WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
June 1, 2017
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 was in attendance.

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

Council President, Gary Meyer, called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

Gary Meyer: Roll call.

Krystal Powless: Gary Meyer?

Gary Meyer: Here.

Krystal Powless: Charlie Christmas?

Charlie Christmas: Yes.

Krystal Powless: David Hachmeister?

David Hachmeister: Here.

Krystal Powless: Ted Metzger?

Ted Metzger: Present.

Krystal Powless: Brad Overton?

Brad Overton: Here.

Krystal Powless: Greg Richmond?

Greg Richmond: Here.

Krystal Powless: Paul Rudolph?

Paul Rudolph: Here.

Gary Meyer: Okay.

APPROVAL OF MINUTES
MAY 4, 2017

Gary Meyer: Approve Minutes, Regular Meeting, May 4, 2017.

Greg Richmond: Page 22. Just a little clarification. All the way down at the bottom and one (1), two (2), three (3), fourth line from the bottom. Krystal Powless, "Okay, so just to clarify we're only moving the two (2) Wednesdays." Then it says, "the 23rd and the 31st or 30th, we're moving to Thursday." I think it needs to be clarified we're moving the Wednesday the 23rd to Thursday the 24th of August and the Wednesday the 30th to the 31st of August.

Gary Meyer: Um hum.

Greg Richmond: Thursday.

Charlie Christmas: Okay.

Gary Meyer: Okay. Anybody else? Is there a motion?

David Hachmeister: Motion to approve with that correction.

Charlie Christmas: Second.

Gary Meyer: Motion made by Dave and seconded by Charlie to approve with that correction. All those in favor? Opposed? Motion carried seven, zero (7-0).

NEW BUSINESS
ECONOMIC DEVELOPMENT BUSINESS
TAX PHASE IN
COMPLIANCE EURONIQUE

Gary Meyer: Okay, New Business, Economic Development Business, Tax Phase In, Compliance Euronique. There's a

letter at your table. Larry Taylor couldn't be here. But you can read that to see what you want to do. It's a compliance.

David Hachmeister: Well, normally I wouldn't want to do this without them being here as well. But I guess I wanna commend them on their expansion as well as the increase of employees and what they...

Gary Meyer: Um hum.

David Hachmeister: Really recommended. So I make a motion to approve.

Paul Rudolph: Second.

Gary Meyer: Motion made by Dave and seconded by Paul to approve. Any discussion? All those in favor? Opposed? Motion carries six, one (6-1 with Gary Meyer opposing).

Krystal Powless: And the one (1)?

Gary Meyer: Me. You knew that.

David Hachmeister: For the record, Meyer. For the record.

Gary Meyer: I know, I understand.

COMPLIANCE EURO PROPERTIES, LLC

Gary Meyer: Tax Phase In, Compliance Euro Properties, LLC.

Greg Richmond: Motion.

David Hachmeister: Second.

Gary Meyer: Motion made by Greg and seconded by David to approve. Any discussion? All those in favor? Opposed? Motion carries six, one (6-1 with Gary Meyer opposing), me.

HEALTH DEPARTMENT BUSINESS
VAXCARE AND ANIMAL EXPENSE

Gary Meyer: Health Department Business, Additional Appropriation, Vaxcare, eight hundred and nine dollars ($809.00). Animal Expense, three thousand three hundred and ninety-two dollars and seventy-seven cents ($3,392.77), for a total of four thousand two hundred and one dollars and seventy-seven cents ($4,201.77).

Paul Rudolph: This is a reimbursement?

Gary Meyer: Yes.

Paul Rudolph: I motion to approve.

Brad Overton: Second.

Gary Meyer: Motion made by Paul and seconded by Brad to approve. All those in favor? Opposed? Motion carried seven, zero (7-0).

LOCAL HEALTH MAINTENANCE
MOTORIZED EQUIPMENT

Gary Meyer: Health Department, Additional Appropriation, Local Health and Maintenance, Motorized Equipment, sixty-two thousand five hundred and thirty dollars ($62,530.00).

Greg Richmond: I have a question.

Krystal Powless: I'm a little surprised that he's not here because he called me today and he said he would be here. So I don't know if something's happened or...I mean he was going to be here.

David Hachmeister: Let's skip that until he comes. If he does show up.

Krystal Powless: (Inaudible).

Gary Meyer: You wanna skip that and come back to it?

David Hachmeister: Yeah.

Gary Meyer: Okay. Okay, we'll skip Item 3B for the time being.

PROSECUTOR BUSINESS
PRE-TRIAL DIVERSION
CONTRACTUAL SERVICES

Gary Meyer: Item 4, Prosecutor Business, Additional Appropriation, Pre-Trial Diversion, Contractual Services, nineteen thousand dollars ($19,000.00).

Gary Meyer: Hi there.

Mike Perry: Mike Perry, Prosecutor. What we're asking for is money from our Pre-Trial Diversion Infraction Fund to cover us for the rest of the year so I don't have to come here every month and ask you...

Gary Meyer: Is this basically your contracts...?

Mike Perry: Yes.

Gary Meyer: That you're paying?

Mike Perry: Let me just tell you that last year, 2016, we brought in one hundred eighteen thousand six hundred and seventy dollars and fifty cents ($118,670.50) in the Infraction Deferral Funds. This year to date through April, we've brought in fifty-five thousand one hundred and thirty-seven dollars ($55,137.00).

Brad Overton: Motion to approve.

Paul Rudolph: Second.

Gary Meyer: Motion made by Brad and seconded by Paul to approve. Any discussion? All those in favor? Opposed? Motion carried seven-zero (7-0).

CHILD SUPPORT
TRAVEL AND POSTAGE

Mike Perry: My second item of business is asking for an additional appropriation for items in Child Support. Travel, which would include training my staff. Postage, which is an absolute necessity for the office. A total of forty-five hundred dollars ($4,500.00). And remember this type of money gets reimbursed sixty-seven percent (67%) by the State.

Gary Meyer: Let me just read this. Travel is two thousand dollars ($2,000.00) and Postage is twenty-five hundred ($2,500.00)...

Mike Perry: That is correct, Sir.

Gary Meyer: For a total of forty-five hundred dollars ($4,500.00). Okay.

David Hachmeister: Motion to approve.

Gary Meyer: Motion made by Dave...

Charlie Christmas: Second.

Gary Meyer: And seconded by Charlie to approve. All those in favor? Opposed? Motion carried seven, zero (7-0).

Mike Perry: Thank you very much.

Gary Meyer: Thank you.

SHERIFF BUSINESS
PENSION PLAN

Gary Meyer: Sheriff Business, discuss...discussion on Pension Plan.

Brett Kruse: Brett Kruse, Warrick County Sheriff. I have, well I met with everybody except for Brad I think.

Brad Overton: No, I had the fortune to talk to Mike, so...

Brett Kruse: Okay. And this is, basically there's three (3) changes that we would like to make to the Pension Plan. One (1) is the, adding the ten (10) year service requirement, which now it is eight (8) to be invested in the pension. The second is being able to name a beneficiary. The death benefit, right now, someone who's divorced or has lost their wife, cannot, they don't have a beneficiary for the pension plan, they can name like a child or both their children as dual beneficiaries for a total of twenty years (20). And it's the same rate as the spouse would get if they had a spouse and died. And the third is the twenty-nine (29) year special early retirement for the drop benefit. And that is for someone who hires prior to the age of twenty-four (24) years. They can go under the drop prior to turning fifty-five (55).

Gary Meyer: So this proposal then you're making, is it, from what I understand it's gonna, it's gonna net cost us eighteen thousand dollars ($18,000.00), roughly?

Brett Kruse: That's what the actuarial figure is. That is with six (6). Right now there are six (6) participants who hired between the ages of twenty-one (21) and twenty-four (24). One (1) of those is, has told us, he's quitting and he's not vested in the pension plan which would take it down to five (5). But the pension, the contribution to the pension plan that the County makes each year fluctuates depending on plan participants and how, what the market has done in the last year. So we could increase next year, eighteen thousand ($18,000.000). Not asking for an additional appropriation this year. It could increase eighteen thousand ($18,000.00) next year or it could be less than it was this year depending on what the market is.

Gary Meyer: Right.

Brad Overton: What's your average hire age, Sheriff?

Brett Kruse: I would say...

Unknown (from audience): About twenty-six (26).

Brett Kruse: Twenty-five (25), twenty-six (26).

Brad Overton: I was gonna say it's probably odd that you have that very many that would come in under that age anyway.

Brett Kruse: Right. Most of them aren't out of college by that time.

Brad Overton: Right.

Brett Kruse: Some of them are. But I mean, we've hired anywhere from thirty-nine (39) down.

Charlie Christmas: What's the maximum age? I don't remember anymore.

Brett Kruse: There's not.

Charlie Christmas: There's not (inaudible).

Brett Kruse: Not for a Deputy, no.

Charlie Christmas: They got rid of that? Okay, good.

Brad Overton: Good, I was needing something else to do in my spare time. Here I've been doing all this running for nothing.

Brett Kruse: And the reason that I would ask for you to vote on this tonight is because Kirk Tevault is, he hits his twenty-nine (29) years in June and he is fifty-two (52). (Inaudible). And he's, so he's, if this doesn't pass, he's got twenty-nine (29) years on and he's not eligible to do the drop.

Charlie Christmas: That's not good.

David Hachmeister: This actually is not going to cost eighteen ($18,000.00) every year exactly, is it?

Brett Kruse: I, Dave, I'm, that's what we figured...

David Hachmeister: Depends on your hire?

Brett Kruse: Right, exactly right now if one (1) drops, I'm assuming it will reduce. I mean it's figured so much per person who's, who's under that, falls under this category. But if we replace them, you know, if we replace that one (1) with somebody that's twenty-one (21) it'll be the same amount of money.

David Hachmeister: Yeah. Motion to approve.

Charlie Christmas: Second.

Gary Meyer: Motion made by Dave and seconded by Charlie to approve. Any further discussion? All those in favor? Opposed? Motion carried six, one (6-1 with Ted Metzger opposing).

Brett Kruse: I did wanna...

Gary Meyer: Ted.

UPDATE ON HOUSING VANDERBURGH COUNTY INMATES

Brett Kruse: Bring up that we are now housing fifteen (15) Vanderburgh County inmates. So that's bringing in almost sixteen thousand dollars ($16,000.00) a month. It goes into the General Fund.

Gary Meyer: That's good.

Paul Rudolph: That's really good. Is that just cause they're overfull I assume?

Charlie Christmas: Slightly overfull.

Brett Kruse: It's me and about five (5), six (6) other Sheriffs.

Paul Rudolph: So the sixteen thousand dollars ($16.000.00) that they're bringing in, what's the cost to the County per month? Any idea?

Brett Kruse: They take care of all the medical expense, we feed them. I mean...

Paul Rudolph: So it's just food?

Krystal Powless: Aaron (inaudible).

Gary Meyer: That's fine.

Paul Rudolph: I mean (inaudible).

Brett Kruse: It's about a dollar seventy-five ($1.75) a meal is what, I think what we're averaging.

Brett Kruse: Fifteen (15).

Paul Rudolph: Fifteen (15) so hundred bucks ($100.00) a day at three thousand ($3,000.00) a month. So we're making twelve ($12,000.00), thirteen thousand dollars ($13,000.00) a month.

Brett Kruse: Fifteen-seven-fifty ($15,750.00) a month.

David Hachmeister: Don't say it too loud. Everybody will want to spend it.

Gary Meyer: Is that an amount set by the State?

Brett Kruse: Thirty-five ($35.00) a day.

Paul Rudolph: There goes my idea.

Brett Kruse: There is talk about raising that to fifty dollars ($50.00) a day. I hope that happens.

Gary Meyer: Yeah.

Brad Overton: I was gonna say, it's in demand you should be able to market it. If it's something in demand you should try to go more.

Brett Kruse: Well, everybody will take them that's got room. We just, you know there at the first of the year we didn't have none.

Gary Meyer: Yeah.

Brett Kruse: And now we do. We're taking what we can.

Gary Meyer: Good.

Brett Kruse: Thank you.

Gary Meyer: Thank you.

HEALTH DEPARTMENT BUSINESS CONTINUED
LOCAL HEALTH MAINTENANCE
MOTORIZED EQUIPMENT

Gary Meyer: Okay, Gentlemen, let's go back to Item 4 or 3B. I saw Aaron just come in. Yeah. This is under Local Health Maintenance, Motorized Equipment, sixty-two thousand five hundred and thirty dollars ($62,530.00). Good evening.

Aaron Franz: Aaron Franz, Warrick County Health Department. This is basically a transfer of money that was approved for an Animal Control truck. It was approved, I don't know how long it's been ago. It's been a while ago. The truck has been purchased.

Greg Richmond: I have a question.

Aaron Franz: Yes?

Greg Richmond: I looked at the Sternberg-Chrysler invoice, and it's thirty-four thousand five hundred ($34,500.00) and then you've got a box with animal holds, six (6) animal holds, seventeen thousand five dollars ($17,005.00). That's fifty-one five-'o-five ($51,505.00). Why sixty-two-five-thirty ($62,530.00)?

Aaron Franz: That's how much was originally approved. All the rest will go back into the Local Health Maintenance budget.

Paul Rudolph: Would there be a concern if we just approved the fifty-one-five ($51,500.00) rather than the sixty-two ($62,000.00) that's being...?

Aaron Franz: I think the sixty-two ($62,000.00) is already there so it has to be allocated back in there so we can pay the other part back. It automatically goes back. We don't get it.

Krystal Powless: It's approved by the State. It's approved by the State. So...

Charlie Christmas: Oh.

Gary Meyer: We don't have no control over this budget do we?

Charlie Christmas: I say, I don't think we've got...

Krystal Powless: Well we do, you could reduce it. But I mean it has been approved by the State, so...

Aaron Franz: Yeah, they've already given it. We just have, we're just moving it back. Once everything's paid, they get it back. That's part of the grant process. Well, it's not really a grant, it's Local Health Maintenance money that's there, but we have to write and request all of that through them, through the Tobacco Settlement money.

Brad Overton: So is this the vehicle, cause didn't we approve a vehicle for the, for the, this is the same one (1)?

Aaron Franz: You already...

David Hachmeister: Yeah.

Brad Overton: This isn't a second, this isn't another one (1)?

Krystal Powless: (Inaudible).

Aaron Franz: This is the same one (1), it's just we, it has, it had to be built. The box had to be built and so now all the, all the invoices are in. So...

Brad Overton: So then you just got one (1) out there that's a newer one (1) then? Is that correct? I mean you've got two (2) vehicles out there now.

Aaron Franz: I have two (2) vehicles out there now.

Brad Overton: And this one (1)...?

Aaron Franz: It would be the third, yes.

Brad Overton: Oh, this is the third one (1)?

Charlie Christmas: Third vehicle.

Aaron Franz: Third Animal Control vehicle, yes.

Paul Rudolph: Sorry to sound like a broken record, but we, so if we approve fifty-one-five-'o-five ($51,505.00), it's basically the same as if we approve the full...

Krystal Powless: Right.

Paul Rudolph: Sixty-two ($62,000.00)?

Krystal Powless: It's just going to roll back into their Health fund.

Paul Rudolph: Either way?

Krystal Powless: Um hum.

Paul Rudolph: Alright. I motion we approve the fifty-one thousand five-'o-five ($51,505.00) just to keep our numbers right. Right? No need to approve more than what we're being asked to do.

Gary Meyer: Is that your motion?

Paul Rudolph: That's my motion.

Gary Meyer: Excuse me, motion. Motion made by Paul to approve fifty-one thousand five-'o-five ($51,505.00). Is there a second?

Ted Metzger: I'll second that.

Gary Meyer: And seconded by Ted. Any further discussion?

David Hachmeister: That is the exact amount?

Krystal Powless: Greg?

David Hachmeister: Fifty-one five-'o-five ($51,505.00)?

Charlie Christmas: But what about the rest of it?

Greg Richmond: The thirty-four-five ($34,500.00) and the seventeen-'o-'o-five ($17,005.00).

David Hachmeister: Okay.

Greg Richmond: Let me check my math on that. I say, I added it in my head real quick.

David Hachmeister: That's correct. But I just wanted to know if there was anything else on it or not. I didn't see anything else.

Greg Richmond: I'm trying to understand a little bit about, okay if we went ahead with the sixty-two-five-thirty ($62,530.00) as requested, what's going to happen to the...

Charlie Christmas: To the other ten thousand ($10,000.00)?

Greg Richmond: Ten thousand five hundred ($10,500.00)? It stays in the Local Health Maintenance Fund?

Krystal Powless: Um hum.

Greg Richmond: Now what happens if we don't approve all sixty-two thousand ($62,000.00)? We just approve...

Aaron Franz: The sixty-two thousand five hundred and thirty dollars ($62,530.00) is already here. We've already allocated it. So once we spend it, whatever we don't spend it automatically has to go back into Local Health Maintenance

Greg Richmond: Does it go back to the State?

Aaron Franz: Well, it, it's...

Charlie Christmas: It will.

Aaron Franz: Kind of. It's Warrick County's, but in order to spend it, it has to be approved. Everything has to be approved by the State Department of Health. It's, it's pretty much a, I have to approve it through them. Write the, write the proposal to them. Why it's over is because we were able to get all of our equipment at a better price than originally quoted. So that's what we sent to them, the quotes totaled out to that sixty-two-five ($62,500.00) and so...

Greg Richmond: Well, this is not the motion. The motion is fifty-one-five-'o-five ($51,505.00).

Charlie Christmas: Right.

Greg Richmond: If the sixty-two-five–thirty ($62,530.00) was approved instead of that, what would you do with that other ten thousand five hundred ($10,500.00)?

Aaron Franz: I won't do anything with it. It goes back to Local Health Maintenance.

Krystal Powless: It's only allocated for the truck.

Greg Richmond: So either way it's a wash then?

Aaron Franz: Right.

Paul Rudolph: (Inaudible) ask for.

Aaron Franz: If I'm not mistaken, the sixty-two-thir...sixty-two thousand five hundred thirty ($62,530.00) has already been approved by this Board once. So all we're doing is switching it over to make the payment and then the other part goes back to Local Maintenance.

Gary Meyer: Is this part of the tobacco deal?

Aaron Franz: Yes, yes. It's tobacco tax.

Gary Meyer: I don't see what, you know, I don't see what the difference is. I mean if they've got the money...

David Hachmeister: Yeah.

Gary Meyer: And they can still spend it even if we don't do anything.

Paul Rudolph: So my original thought was just to, just in case there's a four thousand dollar ($4,000.00) cost overrun, I'd want to know that that four thousand dollars ($4,000.00) cost overrun occurred. And the only way we find out about it is when we approve the expense, right? So it's just an internal control that you don't actually allocate more money than you actually think you need. It would be the safer way of doing it. And that's generally what...

Gary Meyer: But they already have the money. Don't they?

Paul Rudolph: Sure, but let's say that the, the dealer says, I would like an extra five thousand dollars ($5,000.00) just for the heck of it. I don't want to spend any more of the State's money than we need to, is my thought. That's generally an internal controls type, finance type thought process.

Gary Meyer: I guess I'm just really unclear what, what control we have over the Health Maintenance.

Krystal Powless: Well, you do have to appropriate it.

Gary Meyer: But I mean we don't have any, as far as a budgetary item, we don't have any control over that budget, do we?

Krystal Powless: Well, their budget is also approved by the State. But...

Gary Meyer: And the State's already allocated this money.

Charlie Christmas: Right.

Krystal Powless: Correct.

Gary Meyer: I guess it doesn't matter.

Paul Rudolph: Let's put it this way, if there's an unscrupulous dealer that says we're going to charge you guys an extra four thousand dollars ($4,000.00) just because we can, this way it would stop, we'd, they'd have to come back here to get that extra four thousand dollars ($4,000.00). If we approve (inaudible)...

Gary Meyer: I understand that. But we already, we have the invoice already. We know how much the truck's going to cost. So...

Charlie Christmas: It's done.

Gary Meyer: So it's not going to happen apparently. You think?

Paul Rudolph: Have you bought a car at a car dealership before?

Gary Meyer: Well, yeah, but...

Paul Rudolph: (Inaudible) charges after you've been finished.

Gary Meyer: Yeah, I understand.

Charlie Christmas: (Inaudible) good deal if you got (inaudible).

Gary Meyer: But once I got it on paper, on paper it's pretty much...

Paul Rudolph: To me it's the lower risk play. I mean it's not a big risk either way.

Gary Meyer: Yeah.

Paul Rudolph: It's just to approve what's been requested or what's been stated. That's my thought.

Gary Meyer: Any other discussion? Excuse me. Okay we have a motion made by Paul and seconded by Ted to approve fifty-one thousand five hundred and five dollars ($51,505.00). All those in favor of that motion? Opposed? Motion carried six, one (with Brad Overton opposing). Brad.

Krystal Powless: And the one (1), Brad.

Charlie Christmas: (Inaudible).

Krystal Powless: Fifty-one-five-'o-five ($51,505.00), correct?

Gary Meyer: Yeah.

Paul Rudolph: Yes.

Gary Meyer: Okay.

Aaron Franz: Thank you.

Gary Meyer: Thank you. Little confusing, wasn't it?

(Additional Appropriations for June 1, 2017 are located on Page 12 of these Official Minutes)

COUNCIL BUSINESS
INNKEEPER'S TAX
SECOND READING ORDINANCE 2017-01

Gary Meyer: Okay, Item 6, Innkeeper's Tax, Second Reading of Ordinance 2017-01. I would prefer not to have too much discussion on this item. We've discussed it quite a bit. And so I guess we'll hear really just what the Council wants to do.

Charlie Christmas: I motion we have a Second Reading.

Brad Overton: Second.

Gary Meyer: Motion made by Charlie and seconded by Brad for the Second Reading.

Cliff Whitehead: And I'm sorry to interrupt, but I, I, there is a typographical error on Page 1. It's not, it doesn't change the substance of it. But it's in the third whereas. It should read, "Whereas Indiana Code 6-9-18-01." It currently reads 6-19-18-01. The '19' should be a '9.'

Gary Meyer: Oh.

Cliff Whitehead: So depending on how the Council rules, we'll make that change if necessary.

Paul Rudolph: Do we have to start all over?

Cliff Whitehead: It's not a substance change, it's just a typographical error. The content and substance is not changing.

Gary Meyer: So we have a motion by Charlie and seconded by Brad to introduce Ordinance number, or Second Reading of Ordinance 2017-01. All those in favor of that motion? Opposed? Motion carries six to one (with Ted Metzger opposing).

Krystal Powless: And the one.

Gary Meyer: Ted. Now I guess I read the title only?

Cliff Whitehead: Yes.

Gary Meyer: An Ordinance of Warrick County Council levying an Innkeeper's Tax and Establishing a Convention, Visitor, and Tourism Promotion Fund. Now I guess we need a motion to approve this? Correct?

Cliff Whitehead: That would be the next step, to approve.

Gary Meyer: Okay.

PASSAGE OF INNKEEPER'S TAX ORDINANCE 2017-01

David Hachmeister: Motion to accept.

Brad Overton: Second.

Gary Meyer: Motion made by Dave and seconded by Brad to approve. Any discussion? All those in favor? Opposed? Motion carries six, one (with Ted Metzger opposing). Ted. Okay. Thank you.

(Innkeeper's Tax, Ordinance 2017-1, is located on Page 13 of these Official Minutes)

SALARY ORDINANCE VACATION PAY BACK COUNCIL ADMINISTRATOR

Gary Meyer: Okay, Council Business, Salary Ordinance, Vacation Pay Back, Two Weeks, one thousand nine hundred and five and twenty-three cents ($1,905.23); transfer from Other Services, one thousand nine hundred five dollars and twenty-three cents ($1,905.23); transfer to Council Administrator, one thousand nine hundred five dollars and twenty-three cents ($1,905.23).

Brad Overton: This is all in accordance with the Handbook, motion to approve.

David Hachmeister: Second.

Gary Meyer: Motion made by Brad and seconded by David to approve. All those in favor? Opposed? Motion carried seven, zero (7-0).

OTHER BUSINESS NOMAD LATE FEE

Gary Meyer: Okay, Other Business.

Unknown (from audience): Thank you.

David Hachmeister: You don't have to leave.

Gary Meyer: We're about done here, folks. Anybody from the audience like to address the Council? Yes, ma'am.

Debbie Stevens: Thank you. Debbie Stevens, Warrick County Auditor. And at the April Meeting I had a few Council Members who asked for an update on the Nomad Claim. And so I did want to let you know that I received a Claim in my office on May 9th which did include the two hundred and twenty-five dollar ($225.00) late fee. Two hundred twenty-five dollars and twenty-five cents ($225.25) late fee and I'll, I can email the Claims along with the audited Claim from the State Board of Accounts, Karen Wills. And it was paid from the Prosecutor's funds and that was, there was direction, Cliff, you can update them if you want to. There was direction from the State Board of Accounts that that should be paid from the Prosecutor's Funds.

Cliff Whitehead: I, I would beg to differ. I don't think there was a direction either way from the State Board of Accounts. They in fact said that they would not make any recommendation whether, and by whom it should be paid.

Debbie Stevens: Okay.

Cliff Whitehead: So, I think that is a mistake.

Debbie Stevens: Okay. I stand corrected. I'm not sure that, that State Board of Accounts would have taken a position that that's how, or you directed him to pay from his own funds, right?

Cliff Whitehead: I did not.

Debbie Stevens: Oh, okay. I'm sorry. There was an email that forwarded that just said, "Lori from State Board of Accounts said it could be paid from his funds and that Council could later appropriate if they needed to."

Cliff Whitehead: I was asked if it could be paid.

Debbie Stevens: Okay.

Cliff Whitehead: And it could be paid. It was not required to be paid from his fund.

Debbie Stevens: Okay, I think I just misunderstood from the email. But I did want to clarify from the email and it's clear and it's clear from the SBOA's, State Board of Accounts, Karen Wills audit of that Claim that the Auditor's Office did not cause the late fee. And so it's gone on record that we did. So I just want to make sure that you're aware that it did not have to, I have an audited Claim from State Board of Accounts that says clearly that the Claim was submitted to our office on December 12th. That was six (6) days past the due date, and that was the cause of the late fee. So, I have these, but I will certainly follow up with emails to all of you with the same. Do you have any questions?

Gary Meyer: Okay.

Charlie Christmas: I just got a statement to make. I read somewhere, I think it was part of the emails you sent out about this...

Debbie Stevens: Um hum.

Charlie Christmas: That stated you had a right to hold invoices, you know, to be approved. Now didn't make no bones about that but they also said the County Commissioners could pass an Ordinance saying whether you approve them because of them being late or whatever, you would have to send them on over to the Commissioners.

Debbie Stevens: Oh, I do. Yeah. That's...

Charlie Christmas: But I mean some of them got held up. Like this one (1) got held up and got a penalty cause you sent it back to him.

Debbie Stevens: No, no. That's not the case at all, Mr. Christmas. The penalty was incurred because the November invoice was paid, was paid late.

Charlie Christmas: That's what I know.

Debbie Stevens: It was submitted to us late. It wasn't paid late. We paid it when we received it. The invoice was submitted to our office on December 12. It was due on December 6th. That's clearly six (6) days late.

Charlie Christmas: I'd say that's a little late. I'll have to agree with that. But I'm just saying...

Debbie Stevens: That incurred, thus they incurred the late fee.

Charlie Christmas: But they're also saying any bills. That just brought it to light.

Debbie Stevens: Pardon?

Charlie Christmas: According to the way I read the email that County Commissioners could do that, where you would be forced to send all that over to them and they approve them and pay 'em. Then it's not your problem, it's their problem.

Debbie Stevens: Okay. I will explain. At the bottom of this claim there is IC Code, IC 5-11-10-2, that says, I hereby, I the Auditor, certify that the attached invoices or bills are true and correct and I have audited the same in accordance with, with IC 5-11-10-2. That means this claim passed all of the criteria that I have to apply to every claim. It doesn't matter where the claim comes from, who it's from, I apply the criteria. If something is incorrect, then it does have to go back to the Office Holder for that to be corrected.

Charlie Christmas: I'm not disputing that at all. That's, I'm not disputing anything you said.

Debbie Stevens: Okay.

Charlie Christmas: I'm just saying that that's what they said on their email, State Board of Accounts, the County Commissioners could, we don't have that Ordinance here, could pass an Ordinance that says no matter what happens, you would have to send the bill on over to the Commissioners.

Cliff Whitehead: I think...

Debbie Stevens: Well, I, even if there's a Claim that I, I say it has met all the criteria and it is accurate, but say perhaps this particular one (1) because we don't have a policy for paying late fees...

Charlie Christmas: I know, that's what I said.

Debbie Stevens: I just send it to the Commissioners.

Charlie Christmas: That's what I said.

Debbie Stevens: And it's up to them to approve or disapprove.

Charlie Christmas: Yeah, that's what I just said. I made that statement.

Debbie Stevens: And that's what I do, Mr. Christmas.

Cliff Whitehead: I think what Mr. Christmas is talking about is you said if something's not correct it must be sent back to the Department Head. I think that's the disconnect. My reading of the statute, it does not have to be sent back to the Department Head. It could be just sent on to the Commissioners.

Debbie Stevens: But this is saying it's true and correct.

Cliff Whitehead: Yeah, you don't have to certify it. You could...

Debbie Stevens: No, I don't.

Cliff Whitehead: Yeah, you can, not certify it and turn it in to the Commissioner's Office.

Debbie Stevens: Absolutely. That's correct. And sometimes I do that. Yeah, because there may be a reason, a lack of a policy, or something that allows me to certify tax payers paying for something that we really don't have direction for. So I, I just stamp Non-Certified, send it on to the Commissioners.

Charlie Christmas: That's what I...

Debbie Stevens: Absolutely.

Ted Metzger: The Ordinance that Charlie Christmas is talking about doesn't exist.

Charlie Christmas: What's that?

Debbie Stevens: No.

Ted Metzger: The Ordinance that you're speaking about, referring to, doesn't exist.

Charlie Christmas: I said, I just said it doesn't exist.

Ted Metzger: Right. So she's not required by it.

Charlie Christmas: I just said she hasn't done a thing wrong. I said it doesn't exist. I said the Commissioners could, the word was could…

Ted Metzger: Um hum.

Charlie Christmas: Pass an Ordinance.

Ted Metzger: They could.

Charlie Christmas: And that's still a fact.

Ted Metzger: Until they do, this conversation's irrelevant.

Charlie Christmas: No, that's, you brought the conversation up, Ted, not me.

Ted Metzger: No, you did.

Debbie Stevens: Well, I hope that the Commissioners will get something in place to help us out with these situations.

Gary Meyer: Okay, there you go. Thank you.

Debbie Stevens: Thank you. You don't have any more questions? Thanks.

Gary Meyer: Thank you. Anyone else from the public like to address the Council? Any Council Member have anything to bring up? Only thing I will bring up is that our next meeting will be the second Thursday, instead of the first Thursday in July. Be July 13th.

Krystal Powless: Does anyone remember why we moved it?

Gary Meyer: I don't remember why we did it. But…

Brad Overton: It was me.

Gary Meyer: Was it you?

Krystal Powless: So July 13th?

Gary Meyer: It'd be July 13th.

Krystal Powless: Okay.

Gary Meyer: The second Thursday. Okay

Charlie Christmas: We'll blame you for everything, Brad (inaudible).

David Hachmeister: Inappropriate right here but we've got a group of people here For Legion baseball home games, we do not have anybody to run the concession stand yet. So any youth groups, adult groups would be interested, give me a holler. Thank you.

Gary Meyer: You're welcome. Anybody else? Looking for a motion.

Paul Rudolph: Motion.

Brad Overton: Motion.

Charlie Christmas: (Inaudible).

Gary Meyer: Meeting's adjourned.

ADJOURNMENT: Meeting adjourned at 6:42 PM.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

Greg Richmond, Vice President

David Hachmeister

Brad Overton

Ted Metzger

Charles R. Christmas

Paul Rudolph

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

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

'UND	APPROPRIATION NUMBER	DESCRIPTION	AMOUNT REQUESTED	AMOUNT REQUIRED\
.ocal Health Maint.	1168-000-4443.00	Motorized Equipment	$62,530.00	51,505
'otal Local Health Maint.			$62,530.00	51,505
Iealth	1159-000-4220.00	Vaxcare	$809.00	809
	1159-000-4225.00	Animal Expense	$3,392.77	3,392.77
'otal Health			$4,201.77	4,201.77
're-Trial Diversion	2504-000-4314.00	Contractual Services	$19,000.00	19,000
'otal Pre-Trial			$19,000.00	19,000
:hild Support	1000-109-4323.00	Travel	$2,000.00	2,000
	1000-109-4322.00	Postage	$2,500.00	2,500
'otal Child Support			$4,500.00	4,500

'axpayers appearing in the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the tate Board of Tax Commissioners. The Board will make a written determination as to the sufficiency of funds to support the ppropriations made within fifteen (15) days of receipt of a Certified Copy of the action.
.dopted this 1 day of June, 2017

AYE

David Hachmeister
Greg Richmond
Charles R. Christmas
Brad Overton
Paul C. Rudolph

NAY

Motorized Equipment Brad Overton

Ted Metzger INTEREST TAX & SHARE OF BUS.

.TTEST:
Deborah Stevens
Auditor Warrick County

ORDINANCE NO. 2017-01

AN ORDINANCE OF THE WARRICK COUNTY COUNCIL LEVYING AN INNKEEPER'S TAX AND ESTABLISHING A CONVENTION, VISITOR, AND TOURISM PROMOTION FUND

WHEREAS, the Warrick County Council is the fiscal body in and for the County of Warrick, State of Indiana;

WHEREAS, the Warrick County Council desires to promote and encourage conventions, visitors, and tourism within Warrick County; and

WHEREAS, Indiana Code 6-~~18~~-18-1, *et seq.* permits the Warrick County Council to adopt, by Ordinance, a county innkeeper's tax to fund such promotional activities.

NOW, THEREFORE, IT BE ORDAINED by the County Council of Warrick County, State of Indiana, as follows:

I. An innkeeper's tax is hereby levied on every person, as defined by Indiana Code 6-2.5-1-3, engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

1. hotel;
2. motel;
3. boat motel;
4. inn;
5. college or university memorial union;
6. college or university residence hall or dormitory; or
7. tourist cabin.

located in Warrick County ("Innkeeper's Tax").

II. The Innkeeper's Tax does not apply to gross income received in a transaction in which:

1. a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or

2. a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.

III. The Innkeeper's Tax shall be levied at the rate of five percent (5%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under Indiana Code 6-2.5.

IV. The Innkeeper's Tax shall be reported on forms approved by the Warrick County Treasurer and shall be paid monthly to the Warrick County Treasurer not more than twenty (20) days after the end of the month in which the Innkeeper's Tax is collected.

V. All of the provisions of Indiana Code 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the Innkeeper's Tax, except to the extent those provisions are in conflict or inconsistent with the specific provisions of Indiana Code 6-9-18 or the requirements of the Warrick County Treasurer.

VI. The Warrick County Treasurer is directed to establish the Warrick County Convention, Visitor, and Tourism Fund (Fund 7304 – Innkeeper's Tax Collections) in which all amounts received under this Ordinance shall be deposited.

VII. Money in the Warrick County Convention, Visitor, and Tourism Fund shall be used to promote and encourage conventions, visitors, and tourism within Warrick County. Such expenditures include, but are not limited to, expenditures for advertising, promotional activities, trade shows, special events, and recreation.

VIII. Any person, corporation, or other entity described in Section I of this Ordinance shall begin collection of the Innkeeper's Tax on January 1, 2018.

ADOPTED by the Warrick County Council, this 1 day of June, 2017.

WARRICK COUNTY COUNCIL

Gary Meyer, President

Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

Paul Rudolph

Brad Overton

Ted Metzger

ATTEST:

Warrick County Auditor