

**WARRICK COUNTY COUNCIL MEETING  
REGULAR SESSION  
COMMISSIONERS MEETING ROOM  
107 W. Locust Street  
Boonville, Indiana  
March 7, 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, Brad Overton, called the meeting to order at 6:00 PM.

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**RECOGNITION OF BLACK HISTORY MONTH & INTERNATIONAL WOMEN'S DAY**

President Overton wished to open up the meeting with two quotes in recognition of Black History Month and International Women's Day and for everyone to ponder.

*When evil men plot, good men must plan. When evil men shout ugly words of hatred, good men must commit themselves to the glories of love. ~Dr. Martin Luther King, Jr.*

*Keep your face to the sunshine and you cannot see the shadows. ~Hellen Keller*

**ROLL CALL**

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

All actions on motions throughout the Regular Session meeting were made by a roll call vote.

**APPROVAL OF MINUTES  
FEBRUARY 1, 2024 REGULAR MEETING MINUTES**

The minutes from the February 1, 2024 Regular Session meeting and the February 7, 2024 Executive Session Memorandum were presented. Councilman Ted Metzger made the motion to approve the minutes and the memorandum. Councilman Rob Dimmett seconded the motion. The motion carried 7-0.

**LIT BUSINESS  
TAX PHASE-IN PRELIMINARY RESOLUTION – MATRIX DESIGN GROUP  
RESOLUTION 2024-03**

Economic Development Director Steve Roelle presented a tax phase in for Matrix Design Group in Chandler, Indiana. He was joined by Kevin Kerr, VP of Operations and Lisa Harp, Construction Project Manager. They are present to answer any questions. Mr. Roelle sent the Council information on the phase-in. This is a brand-new project. It will be a ten point two million dollar, forty thousand square foot facility for advanced engineering and lab and testing space. There will be sixty-eight extremely high paying new jobs. They will average over ninety-eight thousand dollars a year. Matrix Design Group has been in Warrick County almost twenty years. They are safety and productivity technology which started in underground mining and have moved to other industrial applications. Mr. Roelle said that they had been working with them for a little over a year to make sure the project lands in Warrick County. He then went over all the necessary details for Preliminary Resolution 2024-03, with the Confirming Resolution coming at the next Council meeting, and the information from the Redevelopment Commission since the project is in a TIF District. Matrix also plans to expand in the future.

Councilman Metzger questioned on how many of the new jobs would be for Warrick County residents. Mr. Roelle said that it is something that does come up, and the businesses want to bring people in as close as possible to where they work. And people do keep landing in Warrick County. But, there is not something guaranteeing that, because when they can't fill the positions, they're going to take qualified applicants with the hope of coming here.

President Overton read the title into the record:

*"Warrick County Resolution 2024-03, A Preliminary Resolution declaring an Economic Revitalization Area for Real and Personal Property Tax Phase-In, Matrix Design Group, LLC."*

Councilman Rick Reid made the motion to approve. Councilman Ron Bacon seconded the motion. The motion carried 7-0.

*(Resolution 2024-03 is located on Pages 6 through 7 of these Official Minutes)*

**PARKS & RECREATION BUSINESS  
REPLACE CULVERT AND REPAIR ROAD**

Parks Department Administrator Ben Labhart came before the Board to discuss replacing a culvert and repairing the road in Scales Lake. He has been working with County Engineer Bobby Howard and Assistant Engineer Steve Sherwood on the project. They have looked at it and gave recommendations and prices on the project. All of this was submitted to the Council. Mr. Labhart would like permission to order the pipe and submit for the additional appropriation next month. The Highway Department will do the work.

Attorney Whitehead said that the only ask is if the Council members have any issues or concerns, to talk about it now, and if not, official action will be at the April meeting for the additional appropriation. Mr. Labhart welcomed any members to come out to look at the current culvert at any time.

President Overton asked if any members had any questions or was strongly opposed to the project. Councilman Dimmett asked about the size of the pipe. Mr. Labhart went over some of the details. No Councilmen spoke out against the project.

**EMA BUSINESS  
ADDITIONAL APPROPRIATION FOR MOTORIZED EQUIPMENT**

President Overton read the following appropriation into the record:

EMA	1000.44300.000.0302	Motorized Equipment	\$52,000.00
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EMA Director Matt Goebel was present to speak to the appropriation. He is asking for a new 2024 Chevy 2500HD truck. They currently have a 2013 Chevy 2500HD. The current truck was handed down from the Highway Department. Mr. Goebel went over some of the duties of EMA and the issues with the current truck. The quote for the new truck was \$52,935.00. They would have used a grant for the funds, but some of the grants that could have been used for this are no longer available.

President Overton asked about having the issues with the current truck fixed. Mr. Goebel said that he did take it to Law Chevrolet and there are about \$2,000.00 worth of repairs, but they can't diagnose the other issues. There was a brief discussion about this. President Overton suggested getting a second opinion.

President Overton asked if both the trucks that EMA has currently are for every day driving. Mr. Goebel said that he has the Director's truck and then the white truck, which is being discussed for replacement, is for the Deputy Director's truck and are driven daily. President Overton asked why they were driven daily if they were for pulling equipment or used during a crisis. Mr. Goebel said they are emergency responders. They respond to disasters, fire calls, and drone use by other emergency departments or in other Counties. President Overton felt that a lot of the time there are a lot of miles put on them in a short amount of time.

Councilman Reid asked about getting a used vehicle for less money. Mr. Goebel wasn't sure. He thought he could look into it. A newer vehicle would be well maintained and last them longer. They take care of their equipment. Used vehicles are not always as reliable.

Councilman Dimmett asked when they got the truck from the Highway Department. County Engineer Bobby Howard was presented and said it was around 2018.

Councilman Whetstine asked if the current truck is requiring a lot of maintenance. Mr. Goebel said when he came in as Deputy Director, the prior Director said that a lot of money had been coming out of the budget to fix this truck. So, it has been an issue even before he got here. Councilman Whetstine asked if he had any number on what it has cost in repairs to date. Mr. Goebel said he didn't and would have to pull all that information.

President Overton felt a second opinion should be obtained. Councilman Bacon also felt it needed to be looked into further. He also said that normally vehicles were done during budget time. Councilman Whetstine also wanted to readdress it in a few months. Councilman Ted Metzger made a motion to approve the purchase. Councilman Greg Richmond seconded the motion. The motion failed 2-5 with Ron Bacon, Rob Dimmett, Brad Overton, Rick Reid, and Chris Whetstine opposing.

**AREA PLAN COMMISSION BUSINESS  
CREDIT CARD/ACCOUNT APPROVAL  
RESOLUTION 2024-04**

Area Plan Director Molly Barnhill came before the Council to be able to take credit card payments in their office. They've seen a big demand for it. They are sending people away to get cash or their checkbook to pay for permits. To be able to do this, they will have to open a checking account to deposit the money. The funds would be collected in the account and turned over to the Warrick County Treasurer once a month. She has talked to People's Bank and it would be a free business checking account. APC would have to pay for checks, but they would be able to take the credit card transactions in their office. This would require a Resolution.

President Overton asked about the credit card transaction fees. Ms. Barnhill said that the 2.75% convenience fee is being passed onto the customer. There would be a minimum of \$1.00. Their typical permit is \$100.

President Overton asked if this was the same percentage that the Treasurer's Office would charge for property tax payments. Ms. Barnhill was unsure, but it would be similar.

Councilman Dimmett said he didn't think they could charge over 3%, if he was thinking correctly, on any of the credit cards for a convenience fee.

Councilman Bacon questioned whether the checks would only be used once a month to pay the Treasurer from that account. Ms. Barnhill that they would. He also asked who would be overseeing that everything goes back and forth correctly. She said that she would be overseeing the accounts.

Councilman Dimmett asked what credit card company they would be using. Ms. Barnhill said they would be using Certified Payments, a sister company of Deluxe Checks.

Administrator Powless said that the Resolution for this was before all the Council members. President Overton read the title into the record:

*"Resolution 2024-04, A Resolution of the Warrick County Council authorizing the Warrick County Area Planning Commissioner to Accept Payments by Bank Card and Credit Card."*

Councilman Ted Metzger made the motion to approve Resolution 2024-04 for the authorization. Councilman Rick Reid seconded the motion. The motion carried 7-0.

*(Resolution 2024-04 is located on Pages 7 through 8 of these Official Minutes)*

**COMMISSIONER BUSINESS  
APPROPRIATION  
ANIMAL CONTROL DONATION – OTHER SERVICES AND CHARGES**

President Overton read the following Appropriation into the record:

Animal Control Donation	4111.30200.000.0000	Other Services & Charges	\$2,000.00
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County Administrator Heather Soberg was present to speak to the appropriation. They received a donation that was earmarked for treating a specific animals and that they needed to get that into the account in order to use the money. Councilman Ted Metzger made the motion to approve. Councilman Rob Dimmett seconded the motion. The motion carried 7-0.

**LEGAL SERVICES**

President Overton read the following into the record:

Commissioners	1000.31200.000.0068	Legal Services	\$100,000.00
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President Overton made a motion to deny the appropriation. Councilman Rick Reid seconded the motion. There was no discussion. The motion to deny was passed 7-0.

**HIGHWAY BUSINESS  
APPROPRIATION**

President Overton read the following into the record:

LIT Construction	4903.61120.000.0000	Telephone Road	\$600,000.00
	4903.61115.000.0000	Lincoln Avenue	\$25,391.53
	4903.61135.000.0000	Oak Grove Road	\$59,248.88

County Engineer & Highway Superintended Bobby Howard was present to discuss the appropriations. These are all EDIT Funds and he briefly went over the projects. Councilman Ron Bacon made the motion to approve. Councilman Rick Reid seconded the motion. The motion carried 7-0.

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

President Overton read the following into the minutes:

**8A. Additional Appropriations - Missed Encumbrance Correction**

LIT	1112.31400.000.0000	Contractual Services	\$62,800.00
	1112.31584.000.0000	Ohio Township Park	\$1,000,000.00
	1112.44611.000.0000	Prospect Drive	\$582,272.00
	1112.51810.000.0000	Park Bond	\$300,926.00
	1112.61121.000.0000	Warrick Trail	\$252,310.37

**8B. Salary Ordinance - Handbook**

Sheriff Retiree pay out	\$24,238.00
Jail Retiree pay out	\$19,596.00

**8C. Salary Ordinance & Additional - Handbook**

Additional Superior Court I	1000.11371.000.0201	Case Manager	\$3,014.00
Salary Ordinance Superior Court I		Retiree pay out	\$3,013.37

President Overton asked if there were any questions. There was no discussion. Councilman Rick Reid made a motion to approve 8A through 8C. Councilman Chris Whetstine seconded the motion. The motion carried 7-0.

*(March Appropriations are located on Page 6 of these Official Minutes)*

**COUNCIL BUSINESS  
FORENSIC AUDIT DISCUSSION**

County Attorney Cliff Whitehead addressed the Forensic Audit Contract that the Commissioners have entered into on Grant Funds in the Health Department. There is no cap on the amount the contractor can spend. It also includes hourly rates of up to \$640.00 which seems excessive. He has some questions out to the County Attorney on some of the issues. He has brought this to the attention of the Commissioners. While they have entered into the contract, before the bill gets too high, they can have a discussion. So, if they come back to the Council for an appropriation, the Council will be fully advised of why it's needed. There is no action to take tonight. Hopefully, the County Attorney will meet with him soon. Attorney Whitehead will keep them updated.

**PROPOSED CENTERPOINT RATE INCREASE OPPOSITION  
RESOLUTION 2024-05**

President Overton presented the proposed Resolution opposing the rate increases by Centerpoint. This resolution basically states that the Council of Warrick County opposes CEI South's verified petition for rate changes pending before the Indiana Regulatory Commission under Cause #45990.

President Overton read the Resolution title into the record:

*"Resolution 2024-05, A Resolution Opposing a Verified Petition of Southern Indiana Gas and Electric Company d/b/a Centerpoint Energy Indiana South for Rate Changes Before the Indiana Utility Regulatory Commission, Cause #45990"*

Councilman Rick Reid made the motion to approve. Councilman Rob Dimmett seconded the motion. The motion carried 7-0.

*(Resolution 2024-05 is located on Page 8 of these Official Minutes)*

**BUDGET MEETING DATES**

Administrator Powless presented the meeting dates for the 2024 for 2025 Budget meeting dates. President Overton asked if there were any questions or comments to the schedule. Councilman Ted Metzger made the motion to approve the dates. Councilman Chris Whetstine seconded the motion. The motion carried 7-0.

**OTHER BUSINESS  
CANDACE HEUBNER – HEALTH DEPARTMENT**

Candace Heubner wished to ask for clarification on a couple of items. She had money come in for a donation to Animal Control. She tried to take it to the Auditor's Office to be deposited. It was questioned on what it was earmarked for, so, the Auditor's Office didn't want to accept it. She wanted to understand what she needed when a donation came in and how there was a transfer of money made tonight. Ms. Powless went over the earlier transaction and possibly getting a more detailed donation. She didn't understand the Auditor's refusal.

County Administrator Heather Soberg spoke to the Animal Control Donation. She said it is an Animal Control item that was being discussed with a non-Animal Control Commissioner Employee. She also wanted to clarify that Ms. Heubner did take items to the Auditor's Office and that she, the County Administrator, now has those to make the moves that need to be made.

Councilman Reid asked if Ms. Heubner understood what Ms. Soberg was talking about. She did not. Councilman Bacon further explained that she, Ms. Huebner, was with the Health Department and the Animal Control is controlled

now by the Commissioner's Office. Ms. Heubner said that she understood that, but that the money had come in while it was still under the Health Department's control which was why she tried to make the deposit.

There was then a brief discussion on this being a public fund and the public having access to make deposits. It was clarified that deposits need to go through a Department Head.

Ms. Heubner's other question was that on January 29, 2024 an advertisement was made for an Administrative Clerk which is still under a Health Department line. She questioned how this was possible. Attorney Whitehead said that these would be Commissioners' issues and are somewhat involved in the pending litigation. These are not Council issues. She thanked the Council.

**JOHN SIZEMORE – ADMINISTRATIVE LEAVE FOR COMMISSIONERS**

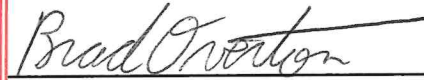
Warrick County Citizen John Sizemore addressed the Council. He thanked them for denying the Legal Fees for the Commissioners. Second, he stated that, if an officer was involved in litigation, they would not be allowed to make any choices on behalf of the citizens of the public. He asked why nothing had been considered for the Commissioners, amid all the litigation, being put on some type of administrative leave. They are spending County taxpayer money at will. For a citizen, it is concerning. They are being allowed to make choices they've already been under investigation for. Attorney Cliff Whitehead said that the pending litigation is a civil matter and criminal matter as well. He could tell Mr. Sizemore that, as far as his example, the Commissioners are Elected Officials, not employees which is a different process to remove. There really is no process for putting an Elected Official on administrative leave. There are also only charges, no convictions, so there is nothing to be done right now.

**ADJOURNMENT**

The next Warrick County Council meeting will be held on April 4, 2024 at 6:00 PM in the Commissioners' meeting room. Councilman Ron Bacon made the motion to adjourn. Councilman Rick Reid seconded the motion. The motion carried 7-0.

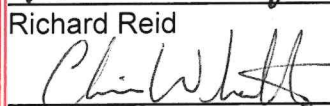
The meeting adjourned at 6:46 PM.

**WARRICK COUNTY COUNCIL**


  
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Brad Overton, President

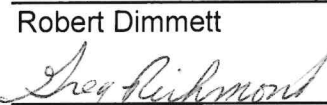
(not present)

Ron Bacon  
(present by facetime)


Richard Reid  
  
\_\_\_\_\_  
Chris Whetstone

  
\_\_\_\_\_  
Ted Metzger, Vice President

  
\_\_\_\_\_  
Robert Dimmett

  
\_\_\_\_\_  
Greg Richmond

ATTEST:

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

Minutes Respectfully Submitted by Kristine Georges, Official Recording Secretary

Sec. 1 Be it ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the proposed specified, subject to the laws governing the same:

Table with columns: FUND, APPROPRIATION NUMBER, DESCRIPTION, AMOUNT REQUESTED, AMOUNT APPROVED. Rows include EMA Animal Control Donation, LIT Const., LIT, Superior Court, and Commissioners.

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 7 day of MARCH 2024.

AYE NAY
[Signatures and lines for council members]

ATTEST: Mike Dietsch - Auditor Warrick County

WARRICK COUNTY COUNCIL

RESOLUTION NO. 2024 - 03

A PRELIMINARY RESOLUTION DECLARING AN ECONOMIC REVITALIZATION AREA FOR REAL AND PERSONAL PROPERTY TAX PHASE-IN ("Matrix Design Group, LLC")

WHEREAS, Matrix Design Group, LLC (the "Applicant") has submitted a Statement of Benefits - Real Estate Improvements and a Statement of Benefits - Personal Property, and Applicant has made application for Economic Revitalization Area designation pursuant to IC 6-1.1-12.1 et seq., and has requested Tax Phase-In for real and personal property located in Warrick County, Indiana and more particularly described in the legal description attached hereto as Exhibit A (the "Property").

WHEREAS, the Warrick County Economic Development Advisory Council ("EDAC") and the Warrick County Redevelopment Commission ("RDC") on the 15th day of February, 2024 reviewed Applicant's Statement of Benefits for Real Estate Improvements and Statement of Benefits for Personal Property and also reviewed Applicant's Application for Economic Revitalization Area and Phase-In of Property Tax, and EDAC and RDC made unanimous recommendations for approval by the County Council, and the RDC adopted a Resolution approving Applicant's Statement of Benefits - Real Estate Improvements and Statement of Benefits - Personal Property;

WHEREAS, Applicant intends to improve the Property by constructing a 39,017 square foot office building;

WHEREAS, Applicant further intends to purchase and install, as part of the project, the personal property described in Applicant's Application for Economic Revitalization Area and Phase-In of Property Tax, with an estimated cost of \$695,984.33;

WHEREAS, the Property meets the criteria for designation as an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et seq.

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

Section 1. The Warrick County Council has reviewed the Statement of Benefits for Real Estate Improvements and the Statement of Benefits for Personal Property, the recommendations of EDAC and RDC, and additional information submitted pursuant to IC 6-1.1-12.1 et seq., and makes the following findings:

- a. The estimate of the value for both the redevelopment and/or rehabilitation of the Property and construction of structures is reasonable for projects of that type; and
b. The estimate of the number of individuals who will be employed by this project or whose employment will be retained can be reasonably expected to result from the proposed redevelopment and/or rehabilitation and construction of structures; and
c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed project; and
d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed project; and
e. The totality of benefits likely to accrue from this project is sufficient to justify a tax deduction; and
f. The estimate of the cost of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment is reasonable for equipment of that type; and
g. With respect to new manufacturing equipment not used to dispose of solid waste or hazardous waste by converting the solid waste or hazardous waste into energy or other useful products, and new research and development equipment, new logistical distribution equipment, and/or new information technology equipment, the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment; and
h. The estimate of the annual salaries of the individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment; and
i. With respect to new manufacturing equipment used to dispose of solid waste or hazardous waste by converting the solid waste or hazardous waste into energy or other useful products, the estimate of the amount of solid waste or hazardous waste that will be converted into energy or other useful products can be reasonably expected to result from the installation of the new manufacturing equipment; and
j. The other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment; and

k. The totality of benefits to accrue from this project is sufficient to justify the deduction.

Section 2. Based on these findings, the Warrick County Council has determined that the purposes of IC 6-1.1-12.1 et seq. are served by allowing the deductions for both real and personal property, and the Property described above is hereby declared to be an Economic Revitalization Area.

Section 3. The designation of the Economic Revitalization Area shall apply to property tax deductions for both real and personal property taxes.

Section 4. The designation of this Economic Revitalization Area for the Property shall be in effect up to and including March 1, 2029.

Section 5. Deductions for redevelopment and/or rehabilitation of real property which takes place within this Economic Revitalization Area shall be allowed for a period of ten (10) years beginning with increases in assessed value resulting from the real property improvements, with the abatement schedule to be 100% in year one, 95% in year two, 80% in year three, 65% in year four, 50% in year five, 40% in year six, 30% in year seven, 20% in year eight, 10% in year nine, and 5% in year ten.

Section 6. Deductions for the installation of personal property which takes place within this Economic Revitalization Area shall be allowed for a period of ten (10) years beginning with increases in assessed value resulting from the personal property improvements, with the abatement schedule to be 100% in year one, 90% in year two, 80% in year three, 70% in year four, 60% in year five, 50% in year six, 40% in year seven, 30% in year eight, 20% in year nine, and 10% in year ten.

Section 7. The Warrick County Auditor shall cause to be published notice of the adoption and substance of this Resolution in accordance with IC 5-3-1. Such notice complies with IC 6-1.1-12.1-2.5(c).

Section 8. This Resolution shall be in full force and effect from and after its passage and action had confirming, modifying and/or rescinding the same.

PASSED this \_\_\_ day of March, 2024.

Warrick County Council
Hand Overton, President
Greg Richmond
Chris Whetstone
Robert Stumm
Richard Reed
Ken Bacon

EXHIBIT A
LEGAL DESCRIPTION

Parcel No. 87-13-19-100-047,000-019
A part of the North Half of the Northwest Quarter of Section Nineteen (19), Township Six (6) South, Range Eight (8) West in Warrick County, Indiana, and more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said section, thence North 00 degrees 19 minutes 08 seconds East a distance of 1315.68 feet, thence South 88 degrees 44 minutes 51 seconds East a distance of 850.00 feet, thence North 38 degrees 56 minutes 55 seconds East a distance of 944.65 feet, thence South 88 degrees 44 minutes 45 seconds East a distance of 438.28 feet to the PLACE OF BEGINNING of real estate, thence South 88 degrees 44 minutes 45 seconds East a distance of 470.00 feet, thence South 00 degrees 07 minutes 05 seconds West a distance of 546.53 feet to the North right-of-way line of Prospect Drive; thence South 88 degrees 41 minutes 33 seconds West along the North right-of-way line a distance of 99.05 feet to a point of curvature, thence Southwesterly along a curve to the left having a radius of 806.43 feet; and a distance of 249.22 feet, thence North 51 degrees 03 minutes 03 seconds West a distance of 162.57 feet, thence North 00 degrees 07 minutes 05 seconds East a distance of 500.67 feet to the place of beginning.

Parcel Nos. 87-13-19-100-032,000-019 and 87-13-19-100-052,000-019
A part of the North Half of the Northwest Quarter of Section Nineteen (19), Township Six (6) South, Range Eight (8) West, Ohio Civil Township, Warrick County, Indiana and being more particularly described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section Nineteen (19), thence North 0 degrees 19 minutes 08 seconds East, a distance of One Thousand Three Hundred Fifteen and sixty-eight hundredths (1315.68) feet, thence South 88 degrees 44 minutes 56 seconds East, a distance of Eight Hundred Fifty (850.00) feet, thence North 38 degrees 56 minutes 55 seconds East, a distance of Nine Hundred Forty-four and sixty-five hundredths (944.65) feet; thence South 88 degrees 44 minutes 56 seconds East, a distance of Nine Hundred Eighty-eight and twenty-eight hundredths (988.28) feet to the point of beginning said point being the Northeast corner of the property conveyed to Ryan Central Tower's Inc. Deed File #3, Card #3, dated 08/25/00; thence South 88 degrees 44 minutes 45 seconds East, a distance of Four Hundred Fifty-two and fifty-seven hundredths (452.57) feet, thence North 89 degrees 43 minutes 38 seconds East, a distance of Two Hundred Nine and twenty-one hundredths (209.21) feet; thence South 0 degrees 07 minutes 05 seconds West, a distance of Five Hundred Thirty-seven and four hundredths (537.04) feet; thence South 88 degrees 41 minutes 34 seconds West, a distance of Five Hundred Twenty-six and fifty-seven hundredths (526.57) feet, thence North 0 degrees 07 minutes 05 seconds East, a distance of Five Hundred Forty-six and fifty-six hundredths (546.56) feet to the point of beginning.

WARRICK COUNTY COUNCIL
RESOLUTION NO. 2024 - 04

A RESOLUTION OF THE WARRICK COUNTY COUNCIL AUTHORIZING THE WARRICK COUNTY AREA PLANNING COMMISSION TO ACCEPT PAYMENTS BY BANK CARD AND CREDIT CARD

WHEREAS, Indiana Code § 36-1-8-11(c) allows a payment to be made to a public subdivision by any of the following financial instruments that the fiscal body of the political subdivision authorizes for use: (1) Cash; (2) Check; (3) Bank draft; (4) Money order; (5) Bank card or credit card, as defined by Indiana Code § 36-1-8-11(b); (5) Electronic funds transfer; and (6) Any other financial instrument authorized by the fiscal body;

WHEREAS, Indiana Code § 36-1-8-11(d) provides that if there is a charge to the political subdivision for the use of a financial instrument, the political subdivision may collect a sum equal to the amount of the charge from the person who uses the financial instrument;

WHEREAS, Indiana Code § 36-1-8-11(e) provides that if authorized by the fiscal body of the political subdivision, the political subdivision may accept payments under this section by a bank card and credit card, under the procedures set forth in Indiana Code § 36-1-8-11. However, the procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type;

WHEREAS, Indiana Code § 36-1-8-11(f) provides that the political subdivision may contract with a bank card and credit card vendor for acceptance of bank cards or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the political subdivision charged directly to the political subdivision's account, the political subdivision may collect from the person using the card either or both of the following:

- (1) An official fee that may not exceed the transaction charge or discount fee charged to the political subdivision or municipally owned utility by bank or credit card vendors.
(2) A reasonable convenience fee: (A) that may not exceed three dollars (\$3) and (B) that must be uniform regardless of the bank card or credit card used.

The fees described in subdivisions (1) and (2) may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such fees. These fees are permitted additional charges under Indiana Code § 24-4.5-3-202;

WHEREAS, the use of bank and credit cards, subject to an appropriate charge for such service, would be valuable to the Warrick County Area Plan Commission ("APC") as an additional means to assist in the efficient collection of amounts ordered to be paid to the APC; and

WHEREAS, for that reason, the taxpayers of Warrick County will benefit if the APC is authorized to accept bank and credit cards, subject to an appropriate charge for such service.

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

Section 1. The APC is authorized to accept bank and credit cards for any payment to the APC; and

Section 2. The APC is authorized and directed to charge and collect:

- (1) A sum equal to the amount of the charge from the person who uses the bank card or credit card;
- (2) An official fee that may not exceed the transaction charge or discount fee charged to the APC by any bank or credit card vendor; and
- (3) A convenience fee of three dollars (\$3) for any payment to the APC by bank card or credit card.

PASSED this 7th day of March, 2024.

Warrick County Council

*Brad Overton*  
Brad Overton, President

*Ted Metzger*  
Ted Metzger, Vice President

Greg Richmond

*Richard Reid*  
Richard Reid

*Chris Whetstine*  
Chris Whetstine

*Ron Bacon*  
Ron Bacon

*Robert Dimmett*  
Robert Dimmett

ATTEST:

*Michael Dietsch*  
Michael Dietsch, Warrick County Auditor

WARRICK COUNTY COUNCIL  
RESOLUTION NO. 2024 - 05

RESOLUTION OPPOSING THE VERIFIED PETITION OF SOUTHERN INDIANA GAS AND ELECTRIC COMPANY D/B/A CENTERPOINT ENERGY INDIANA SOUTH FOR RATE CHANGES BEFORE THE INDIANA UTILITY REGULATORY COMMISSION, CAUSE NUMBER 45990

WHEREAS, the County Council of Warrick County, Indiana recognizes the costs Warrick County residents pay for electricity and natural gas;

WHEREAS, Southern Indiana Gas and Electric Company D/B/A Centerpoint Energy Indiana South ("CEI South") has filed a petition with the Indiana Utility Regulatory Commission that would raise monthly electric rates for a typical residential customer by about ten dollars in late 2024, nearly six dollars in early 2025, and by more than twelve dollars in early 2026;

WHEREAS, one major factor affecting businesses and residents when deciding on location or expansion is utility costs;

WHEREAS, the County Council of Warrick County, Indiana seeks to foster growth and development by providing the most competitive business and regulatory climate in order to reduce costs and expenses on its citizens and businesses;

WHEREAS, excessive and burdensome utility costs could threaten the growth and expansion of Warrick County by adding (a) burdens and impediments to new residents looking to relocate to Warrick County and (b) uncompetitive rates on local business that hinder business expansion and might deter new businesses from locating in Warrick County;

WHEREAS, the County Council of Warrick County, Indiana has heard from many constituents and businesses opposing the requested rate increases;

WHEREAS, CEI South's rates and taxes already rank among the highest in Indiana since 2008 and among the highest in the region, and this increase will only further the disparity between utility rates in Warrick County and other nearby regions that might be competing for the same residents and businesses;

WHEREAS, upon information and belief, the average customer may see their monthly electric bills increase of \$47.24 (30.7%) by 2026, while 22% of CEI South customers who are electric heating customers (Rate EH), who may see their average monthly bill increase by \$63.33 by 2026;

WHEREAS, CEI South also requests a 114% increase of the monthly fixed charge of \$23.20 before the customer even uses any electricity, which disproportionately impacts low- and fixed-income households (seniors, people with disabilities, homes with children and other vulnerable populations) and penalizes households that conserve energy and make their homes more efficient;

WHEREAS, upon information and belief, CEI South and its predecessors spent over five hundred million dollars in pollution control equipment for aging coal fired power plants, but then retired many of them before recovering those costs, which led to this filing requesting the ratepayers of Warrick County to cover CEI South's business decisions while still ensuring a profit;

WHEREAS, upon information and belief, CenterPoint Electric has had the highest authorized return on equity, or profit margin, for its shareholders, for many years. In this case, upon information and belief, CenterPoint Electric is proposing to keep its 10.40% return on equity while Indiana's other four investor-owned electric utilities have an authorized return on equity below 10%; and

NOW, THEREFORE, BE IT RESOLVED that the County Council of Warrick County, Indiana hereby opposes CEI South's Verified Petition for Rate Changes, pending before the Indiana Utility Regulatory Commission, under Cause Number 45990.

ADOPTED this 7th day of March, 2024.

Warrick County Council

*Brad Overton*  
Brad Overton, President

*Ted Metzger*  
Ted Metzger, Vice President

Greg Richmond

*Richard Reid*  
Richard Reid

*Chris Whetstine*  
Chris Whetstine

*Ron Bacon*  
Ron Bacon

*Robert Dimmett*  
Robert Dimmett

ATTEST:

*Michael Dietsch*  
Michael Dietsch, Warrick County Auditor