no more discussion.

The motion to approve was made by Councilman Overton and seconded by Councilman Dimmett. The motion carried 7-0.

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

President Richmond read the following into the minutes:

<b>4A. Additional Appropriation-Health Reimbursement</b>			
Health Dept.	1159.22500.000.0000	Animal Control	\$15,984.00
	1159.21375.000.0000	Vaxcare	\$2,225.00
<b>4B. Transfer-Health</b>			
Transfer From:	1159.22500.000.0000	Animal Control	\$5,500.00
Transfer To:	1159.11250.000.0000	Pound keeper	\$5,500.00

President Richmond stated that the additional appropriation for Animal Control and Vaxcare were reimbursements and the money came from the cigarette tax. Administrator Powless clarified that they didn't come from the tax, but were fees that are put back into the line item for the Health Department. There was no further discussion. Councilman Chris Whetstone made the motion to approve 4A through 4B. Councilman Ron Bacon seconded the motion. The motion carried 7-0.

*(June Appropriations are located on Page 4 of these Official Minutes)*

**COUNCIL BUSINESS  
SUPPLEMENTAL RESOLUTION  
RESOLUTION 2023-03**

President Richmond presented a transfer of \$2,887,092.00. That was an overage of the amount budgeted in the LIT. This would be a supplemental distribution for 2023. The County may use it in accordance with any statutory stipulations. President Richmond said he asked Administrator Powless to break the overage in half between the Jail Fund and the Rainy Day Fund. He said it could be changed as it was just a proposal, but did think it was wise to do with the Jail expenses they will have up front. Administrator Powless stated that it could cover a proposed land purchase.

Councilman Ron Bacon made the motion to approve the splitting of the supplemental money, Resolution 2023-03. Councilman Chris Whetstone seconded the motion. President Richmond read the following into the record to approve:

*Warrick County Council Resolution 2023-03, a Resolution of the County Council of Warrick County, Indiana authorizing a transfer from the County's Local Income Tax Fund to the Rainy Day Fund and Jail Savings Fund. The Rainy Day Fund, \$1,443,546.00 and the Jail Savings Fund, \$1,443,546.00.*

There was no further discussion. The motion carried 7-0.

*(Resolution 2023-03 is located on Page 4 of these Official Minutes)*

**OTHER BUSINESS  
PSLIT DISCUSSION**

President Richmond stated they would have a discussion on the PSLIT. Councilman Chris Whetstone wanted to thank members of the Town of Newburgh that were present for the discussion: Chris Wischer, Town Attorney and Nanette Angel, Clerk/Treasurer.

President Richmond stated that the discussion was about some of the legals and the way the passage of the PSLIT Ordinance on distribution was advertised. It was stated that the Council Attorney sent an email to a computer that at the time was not working, therefore, notice was not given to the municipalities. So, he thought that Ordinance 2023-01 that was passed at the May Council meeting was null and void. He clarified this with the County Attorney, Cliff Whitehead, who stated that it didn't need to be rescinded. Now, the Council is considering other things. One option is to pare it down to 0.15, 0.17, or going with the 0.20. He also wanted to tell everyone how it came about and why the Council even considered the redistribution. They are not trying to cut funds, but they're trying to reserve money for something that's going to have to happen which is the building of the new Jail. If plans weren't made, they could be forced to build a jail like Vigo County and Gibson County, which has no control over how it's built and what it costs. President Richmond stated that they would rather be in control of how everything is done. All the standards are changing and the current Jail is basically obsolete. Renovations would cost more than building a new one. The Council decided that they would rather control the building of the new Jail which was one of the reasons the Public Safety Local Income Tax was passed. This allowed the County to set aside money for building the new Jail. Post-COVID costs have driven up the prices. The two million originally set aside for the project through the PSLIT is no longer enough to cover the payments that will now be around four million dollars over a period of twenty-two or twenty-three years. There was also Senate Bill 78 that would have given townships the same privileges as cities and town where they would be given a certain amount of money according to the assessed valuation. That would have come off the top just like the cities and towns. This would have put additional constraints on the County to be able to finance the new Jail. By setting this money aside, it secures the money needed for financing the project. However, the figures are now in on how this would affect the towns, cities, and even the County which stands to lose about \$3,000,000.00. President Richmond suggested addressing this in the budgeting process for all the entities involved. Rather than slamming everyone with this all at once, there was a Council Public Meeting scheduled for next week to discuss the options for a Resolution, what could be done, and giving everyone time to think about it. He also discussed other things that had to be considered, particularly concerning what the State House was doing and what they could do in the future. President Richmond then asked the Council how they would like to proceed.

Councilman Whetstine felt that since the Senate Bill 78 didn't pass, they were not under pressure, currently, like they thought they were for at least this year. He likes the idea of tabling it and dealing with it after budgets, next year, or however President Richmond is suggesting it be done.

Administrator Powless asked if this meant that they would be cancelling the meeting scheduled for next week. President Richmond said they would cancel that meeting, take a motion to table the segmenting of the PSLIT, and discuss making the changes after the budgetary season. Ms. Powless asked for a more set time for this to be discussed. President Richmond went over passage and implementation dates and didn't see anything being effective until October 2024. She will plan to put it on the agenda in October to discuss setting a meeting to address the PSLIT. Nothing would be decided at that meeting. It would just be to freshen it in the Council's minds and whether they want to schedule a Public Hearing or hold off for a while longer.

Councilman Overton felt that this is something that should be thought of as budgets are discussed at budget time and not just setting a budget. Ms. Powless said it would be addressed at budget time including showing the cash amounts and what would need to be cut.

Councilman Overton asked Councilman Bacon when they might see a new bill start down the road at the State House involving the townships. Councilman Bacon said it could start today, as far as the rewrites with the bill, but more likely the short session next year. He then went over a few scenarios. But, they should be watching in the beginning of the year whether a bill is filed or not. Councilman Overton stated that it would probably be a good idea to know what they wanted to do by the end of the year. The other Councilmen were in agreement.

Councilman Metzger stated that a reminder in September would not be too early for him. Councilman Bacon asked if September would be too early for Ms. Powless to have information ready. She said it might, but if it's not ready it can be brought up again in October.

Administrator Powless stated that she always estimates the growth quotient really low and doesn't rely on a huge increase. Councilman Dimmitt asked if there was an outline or something that they could sent to the towns and townships to give a simple explanation of what they need to be looking for and how this could happen. Councilman Overton said that the towns and townships have already given details in the past, but it could be put out there again to help them get things organized.

Councilman Brad Overton made the motion to table making any changes to the PSLIT until after budgets and cancel the meeting scheduled for the next week. Councilman Rick Reid seconded the motion. Ms. Powless wanted to clarify to the audience and anyone watching that the Council would not do anything until there is another Public Hearing set and advertisements are sent out to the municipalities so that everyone knows when it's going to be brought forward. Attorney Whitehead also asked that they be more specific in the motion stating for PSLIT Ordinance discussion to be tabled to the October meeting in one motion with the cancelling of the upcoming Council meeting in a separate motion. Councilman Overton restated his motion to table the PSLIT Ordinance discussion to the October meeting. Councilman Reid amended his second. The motion carried 7-0.





**CANCELLATION OF COUNCIL PUBLIC HEARING SCHEDULED FOR JUNE 13, 2023**

President Richmond then asked for a motion to cancel the June 13, 2023 Council Public Hearing addressing the PSLIT Ordinance. Councilman Ted Metzger made the motion to cancel the meeting. Councilman Ron Bacon seconded the motion. There was no discussion. The motion carried 7-0.

**ADJOURNMENT**

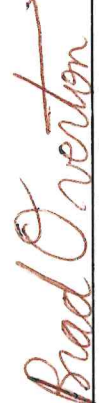
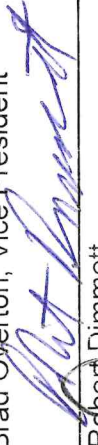
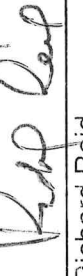
The next Warrick County Council meeting will be held on July 6, 2023 at 6:00 PM in the Commissioners meeting room. Councilman Rick Reid made the motion to adjourn. Councilman Ted Metzger seconded the motion. The motion carried 7-0. The meeting adjourned at 6:33 PM.

**WARRICK COUNTY COUNCIL**

  
Greg Richmond, President  
  
Ron Bacon  
  
Ted Metzger  
  
Chris Whetstine

ATTEST:

  
Michael J. Djetsch, Auditor  
Warrick County, IN

  
Brad Overton, Vice President  
  
Robert Dimmitt  
  
Richard Reid

Sec. 1 Be it ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expense of the making, with the approval of the Board of Commissioners, of the items of money are hereby appropriated out of the funds named and for the purpose specified, subject to the limits hereinafter set forth:

FUND	APPROPRIATION NUMBER	DESCRIPTION	AMOUNT REQUESTED	AMOUNT APPROVED
Health	1159-44610-000-0000	Buildings	\$7,500.00	7,500.00
Jail Savings Fund	4940-31400-000-0000	Contractual Services	\$666,122.00	400,000.00
Health Dept.	1159-22500-000-0000	Animal Control Vaccine	\$15,984.00	15,984.00
	1159-21375-000-0000		\$2,225.00	2,225.00

Resolutions appearing in this meeting shall have effect as to be heard. Any additional appropriations or other matters which may be referred to the Board of Commissioners shall be heard within fifteen (15) days of receipt of a Certified Copy of the action.

Adopted this 6th day of June, 2023.

NAV

ORIGINAL

*Greg Richmond*  
*Chris Whetsine*  
*Rob Bacon*  
*Richard Reid*

ATTEST:  
Auditor, Warrick County  
Mike Dietsch

**WARRICK COUNTY COUNCIL RESOLUTION NO. 2023 - 23**  
**RESOLUTION OF THE COUNTY COUNCIL OF WARRICK COUNTY, INDIANA,**  
**AUTHORIZING A TRANSFER FROM THE COUNTY'S LOCAL**  
**INCOME TAX FUND TO THE RAINY DAY FUND AND JAIL SAVINGS FUND**

**WHEREAS**, the County Council ("Council") of Warrick County, Indiana ("County") has imposed a local income tax on the adjusted gross income of County taxpayers, pursuant to I.C. § 6-3.6, et seq. (referred to herein as "LIT"); and

**WHEREAS**, in accordance with I.C. § 6-3.6-9-1.5, the County has been informed that it will receive a supplemental LIT distribution in 2023 in the amount of \$2,887,092.00 (2023 Supplemental LIT Distribution) and the Council desires to receive, with any statutory appropriations associated with the type of LIT that it is eligible to receive, and

**WHEREAS**, the Council previously established a Rainy Day Fund, by passage and adoption of Ordinance No. 2004-01, and thereafter amended, pursuant to I.C. § 36-1-8-5.1;

**WHEREAS**, the Council previously established a Jail Savings Fund for use of LIT funds to pay for costs associated with a jail for the County; and

**WHEREAS**, the Council has determined that it will be of public utility and benefit to transfer half of the 2023 Supplemental LIT into the Rainy Day Fund and the remaining half into the Jail Savings Fund, and the Council now desires to do so as set forth herein.

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

**Section 1.** The Council finds and determines that a transfer of a portion of the 2023 Supplemental LIT into the Rainy Day Fund and the Jail Savings Fund is permitted under Indiana law.

**Section 2.** The Council finds and determines that the amounts being transferred conform to the statutory limitation provided in I.C. § 36-1-8-5.1(d).

**Section 3.** The Council finds and determines that the transfer is not made from a debt service fund.

**Section 4.** Because of the findings in Sections 1, 2, and 3, *notwithstanding*, the Warrick County Treasurer is hereby directed to transfer the 2023 Supplemental LIT as follows:

- (a) \$1,443,546.00 to the Rainy Day Fund (1186); and
- (b) \$1,443,546.00 to the Jail Savings Fund (4940).

**Section 5.** The President of the Council, County Treasurer, and County Auditor are hereby authorized to take all such actions and to execute all such instruments as are desirable to carry out

the transactions contemplated by this Resolution, in such forms as such officer or member executing the same shall deem proper, to be conclusively evidenced by the execution thereof, and any and all actions previously taken, or documents previously executed, in connection with the transactions contemplated by this resolution are hereby ratified and approved.

PASSED this 6th day of June, 2023.

**Warrick County Council**

*Greg Richmond*  
Greg Richmond, President  
*Chris Whetsine*  
Chris Whetsine  
*Rob Bacon*  
Rob Bacon  
*Richard Reid*  
Richard Reid

*Brad Overton*  
Brad Overton, Vice President  
*Robert Dinnett*  
Robert Dinnett  
*Ted Metzger*  
Ted Metzger

ATTEST:

*Michael Dietsch*  
Michael Dietsch, Auditor  
Warrick County, Indiana