WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
October 4, 2018
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 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: Yep.

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: *(Councilman Rudolph was not present for this meeting).*

SUPERIOR COURT BUSINESS DISCUSSION

Councilman Meyer: Okay. First item on the agenda has been asked to be removed. Superior Court Business was a discussion. It has been asked to be taken off the agenda.

Krystal Powless: It's been asked to be tabled.

Councilman Meyer: Huh?

Krystal Powless: It's been asked to be tabled.

Councilman Christmas: Tabled.

Councilman Hachmeister: Second.

Councilman Meyer: Okay. We'll table it. All those in favor of tabling? Opposed? Motion carries six, zero (6-0).

Councilman Richmond: David seconded it?

Krystal Powless: David.

Councilman Christmas: David.

Councilman Meyer: David. I didn't even get who made the motion.

Councilman Christmas: I did.

Krystal Powless: (Inaudible).

Councilman Christmas: Get with the program, Meyer.

Councilman Meyer: I know.

APPROVAL OF MINUTES
SEPTEMBER 6, 2018 REGULAR SESSION
AUGUST 21, 2018 BUDGET SESSION

Councilman Meyer: Okay, New Business, Approve Minutes, Regular Meeting, September 6, 2018 and the Budget Session August 21st.

Councilman Richmond: I have not finished reading the Budget Session since it's so many pages. I got through September 6th.

Councilman Meyer: Okay.

Councilman Hachmeister: Well, I do have a question.

Councilman Meyer: Okay?

Councilman Hachmeister: Why do they call it Minutes if it takes over an hour to read?

Councilman Meyer: Well, it says, 'Minutes,' plural.

Councilman Hachmeister: (Inaudible).

Councilman Meyer: Yeah.

Councilman Christmas: Think of the poor little girl that had to type all that.

Councilman Overton: I guess that's (inaudible).

Kristine Georges: Amen.

Councilman Meyer: Did you make a motion to approve the September?

Councilman Richmond: I make a motion to approve September 6th.

Councilman Meyer: Motion made to approve September 6th, Regular Meeting.

Councilman Metzger: I'll second that.

Councilman Meyer: And seconded by Ted. All those in favor? Opposed? Motion carries six, zero (6-0). What? Do you want to table the Budget Session Minutes?

Councilman Richmond: I would prefer to table it one (1) more meeting.

Councilman Overton: Is that a motion, Greg?

Councilman Richmond: Motion to table.

Councilman Overton: I'll second it.

Councilman Meyer: Motion made by Greg and seconded by Brad to table the Budget Session for August 21st. All those in favor? Opposed? Motion carries six, zero (6-0).

PARKS AND RECREATION BUSINESS
OTHER SERVICES

Councilman Meyer: Parks and Recreation Business, Additional Appropriation, Parks and Recreation, Other Services, six thousand seven hundred dollars ($6,700.00).

Ben Labhart: It's actually less than that.

Councilman Meyer: Oh, that's what I like. Would you tell us who you are first?

Ben Labhart: I'm sorry. Ben Labhart, Parks Department.

Councilman Meyer: That's alright.

Ben Labhart: Whenever I talked to Krystal, I'd only gotten one (1) price and I thought it was a little high and I actually only need forty-five hundred ($4,500.00).

Councilman Meyer: Forty-five hundred ($4,500.00)?

Ben Labhart: Yeah, it's for four (4) really big trees. We just…

Councilman Christmas: (Inaudible).

Ben Labhart: It's just four (4) really large trees. Two (2) of them are in the campground, some of them are on Pavilion Road and they're just too, we don't have the equipment to do it. And they need to come down. They're dead, dropping limbs…

Councilman Overton: Second.

Councilman Meyer: Motion made by David and seconded by Brad to approve. Any discussion? All those in favor? Opposed? Motion carries six, zero (6-0).

Ben Labhart: Thank you.

Councilman Meyer: Thank you.

ECONOMIC DEVELOPMENT BUSINESS
TAX PHASE-IN
VISION – PRELIMINARY RESOLUTION 2018-11

Councilman Meyer: Economic Development Business, Tax Phase-In, Vision.

Larry Taylor: Larry Taylor, Economic Development Director. We've got a company, and it's an existing company. And what they're doing is they're expanding their current facility. The Vision is the code name for that company because until their corporation approves all the, all their appropriations, they really don't want that too much in the news. But basically what it is, is an expansion of the current facility at our Industrial Park and it's to fabrigate...fabricate additional products. It's going to employ an additional fifty-four (54) engineers, toolmakers, and machinist within five (5), a five (5) year period. And sales out of this unit go, they're captive to their other manufacturing plants that they have across North America. And what they're doing is they're bringing the making of these tools in-house, some from China, some from other companies. They brought a portion of those in-house before and now this is doubling the size of their facility to bring another portion. It's a five point nine-five million ($5,950,000.00) investment in the building and that gives them an additional thirty-six hundred (3,600) square feet. That building was designed to expand that way when they first built it. And it'll have twenty point four-three million dollars ($20,430,000.00) worth of additional equipment in it. It's very expensive and high technology machining equipment. The timing is that they're going for their approval with their corporation and then the construction would begin immediately after that either fall of this year or early next year. They're excellent jobs. The wages, the average wage starting is thirty-one-twenty-two ($31.22) an hour and then it moves up to, over the five (5) year period, to thirty-five-'o-nine ($35.09) an hour. So they're excellent positions, excellent jobs, and the investment is excellent too. And it's in our Industrial Park where we're trying to attract automotive type suppliers such as this. What the score sheet is, it's scored a ten (10) year tax phase-in. You should have the score sheet in your packets. And the Real that's for personal property and the real property. The abatement would be valued at seven hundred fifty-five thousand ($755,000.00) over that ten (10) year period and with the abatement they still would be paying six hundred fifteen thousand dollars ($615,000.00) in property taxes in that period. But then after that period, it goes to a hundred percent (100%) property taxes. So the recommendation is because of the value and the quality of the jobs, and how it fits in our industrial park, the recommendation of the EDAC and also the Redevelopment Commission was to approve, approve this incentive. And tonight what we're asking for is the Resolution that designates the lot that they're on as an ERA and that's the first step. Then the next step would come in November to finalize it.

Councilman Hachmeister: I thought that already was an ERA?

Larry Taylor: It was, but...

Councilman Hachmeister: (Inaudible) ten (10) years (inaudible).

Larry Taylor: About five (5) years ago, you guys asked, used to we would put ERA's in that didn't 'sunset' and about five (5) or ten (10), I don't know, maybe it was ten (10) years ago now, you guys asked that we put a 'sunset' on them. And this one (1) happens to 'sunset.' So, we have to establish it as an ERA already.

Councilman Richmond: I don't have a copy of the ERA Resolution.

Larry Taylor: Do you have an ERA (inaudible)?

Unknown: The Preliminary Resolution?

Larry Taylor: Yeah.

Unknown: Yeah.

Krystal Powless: Everything else is in their packet. That is not.

Cliff Whitehead: I did review it. We'll make sure you have a copy available. But it's, it's a standard Preliminary Resolution for an ERA. And I spoke to counsel for EDC and Mr. Davis as well.

Councilman Richmond: So would we have it read first, is that the procedure?

Cliff Whitehead: Yes.

Councilman Richmond: I would make the motion to read the ERA.

Councilman Overton: Second.

Councilman Meyer: Motion's been made by Greg and seconded by Brad to introduce and read the ERA, is this it?

Krystal Powless: Yeah, and it's '11.

Councilman Meyer: Resolution 2018-11. All those in favor? Opposed? Motion carries six, zero (6-0). Resolution 2018-11, a Preliminary Resolution declaring an Economic Revitalization Area for Real and Personal Property Tax Phase-In.

Councilman Richmond: (Inaudible).

Councilman Meyer: Now is this the Preliminary, we would vote on this tonight?

Cliff Whitehead: We don't have to vote on this tonight, no.

Councilman Meyer: We don't vote on this tonight?

Cliff Whitehead: No.

Councilman Meyer: Okay. Okay, so we'll come back in November?

Cliff Whitehead: Is that when...?

Larry Taylor: That's my understanding they'll come back in November and finalize it.

Councilman Meyer: Okay. Okay, that's all we have to do?

Cliff Whitehead: Um hum.

Councilman Meyer: That was easy.

Cliff Whitehead: Yes.

BROADBAND – MAINSTREAM FIBER
BOND ORDINANCE
ORDINANCE 2018-06 FIRST READING

Councilman Meyer: Economic Development Business, 4B, Broadband, the Bond Ordinance. Before you explain this, I'd like to ask everybody to make this brief as possible and give us information that maybe is new that we didn't have the last meeting, because we spent an hour and a half (1 ½) on this the last meeting and didn't get a whole lot out of it. So I'd like to just look at new items, new things that Larry could bring up and if any Council member has questions. We do have another meeting scheduled at 7:00 (PM) which is a Public Hearing so we want to get through this as quick as we can. Go ahead.

Larry Taylor: Again, Larry Taylor, Economic Development Director. What we're doing is we're requesting for the First Reading of the Bond Ordinance to utilize an EDC Bond for our County-Wide Broadband Project. This Ordinance has been changed, so the change to what you've seen before was, it's been reduced by two hundred and fifty thousand dollars ($250,000.00). In order to reduce that amount, we're able to use some TIF Funds to take care of some of the expenses. And also, we've reduced some of the contingencies slightly on that. And as you know, it's for a hundred and five miles (105) of backbone fiber. One (1) question that came up last time was the financial stability of the company. And we did have a financial analyst that was the CEO of a Fortune 500 Company go over this. Or he was the CFO of a Fortune 500 Company. And he deemed it as it would be a viable company. And what he did, he took the Performa that they had given us and he expanded on that and then he had several calls with Mainstream to look at, see if their plan was viable. The big thing is they have a very similar project in Harrison County and that project is now off and running and they're starting to see significant revenue from that project because it's been very successful on getting out into pretty much all of the county. And also we have contract provisions for the financial deal that are pretty tight. The main one (1) is a two and a half million dollar ($2,500,000.00) letter of credit that burns off. And then the other thing is we don't pay Mainstream a penny until the system is completely in and operable. So that gives us quite a bit of financial protection. Also came up last time is references. And I sent you guys from the, Harrison County, he's the President and CEO of their Foundation, their Foundation receives a lot of casino type money, and this foundation operates that, recommending this company. Also I spoke with my counterpart there that recommends this company and our consultant spoke with their project manager for the fiber, Harrison County's project manager, who was very complementary of the company. And Randall Pemberton, one (1) of our Board members that's associated with Lynnville National Bank has a contact with one (1) of the largest banks in Corydon over in Harrison County and he spoke with them today and he also had high regards for the project. Also, a question came up as to the coverage, you know, as the backbone routes, and you know Warrick County's a big County, a hundred and eighty-four (184)...eighty-six (186) miles. So, it's very difficult to get everything covered. What we've done is we tried to run it though and our analysis shows that it covers about eighty-two percent (82%) of the population of Warrick County, is accessible to the backbone. But in addition to that, there's this microwave technology that used the LTE System that it's more of a transmitted type technology, and we've been talking with one (1) of the providers of that, and we've also talked with mainstream on that. And what we're suggesting is we take the broadband microwave, excuse me, yeah, the microwave technology, and we do a follow-up program immediately after this that would enable our coverage to reach out into some of the uncovered areas now. And to do that, you know, there's numerous people who do that, so we'd have to do an RFP process and go through that. But the goal would be, you know the goal is always to be one (1) of the best Counties in Indiana and in the Country. And I believe that if we added this second phase to it, it's going to make Warrick County one (1) of the most connected Counties, certainly in Indiana, and probably in the United States, if we do things which gets out to the rural areas as well as the ones that are directly covered by the fiber backbone. Today we have, that's really the difference, and I tried to address some of the things that you guys had brought up. Mark Gabriel and Bryan Gabriel from Mainstream are here as well as Mark Williams. They're the principles of the Mainstream Company. Herb Davis, Jim Morley, Jr. are the people that were on our team as well. And then we have several of our EDAC Board Members in support of this here tonight: Randall Pemberton, Tony Elsworth, Eric Pryor, Paul Perry and Jeff Mulzer are in the audience. And they're all here in support of this project and they're on the EDAC Board that recommended this project. Also, Elberfeld, we have Elberfeld and Lynnville representatives because that's an area of the County that's really going to see great benefit. Both those areas don't even have cable t.v. now let alone internet service and all that. So it's greatly, it's greatly going to improve you know, what they've got available and there's people in the audience from those two (2) communities and also our advisors from Umbaugh, Emma Adlam, Baker, Faegre Baker Daniels, Nick Weber's our bond counsel, and to answer any questions you might have.

Councilman Meyer: Okay, before I call for questions, I will report, Mr. Rudolph couldn't be here. He did call me last night and his concern was that since we have new members of the Council coming up next year, that he had wanted to table this to next year. So I said I would bring that up to the Council and for whatever, for what it's worth. So then we'll ask questions. I do have a question for I guess the bond counsel or somebody with the finances, that's my question. I don't care. We've got so many lawyers in here, I don't know which one (1) it is.

Larry Taylor: I feel underdressed.

Councilman Meyer: You kind of, you kind of, yeah. And I'm not a lawyer, I'm an old man. So keep it kind of simple for me.

Larry Taylor: This is Nick Weber from Faegre Baker Daniels.

Nick Weber: I'm not a lawyer and I'm only slightly younger than you. But I am, but I do Economic Development projects all around the State, so I'm going to try to help you.

Councilman Meyer: My question is, these bonds, will they be sold sooner than later? I mean will they be sold immediately, quote immediately, you know? But we're not going to use the money, I understand for two (2) or three (3) years. Now, my question is, if I go out and buy a bond, and, am I going to be told it's not going to be repayment to me for at least two (2) to three (3) years when I buy the bond? How do I get payment in these first two (2) to three (3) years since we're not paying any interest? I understand we don't pay any interest on that. So as an investor, how am I going to get my money back?

Nick Weber: So the product that you'll be purchasing, the bond product, is called a draw bond. So think of it, think of it more like a letter of credit.

Councilman Meyer: Okay.

Nick Weber: It exists out there with a, I think in this case, the plan is for a financial institution likely to purchase the bond and it will sit there until the County decides that the qualifications have been met.

Larry Taylor: But the interest rate will be locked in.

Nick Weber: But the interest rate is locked in and you're not paying on that principle.

Councilman Meyer: We're not paying on it, but the people that buy the bond, they're not going to get any kind of payment back on their investment?

Nick Weber: Only on whatever portion, there's going to be a small portion initially that you'll pull off of the bond to pay for the process of going through it, and that portion will generate revenue back to the investor. But the principle that's not pulled down, won't generate revenue for the investor.

Councilman Meyer: Okay, well the question then is, will that hurt us in the sale of the bonds because they won't get their investment back for at least two (2) to three (3) years. Is that going to be...?

Larry Taylor: My preference, because we have virtually all the cash to do this, was to do it on one (1) or two (2) year bond. Just an immediate kind of a thing. But we were advised by Umbaugh, who works with Faegre Baker Daniels on this type of thing, that it probably wouldn't be sellable if we did that. So that's one (1) reason why we went out to three (3) years, which would be the minimal amount that a financial institution would need with it.

Councilman Meyer: But you don't think that will hurt the sale of the bonds, that the investor won't get any money?

Nick Weber: I have not heard any concern raised about the salability of this bond.

Councilman Meyer: Okay, that was my question. And thank you for making it simple so I could understand. Anybody else have any questions?

Councilman Metzger: Yes, I have a question. Larry, with this new microwave technology added, what percentage of the residents of Warrick County will receive service?

Larry Taylor: I think you virtually get ninety-nine (99%) to a hundred percent (100%) of it.

Councilman Metzger: A hundred percent (100%) would be good.

Larry Taylor: Cause it, it really, you know, it goes into areas that it's not feasible, cause it's expensive to run fiber. It costs a certain amount.

Councilman Metzger: Right.

Larry Taylor: You can't really run fiber to every household in Warrick County, but if you take the fiber backbone, just like you have a sewer main, you don't run sewer to every house in Warrick County either. But what you do is the backbone always enables other technologies and the difference is, I'm saying that we're gonna institute a project to, that follows right up on this as soon as we get the backbone in, to put that in place so it would cover virtually all of Warrick County.

Councilman Metzger: But the back, the microwave portion is nothing to do with this here?

Larry Taylor: It's nothing to do with this, however, it's kind of a chicken and the egg thing. You could do the microwave portion to some parts of Warrick County, but on some of the parts that you're talking about that aren't covered, especially up in the northern part of the County, you wouldn't be able to do it cause you need fiber anyhow for this for them to hook into. Just like, even a, I don't know if you've heard of 5G cellular?

Councilman Metzger: Um hum.

Larry Taylor: Okay, well that's the same kind of thing that there's 4G and then 5G. But the 5G cell towers have to hook into fiber. So this, if by chance one (1) of the cell phone companies wanted to say, yeah, I want to do 5G in Warrick County. This would enable that as well.

Councilman Metzger: Any kind of wild ball park estimate on how much more this microwave portion of the project would add?

Larry Taylor: Six to eight hundred thousand ($600,000.00-$800,000.00). I mean it, it, it depends, I believe that the microwave thing will come organically, but if we want to set the goal; if we want to be this, you know, cover the whole County and we want to be one the best connected Counties in Indiana, we would do something to speed that process up.

Councilman Metzger: And just rerouting where we run the fiber optic wouldn't take care of that situation?

Larry Taylor: No, because you would have to, you know, where you get a lot of one (1) off people, you can't, it's not feasible to run fiber (inaudible).

Councilman Metzger: Wire to each farmhouse. I understand that.

Larry Taylor: Okay. But it's, I, yeah, it, I think it's a good solution. The microwave guys have been talking to me, and that wasn't a part of our original deal, but then after hearing your guy's concerns, that in conjunction with what we're doing, enables that and then by bringing that into it, which I think it really gives us something to harp about.

Councilman Metzger: That's good, cause we have a lot of constituents out there that need this service. They don't have any service at all and they're not able to do it for themselves and it's up to the government to do for the people what they can't do for themselves. And they need internet. It's almost, I would say, a utility anymore. Everything you do is online. So I'm anxious. I'm not like Paul, I want to get shovels in the ground as soon as possible. So, you know, I'm all for the project right now. If we're going to be able to cover ninety-nine percent (99%) of the residents in Warrick County at the end of this thing. If this is just a selected group, you know, of area. We can't hardly do that.

Larry Taylor: And again, it would be primarily private investment. We would be doing some stuff to help speed that up.

Councilman Overton: Larry, just briefly, we received the letter about the dark fiber and some more of a commitment. What was, can you kind of just briefly touch on that so the audience...

Larry Taylor: Well, that was a question that came up a little bit was, well, what about, could Mainstream our provider, since we've got in the contract that after five (5) years they have to open up the fiber. And I think someone was saying, well, what if they lit the fiber, you know, and is it feasible for them to light it and then say, oh, we don't have anything available for anybody else. Well, I talked to our consultant about that. We talked to Mainstream about that. And it's really not feasible or nobody would really do that. And so, they very quickly offered up doing that little side letter to, to put that in to make you all comfortable.

Councilman Overton: Yeah, thanks. I just wanted you to address that.

Councilman Meyer: Anybody else have any questions? And I guess, you do have a letter on your desk from a gentleman from, that lives in Boonville, Zack Southerd or Southard, and he's very supportive of Mainstream. And so I just wanted to tell you that that's what that letter's all about. I guess we're looking for a motion to introduce Ordinance 2018-06.

Councilman Overton: I'll make a motion to introduce Ordinance 2018-06.

Councilman Christmas: Second.

Councilman Meyer: Motion made by Brad and seconded by Charlie? Charlie to introduce Ordinance 2018-06. All those in favor of the motion? Opposed? Motion carries six, zero (6-0).

Larry Taylor: Thank you. Thank you, guys.

Councilman Meyer: Thank you. Ordinance number, I just read the title?

Cliff Whitehead: Yes.

Councilman Meyer: 2018-06, an Ordinance of the Warrick County Council authorizing Warrick County to issue it's taxable Economic Development Revenue Bond Series 2018 Broadband Project and authorizing and approving other actions in respect thereto. Having read this, I guess we need a motion and then it will be brought back to us for the final...

Larry Taylor: We'll schedule the final reading.

Councilman Meyer: Schedule it, yeah.

Councilman Richmond: Motion.

Councilman Christmas: Second.

Councilman Overton: Second.

Councilman Christmas: Whatever.

Councilman Meyer: Motion made by Greg and seconded by Charlie to approve. Any discussion? All those in favor? Opposed? Motion carries six, zero (6-0).

Councilman Overton: And I'd just like to thank Larry for coming up with an additional plan, you know, some refinement to that additional plan and I think that you can see that that seems to at least resolved a lot of the concerns that some of us have had about that last weekend. I appreciate that Larry.

Larry Taylor: Well, thank you.

Councilman Metzger: And the Economic Development Boards too, cause this is, this is a gem. I think this is going to be great for Warrick County eventually. We've just got to get it done right.

in this agreement and that they will maintain it.

Larry Taylor: Yes, Sir.

Councilman Meyer: And that's, I don't know what there is to maintain about it. Hell, what do I know? But as long as they're going to maintain it, that's a good thing too. So, okay, Economic Development, Highway Business, Additional Appropriation, Economic Development, Prospect Drive, four hundred fifteen thousand dollars ($415,000.00).

Larry Taylor: Did you miss one (1)?

Councilman Hachmeister: Gary?

Councilman Meyer: Did I miss one (1)?

Larry Taylor: Yeah, you did.

Councilman Meyer: I'm sorry.

Councilman Overton: Just a small thing.

Larry Taylor: (Inaudible).

Councilman Meyer: Where? Assisted Living? Where is it? I don't have it?

Cliff Whitehead: 4C.

Councilman Overton: 4C.

Councilman Meyer: 4B? Do I have a 4C here?

Councilman Overton: No, you don't.

Councilman Meyer: Well, I've got another one (1) here. I apologize. I'm sorry. I'm senile, but not that bad yet.

Councilman Christmas: You're getting close though.

ECONOMIC DEVELOPMENT
NEWBURGH ASSISTED LIVING
ORDINANCE 2018-07 FIRST READING

Councilman Meyer: Economic Development Business, you're still up. 4C, Newburgh Assisted Living, Bond Ordinance. There you go.

Larry Taylor: This is a similar bond for an Economic Development Bond. However, in this case, we don't pay. We're not the ones on the hook to pay it. It's an independent living/assisted living facility. It's to be located across from the Islamic Temple on Grimm Road. It's in a good site. It's a visible site. It's about a fifteen million dollar ($15,000,000.00) construction cost and by the time you put all the equipment in it and everything, it will be twenty-five point eight million dollar ($25,800,000.00) investment. A hundred and twenty (120) units, forty-nine (49) full time employees. It is in our medical area that we targeted for medical development. There's no tax abatement that will be requested for this. So it will go on the tax rolls immediately. We believe it's a good project and our Board recommends approval, approval of that tonight. To answer any of the more detailed questions, and to give you a little bit more background is Matt Carr, attorney for the development, from Quarles and Brady. He specializes in this type of senior living development. John Kirkwood is also with Faegre Baker Daniels; we should have had a bus coming down from there tonight. And he's their project bond counsel. Ed Patton from Horve Construction is in partnership with that, the construction company. And Rick Banas who is the facility management company that will be actually operating the facility. So I believe Matt, I'll turn it over to Matt Carr.

Councilman Meyer: Thank you.

Matt Carr: Hi, good evening, I'm Matt Carr. I'm counsel for the, for the development group here. I'll give you a little bit of background on this, on this project. I did hand out a presentation and we're not going to go through all thirty-five (35) of these pages.

Councilman Meyer: Thank you.

Councilman Overton: This is your power point, isn't it?

Matt Carr: Yes. And then, so I'll give you the background and I'll turn it over to John Kirkwood, the bond counsel to the development to get into the bond financing for this project. As, again, this is a proposed affordable assisted living project to be located in Newburgh on Grimm Road and Rabbit Run Road. And when we say affordable, this is a project that is targeted at those sixty (60%) to seventy percent (70%) of seniors that are unable to afford market rate assisted living. So this, so this, this particular facility is being financed in such a way as to support a significant number of the, of the residents in the apartments having their services supported through Medicaid. And this is consistent with Indiana policy to transition those seniors that are in need of assistance of the activities of daily living to transition them from more high cost institutional care nursing homes to a more home and community based setting like an assisted living facility. And just a couple things to highlight here and then the presentation on Page two (2). One (1) of the things that we mention there is in typical Medicaid costs for a nursing home is a hundred and eighty-six dollars ($186.00) a day. You look on Page 3, for assisted living project depending on the level of care that's required, the cost is anywhere from seventy-one ($71.00) to eighty-six dollars ($86.00) a day. So significant cost reduction to the, to the State and Federal government with a facility like this. And also it's, and studies typically show twenty (20%) to forty percent (40%) of seniors that are in nursing homes could be better cared for and more cost effectively cared for in an assisted living facility. So that, this also addresses that, that issue as well. Page four (4), this is going to be a twenty-five to twenty-six million dollar ($25,000,000.00-

$26,000,000.00) development. It's being financed through the four percent (4%) tax credit program. One (1) of the caveats with that program though is that at least fifty percent (50%) of the development costs have to be financed through tax exempt bonds. So that's why we're here this evening to get the support of the County for that tax exempt bond issuance. Page seven (7), this, as far as demand is concerned, there've been two (2) independent markets that have shown significant demand for this project. One (1) of the things to note, of nearly thirteen thousand five hundred (13,500) people age sixty-five (65) and over, living in this area, at least thirty-one hundred (3,100) of them have difficulty living independently. Again this is only a one hundred twenty (120) unit facility. So there's more than, more demand than's actually gonna be provided with this facility. Pages eight (8), nine (9), and ten (10), is just a little summary of the members of the development group. Again, Horve Construction, Ed Patton is here from Horve Construction. And then Guardian Management Solutions, Rick Banas is here. Page fourteen (14), so the overview, this will be a licensed residential care facility, three (3) stories, one hundred twenty (120) apartments. Mixture between studios and one (1) bedrooms. Facility like this typically, and this facility is no different, they'll have a significant amount of common, common area. There'll be a commercial kitchen. There'll be a large dining room. Some of the, Page fifteen (15), features and amenities, these will be private apartments, kitchenettes. Typical features that you would anticipate in a, for a senior facility. Typically, by the way, on typical resident at this facility will be eighty-two (82) years old. Page sixteen (16), building amenities, again the large dining room, private dining room, activity rooms, beauty, beauty salon, convenience store, exercise area, services, three (3) meals a day plus snacks. The residents will have the assistance of housekeeping, laundry, personal assistance, medication reminders, transportation, wellness, social, and recreational programs. Page eighteen (18) is a visual of the facility location. And of course the nice thing about this particular facility is its proximity to nearby medical services. Page twenty-one (21) has a nice rendering of the facility; twenty-two (22) is the site plan. There is incorporated into the site plan, you'll see that there's walking trails and there's outdoor areas for the residents. You can see various floor plans and also the plans for the studios and one (1) bedroom units as well as the elevations. Benefits to Warrick County, with respect to this property, and those benefits really fall into two (2) different categories. First of all is what I would call the community or charity benefit that's being provided by this project and also the economic development benefit from the permanent and temporary job creation. With respect to the community or charity care benefit, based upon the projected, we're anticipating one point two to one point three million ($1,200,000.00-$1,300,000.00) annually in community benefit to Warrick County from this project. And we did, in your packet there on pages thirty (30), and, thirty (30), thirty-one (31), thirty-two (32), yeah, thirty (30), thirty-one (31), and thirty-two (32), we calculate that benefit. And essentially what that is, we look at what a, what would we charge for market rate or private pay assisted living project, and what this development group is going to receive for this facility on the basis of their willingness to receive reimbursement through the Medicaid Program. And that's how we, that's how we calculate that. In terms of the job creation, forty-eight (48) full time employees. On stabilization, anywhere from eighty-six (86) full time and part-time employees jobs total. And then again construction costs of around fifteen million ($15,000,000.00) for this facility. Any questions as far as the background on this facility?

Councilman Meyer: I just want; do we have any facilities in the County that supply the same services that you do? That you will?

Matt Carr: Not in Warrick County.

Councilman Meyer: Okay.

Matt Carr: It's, it's unusual for the assisted living facility to be willing to take Medicaid. Typically, what we see is, these are facilities that they have to be financed in such a way from the start to be able to make, to make that financially feasible. There is a project that's under construction in downtown Evansville right now that is an affordable assisted living project. And I think that's about six (6) months away from opening?

Unknown: Somewhere in that area.

Councilman Meyer: I just, I was going to ask, because I know a lot of these nursing homes have Medicaid people. But they're not assisted living, correct?

Matt Carr: Correct, yeah. They're, yeah. And that's...

Councilman Meyer: That's the difference.

Matt Carr: And I'm not the biggest fan, and nursing homes are not the biggest fan of me. Again because twenty (20%) to forty percent (40%) of residents in nursing homes could be better cared for, more cost effectively cared for in a facility like this. Unfortunately, in a number of communities throughout the State, they don't have this option. And there's no choice for the, for those seniors that, but to go to a nursing home.

Councilman Richmond: I have a question, is this only for Medicaid, people who are on Medicaid? Veterans, can that figure in on Veteran's assistance? Is it only Medicaid patients that you'll have? Residents?

Rick Banas: I can respond to that. Rick Banas from Gardant Management Solutions. No, it's not only Medicaid Residents. We will have individuals who can afford to pay privately but choose to live in the community. Many times it is individuals who may have limited income, some assets, but they feel that they don't have enough in the way of financial means to risk going to a private pay assisted living community because they're concerned about running out of money. Veterans, yes, we will be able to handle Veterans as well. The key is that the individual needs some assistance with activities of daily living but they don't need nursing home care.

Councilman Meyer: I would like for you, I guess it'd be you, to reaffirm that the County, even though it supports this, it's not financially obligated at all. Reaffirm that. I have heard it several times, but I want to hear it again.

John Kirkwood: I'll be brief. John Kirkwood with Faegre Baker Daniels. I've been a bond lawyer for thirty (30) years and I know the answer to your question.

Councilman Meyer: Great.

John Kirkwood: The bonds are being issued under the same Statute that permitted you to create your Economic Development Commission. It's Statute that provides for a conduit bond issue, which means basically are issued in the name of the County, but the County has no liability, responsibility for payment. I'm going to read something from the

payable as to principle and interest solely from payments made by the Company, pursuant to the loan agreement and the note issued thereunder. And upon such terms as otherwise provided the financing of the documents and the Ordinance. The bond shall never constitute the general obligation of an indebtedness of or charge against the general credit of the County or the Commission or loan of the credit thereof within the meaning of any constitutional statutory provision." In the last couple of months, your Counsel, Cliff, Todd Glass from Fine and Hatfield, we've worked on the documents, we've worked on the Resolutions and Ordinances and they are peppered with basically any, any notion that this would be an obligation of the County. It's not the case. Under Indiana Statute, it can't be an obligation of the County. So there's no charge on your credit. It's a private payment made by the developer to pay the bonds. And that comes from rental and the Medicaid payments that they received. So there's absolutely no liability to the County on this bond.

Councilman Meyer: I guess they had to meet certain requirements from the State in order to get this status?

John Kirkwood: Yeah, the bonds are issued as tax exempt bonds by a mechanism established by the Federal Government where each State gets what called Volume Cap and that's per citizen so many dollars and cents. So for these bonds to become tax exempt, we have to go to the Indiana Housing and Community Development Authority, submit a very lengthy application, eighty (80) or ninety (90) pages. Their Board reviews it and determines whether or not they feel it has merit to receive this Volume Cap and the tax credits that come along with it. The Indiana Housing Development Authority, Housing Community Development Authority in fact made that positive determination and allocated to this project, this Volume Cap which again permits the bond be tax exempt for Federal Income tax purposes.

Councilman Meyer: Okay. Thank you.

John Kirkwood: Maybe a couple more points of order, it's important to know, these bonds are construction bonds. The developer has arranged though the Federal Housing Administration to get a Federal Insured Mortgage. So once the construction period is over, these bonds will be retired. And so really it's a riskless venture for you folks cause all you are doing is issuing these conduit bonds that will be there until construction is complete. At which time the FHA mortgage will be put on the project, the bonds will be paid off, and you guys will be out of the picture completely.

Councilman Meyer: That sounds good.

Matt Carr: Yeah. So anyway, I guess the Ordinance is in front of you. I've read a couple of important, pertinent pieces of the Ordinance. CitiBank Global Capital Markets, a division of CitiBank in New York is the bond underwriter. They will buy the bonds at closing and then sell them to their investors. Like I said, the investors will have the bonds for three (3) years and it will be paid off. So it's a pretty straight-forward simple transaction, unlike where you've got fifteen (15), twenty (20), thirty (30) years of bonds outstanding. So interest rates on the bond are very low but the Ordinance says not to exceed six and a half percent (6 ½%) and it will probably be three (3%) or four percent (4%) because the maturity is so short. Other provisions of the Ordinance are basically just reflective of the bond documents that again Cliff and Todd and I have spent countless hours on. And they have signed off on the documents of the Ordinance. So I think we're ready to proceed. I can answer any questions you might have.

Councilman Richmond: I have a question. Do we introduce this? And then...

Cliff Whitehead: For First Reading.

Councilman Richmond: For First Reading and next meeting Second Reading?

Cliff Whitehead: I'm not sure if they want to bring it up next meeting or the December meeting. I don't know.

Matt Carr: I think we want to bring it up at the next meeting for Second Reading and hopefully suspend the rules and you know, do the Third Reading at the same time. So that way we can close by the end of the year in the month of December.

Councilman Meyer: Okay.

Matt Carr: That's our goal.

Councilman Richmond: I make a motion to introduce Resolution EDC 2018-01.

Cliff Whitehead: Actually, we want to do the Bond Ordinance.

Councilman Richmond: Bond Ordinance?

Cliff Whitehead: Yes, which is 2018-07?

Councilman Meyer: '07.

Councilman Richmond: Whatever that was, I'll take it.

Councilman Meyer: Okay. Motion made by Greg. Is there a second?

Councilman Overton: Second.

Councilman Meyer: And seconded by Brad. Any discussion? One (1) thing I'd like to bring out is back in May, we approved 2018-01, which is a Resolution and I assume that was just so you guys could get started on the project?

Matt Carr: That's correct. State and Federal law requires that you come in and get a preliminary approval from you so that we can actually recover the costs we expend between then and now from the proceeds of the bond when the bonds are issued. Just a cork in the wall.

Councilman Meyer: I understand. Okay, thank you. But that is 2018-01 is a Resolution. So this is the Ordinance. Okay, we have a motion by Greg and seconded by Brad. All those in favor? Opposed? Motion carried six, zero (6-0).

Matt Carr: Thank you very much.

Councilman Meyer: Thank you. Welcome to Warrick County.

COMMISSIONER/ECONOMIC DEVELOPMENT/HIGHWAY BUSINESS PROSPECT DRIVE

Councilman Meyer: Okay, can we get back on track now?

Councilman Christmas: I hope you can, Gary.

Councilman Hachmeister: You got that?

Councilman Meyer: I got it. Commissioner/Economic Development/Highway Business, Economic Development, goodnight, gentlemen.

Councilman Hachmeister: You guys are going to miss the drawing.

Councilman Meyer: Yeah, door prizes will be given out later. You're going to miss the door prizes.

Councilman Christmas: I told you, they're all lawyers.

Councilman Meyer: Okay, we have Prospect Drive, four hundred fifteen thousand dollars ($415,000.00).

Commissioner Saylor: Hi, good evening.

Councilman Meyer: Commissioner, how you doing?

Commissioner Saylor: Good, Dan Saylor, Warrick County Commissioner. You guys have any questions for me? We're here to seek the money for the south location of the Highway Garage and the, to store the Storm Water equipment. It would be a Storm Water location too, south. We talked about putting a fueling station in down there to increase productivity, save costs, and we anticipate the Sheriff's Office being able to utilize that. It would be put on a card swipe system. So, it would double the size of our salt storage capacity. If we can't get that salt inside and under, under cover, we have to spend a lot of time and money on throwing sand on it to utilize that so it doesn't, doesn't rock up, so to speak or clump up. It would allow additional space for storage of equipment to be stored indoors. A lot of the Highway equipment is stored outdoors and that depreciates the life of the equipment severely. So we're really not asking for any money from Rainy Day Fund or anything like this. We've kind of set a budget of a million dollars ($1,000,000.00). You guys have already approved eighty-five thousand ($85,000.00) to buy some acreage last year. But we felt like that wasn't the best benefit and getting with the developer, and abating part of, removing a part of Prospect Drive will allow them to increase development and housing. And with the additional housing that they're able to build, the return on investment would be three (3) to five (5) years. And I know return on investments are not used a lot in County Government, but this is a project that will eventually pay for itself.

Councilman Hachmeister: I didn't think you were going to do this until after the first of the year or want any money, and then do it in phases.

Commissioner Saylor: Well, I mean we could do it in phases. It might, you know, cause we have to do the salt barn. We have to do some ground work obviously. And to get a level...

Councilman Hachmeister: You gonna use the (inaudible) Prospect Drive?

Commissioner Saylor: Right, we could, we could do it, all the ground work, below ground and ground work, and the salt storage barn. I think Bobby would like to maybe try to utilize that this season. And then, you know, do the buildings and the fueling station at a later date.

Councilman Meyer: Just as a question, what if it doesn't cost that much? Does the money revert back to these funds? Huh?

Krystal Powless: Yes.

Councilman Meyer: They will? Okay. Alright, we have on the Prospect Drive from Economic Development a request for four hundred fifteen thousand dollars ($415,000.00). Is there a motion?

Councilman Richmond: I'll make a motion.

Councilman Meyer: Motion made by Greg. Is there a second?

Councilman Metzger: I'll make a second.

Councilman Meyer: And seconded by Ted.

Councilman Richmond: In the long run I think it'll save gas. It saves a lot of problems with them having to travel back and forth long distance.

Commissioner Saylor: Just right now, if you have a Highway worker that needs to use the restroom, they load up four (4) guys and head to Boonville. Very inefficient.

Councilman Meyer: Oh, I think it's going to be helpful. However, I would like to just give a forewarning to the new council people that we haven't said anything about Jail in any of this. And we're spending a lot of money out of Economic Development which I thought was where the Jail money was going to come from. So just to be cautious of how much. I know that's got plenty of money, and that's not a problem, but we do have to think about a Jail.

Commissioner Saylor: And you know, Gary, I talked to the Sheriff, oh, I don't know, it's probably been several months

Councilman Meyer: Yeah.

Commissioner Saylor: So, we're aware of that.

Councilman Meyer: I just want to keep everybody aware of that.

Commissioner Saylor: Yeah, and I understand, cause that's going to be a big ticket item. But I think there's things that, that he can do or that the new Sheriff will be able to do and I'm not for kicking the can down the road, but it would be nice if we could, if we could kick this can down the road 'til we get this Courthouse Renovation paid off.

Councilman Meyer: Well, yeah, that's true. Okay, we have a motion on the floor made by Greg and seconded by Ted to approve. All those in favor? Opposed? Motion carried six (6)...five, one (5-1 with David Hachmeister opposing). David.

COMMISSIONER/HIGHWAY BUSINESS
EDIT ROADS
PROSPECT DRIVE

Councilman Meyer: Okay, Additional Appropriation, EDIT Roads, Prospect Drive, two hundred thousand dollars ($200,000.00).

Councilman Richmond: Same thing, isn't it?

Krystal Powless: Yeah.

Councilman Hachmeister: Yeah.

Councilman Meyer: Same thing.

Councilman Richmond: Motion to approve.

Councilman Meyer: Motion made by Greg. Is there a second?

Councilman Metzger: Second.

Councilman Meyer: Seconded by Ted to approve. Any discussion? Yeah. I haven't had a Commissioner since I've been on the Council that hasn't said you need money for roads. We've even had to borrow money from ourselves. They've tried to get us to borrow money from the State for money for roads. And now we're taking money from roads for this project. And I just wonder, you don't need that money for roads?

Commissioner Saylor: Well, we can use all the money we can get for roads.

Councilman Meyer: I understand that.

Commissioner Saylor: But I think we've made great headways on roads.

Councilman Meyer: I'm not saying you haven't. I'm just saying, I guess what I'm worried about is next May or June, you're going to want to come back and ask the Council for two hundred thousand dollars ($200,000.00) for roads since we've already spent two hundred thousand dollars ($200,000.00) out of roads. That's my concern.

Commissioner Saylor: I'm not. Bobby might, but I won't.

Councilman Meyer: Good passing the buck. I like that. My concern is that and the next item also, Storm Water.

Commissioner Saylor: And, and, and I understand that. I think though, Gary, you got to have, you've got to have good equipment to get those projects done. I think this secures the equipment.

Councilman Meyer: I agree.

Commissioner Saylor: It prolongs our equipment. If there's cost savings in it as far as productivity and dollars. And there's not too many times you can do things that you can capture both of those. And I think in the long run, it will pay off. I really do.

Councilman Overton: So the four-fifteen ($415,000.00) is going towards the establishment of the salt barns and ...?

Councilman Hachmeister: It's a lump sum.

Commissioner Saylor: It's all towards the project, Brad. If you, if you...

Councilman Overton: I didn't know what we were, like, I thought that was maybe the initial thing you were trying to get done first, the salt...

Krystal Powless: No, (inaudible).

Councilman Meyer: They want the whole, whole...

Commissioner Saylor: Cause we have to do some underground work and dirt work, sewer, water line, dirt work, and then as you start putting assets out there, you've got to get fence around it. So it's...

Councilman Meyer: If you guys, if Bobby comes back wanting two hundred thousand dollars ($200,000.00) for roads, I may come back to haunt him. I can just see that happening. That and Storm Water both. And then they'll blame us cause we spent the money.

Commissioner Saylor: Hopefully, hopefully, we won't have a bad winter. Cause that's the biggest...

Councilman Meyer: Well, true.

Councilman Christmas: We're gonna have one (1).

Commissioner Saylor: I hope you're wrong, Charlie.

Councilman Christmas: (Inaudible).

Councilman Metzger: We didn't spend it. The Commissioners spend it. This is Commissioners' business.

Councilman Meyer: Well, there you go. I like that too, Ted.

Councilman Hachmeister: Well, we also converted (inaudible). We went from fifty-fifty (50/50) to sixty-forty (60/40) on the roads, it's run out.

Councilman Meyer: Right. It's run out.

Councilman Hachmeister: We also changed that ten percent (10%) to allow you to have dollars for roads.

Commissioner Saylor: That's right.

Councilman Meyer: I know that. Okay, we have a motion made by Greg and seconded by Ted to approve the two hundred thousand dollars ($200,000.00) from EDIT roads. All those in favor of the motion? Opposed? Motion carried five (5), one (1).

Councilman Overton: Two (2).

Councilman Christmas: Two (2).

Councilman Meyer: Who was the other one (1)?

Councilman Richmond: Brad.

Councilman Meyer: Oh, I'm sorry. Okay, four, two (4-2 with David Hachmeister and Brad Overton opposing).

Councilman Metzger: (Inaudible).

Councilman Meyer: Four, two (4-2).

Cliff Whitehead: (Inaudible).

Councilman Metzger: David and Brad.

Cliff Whitehead: David and Brad.

COMMISSIONER/STORM WATER/HIGHWAY BUSINESS
STORM WATER
BUILDING PROJECTS

Councilman Meyer: Okay, Commissioner/Storm Water/Highway Business, Additional Appropriation, Building Projects, three hundred thousand dollars ($300,000.00).

Commissioner Saylor: Same thing.

Councilman Meyer: Same thing with me, too. I mean we're not gonna be doing projects for that three hundred thousand dollars ($300,000.00), correct? Now that we spend it there. I mean, right?

Commissioner Saylor: You know; he's worked this in his budget. So, and he's not here today to actually...

Councilman Meyer: I'll haunt him too if he comes back asking the Council for more money. That's my main concern. I mean, I'm not saying we don't need this project. I think it'd be a good one (1) and I think it will save us money. But the money we're taking out of these projects are, are eliminating projects that we could be doing for the citizens of the County.

Commissioner Saylor: So you are saying you'd rather pay this out of Rainy Day?

Councilman Meyer: I did not say that.

Commissioner Saylor: Oh.

Councilman Meyer: You're going to tell me how you want it paid out of. I didn't say that. I just don't want you to come back next year and want additional appropriations for the same thing we're doing tonight. That's all I'm saying. And you watch them.

Councilman Richmond: Storm Water's pretty healthy.

Councilman Meyer: I know. All these funds are healthy.

Councilman Christmas: (Inaudible).

(1) time.

Councilman Christmas: Yes, we were.

Councilman Meyer: So, okay. Is there a motion?

Councilman Metzger: I have a question first. The building projects, that, can you be a little more specific on that? That's a little vague on the Storm Water.

Krystal Powless: (Inaudible). That's where we requested it. He's using a portion of the money towards the salt storage building. They're going to utilize that building also.

Councilman Metzger: Right.

Krystal Powless: So this is just the line item he's going to pay his portion from.

Councilman Metzger: Okay, for the total project?

Krystal Powless: Correct.

Commissioner Saylor: Ted, that's gonna be a large building. We're gonna cut it in half by offices. It's gonna be a Highway Office, bathroom, restroom, and a Storm Water Office. Storm Water will report to there instead of Boonville. Most their work is done in District 1 anyway. So they'll report there. So then in our Highway crew, in my understanding, Bobby will have a reporting there rather than going to Boonville, spending a half (1/2) hour just in travel time to get to District 1. So, it will mainly be the District 1 location for Highway. And so we'll be storing their day to day type equipment down there. They'll report to District, the, the building down there. Then they'll go out there each day saving, you know, now they leave a job anywhere from an hour (1) to...

Councilman Christmas: Too long.

Commissioner Saylor: Yeah, too long, an hour (1)...

Councilman Metzger: Travel time.

Commissioner Saylor: And so I have a feeling we'll see from the Commissioners a directive that they shouldn't be leaving only about half (1/2) an hour before. So we're going to save production time right there.

Councilman Richmond: Motion to approve.

Councilman Meyer: Motion made by Greg to approve. Is there a second?

Councilman Metzger: Where did everybody go? I'll second it.

Councilman Meyer: Seconded by Ted. Any further discussion? All those in favor? Opposed? Motion carried four to two (4-2 with David Hachmeister and Brad Overton opposing). Greg and David.

Councilman Overton: My name's Brad.

Councilman Meyer: I'm sorry, Brad and David.

Councilman Overton: That's, my middle name's David. I don't know if that helps.

Councilman Meyer: Okay.

COMMISSIONER BUSINESS
TELEPHONE

Councilman Meyer: Commissioner Business, this is Item 6, Additional Appropriations, Commissioner Telephone, fourteen thousand five hundred dollars ($14,500.00).

Roger Emmons: Good evening. Roger Emmons, County Administrator, Warrick County Commissioners' Office. We have currently, well, let me back up. We started out with forty thousand ($40,000.00) in the budget. We did a couple of inline transfers totaling three thousand ($3,000.00) and currently we have about sixty-six dollars ($66.00) in there. So, we've run out of places in the Commissioner's Budget in which to do any transfers. So, we're asking for this fourteen-five ($14,500.00). We're averaging about forty-eight hundred ($4,800.00) a month times the three (3) months left in the year is fourteen-four ($14,400.00). I kicked it up to fourteen-five ($14,500.00) because none of the bills are going to be exactly forty-eight hundred dollars ($4,800.00).

Councilman Hachmeister: Motion to approve.

Councilman Meyer: Motion made by David and seconded by...

Councilman Christmas: I'll second it.

Councilman Meyer: Charlie to approve. Any discussion?

Councilman Overton: Roger, I just have a question. With those phones, we paying for data for those as well, or is that like a flat? Because I'm just curious if somebody was on their phone using a bunch of data, maybe that's causing you know...

Roger Emmons: You know, we've looked at that and that's all figured in the rates.

Councilman Overton: Okay, so it's like a flat data rate. Not like someone is on Amazon Prime someday watching

something in the toilet or something like that. I was just, I was just curious. You never know.

Roger Emmons: Yeah, I mean good point.

Councilman Overton: I mean people could do weird things. Just thought I'd ask. Not that I've ever watched t.v. on the (inaudible) or anything.

Councilman Meyer: Any other discussion?

Councilman Christmas: It's really not.

Councilman Meyer: Okay, the motion made by David and seconded by Charlie to approve fourteen thousand dollars ($14,000.00), fourteen thousand five hundred dollars ($14,500.00). All those in favor? Opposed? Motion carried five-one (5-1 with Ted Metzger opposing). Ted.

Roger Emmons: Thank you.

TRANSFER CUM CAP
ADA COMPLIANCE - INSURANCE

Councilman Meyer: Highway Business, Transfer, Local Road and Streets, From Tires and Tube, twenty thousand dollars ($20,000.00) to Repairs.

Roger Emmons: (Inaudible) I'm sorry, I'm not presenting that cause I don't know anything about it. But I had a, there's another Transfer we got in late.

Krystal Powless: I was going to bring that. (Inaudible) transfer to you guys from Cum Cap and I was going to bring that up at the end. But since Roger's here (inaudible).

Roger Emmons: It's fifty-five thousand dollars ($55,000.00) and you know we're trying to pay for things with the money we have right now. This is mainly to pay the Hafer work for the ADA Compliance Survey which was thirty-nine thousand five hundred ($39,500.00). And that is a precursor to the repairs that will come when we get the transition plan which we'll have to do to, to make repairs in order to be compliant with the Americans with Disabilities Act. The other, then I kicked in five thousand ($5,000.00) because we didn't have anything in the Commissioner's budget to pay our five thousand dollar ($5,000.00) deductible for the water loss we suffered of February of this year. You know, which we received tens of thousands of dollars in insurance checks in that but it's not finalized yet. But we have to pay the five thousand dollars ($5,000.00). So that right at forty-four ($44,000.00) and then that line item was established some time ago in Cum Cap for any, basically for any kind of building repair in a County-owned building.

Councilman Meyer: This, this wasn't included in the bond issue.

Roger Emmons: No, this has nothing to do with this project.

Councilman Meyer: Okay.

Councilman Hachmeister: Is your transfers out of Cum Cap?

Roger Emmons: Yes, yeah, within Cum Cap.

Councilman Hachmeister: Oh, within, okay.

Roger Emmons: It's within.

Councilman Overton: Man, I'd like to have a thirty-nine thousand dollar ($39,000.00) survey, wouldn't you?

Roger Emmons: Well, it, you know, if it's done right and we're supposed to have it. Here it is October 4th; they were supposed to have it September 30th. They've given it to the company they use to, to write it up. So once I get that, it'll go on our website and I'll notify INDOT and we'll remain eligible for receiving millions of dollars in Federal Aid Funds.

Councilman Overton: Motion to approve.

Councilman Hachmeister: Second.

Councilman Meyer: Motion made by Brad and seconded by David to approve. All those in favor? Opposed? Motion carries six, zero (6-0).

Roger Emmons: Thank you very much.

Councilman Hachmeister: One (1) really quickly, Roger.

Roger Emmons: Yes?

Councilman Hachmeister: Will you get any ADA money back, or is that all dried up now?

Roger Emmons: I, we don't, no, we don't get any ADA money.

Councilman Hachmeister: Okay, it's done.

Roger Emmons: Right. It's gonna, from now on, unless there's some new grants that become available, it's gonna be on us.

Roger Emmons: Thank you.

Councilman Meyer: Thank you.

HIGHWAY BUSINESS
LOCAL ROAD AND STREETS
TRANSFER FROM TIRES AND TUBE TO REPAIRS

Councilman Meyer: Coroner Business, Additional Appropriation…

Krystal Powless: You skipped Tires.

Councilman Christmas: You skipped Tires.

Krystal Powless: You still have to do…

Councilman Meyer: Oh, I thought, yeah. I had a motion; no I didn't either. I take it back.

Councilman Overton: You're having a motion.

Councilman Meyer: I'm having a motion.

Councilman Overton: Oh, wait, that's a moment.

Councilman Meyer: I know. Okay, we have Transfer from Local Road and Street. From Tires and Tubes, twenty thousand dollars ($20,000.00) to Repairs of twenty thousand dollars ($20,000.00). And nobody knows too much about this. Do you Krystal?

Krystal Powless: Not at all. He did send an email that he wouldn't be here. He requested the Commissioners cover for him. Maybe he thought Marlin was going to come for him, but Marlin's out of town.

Commissioner Saylor: What do we need?

Councilman Christmas: Hello, Marlin.

Councilman Overton: Well, that's a lot of confidence there.

Councilman Hachmeister: What's the repair for?

Councilman Meyer: What's the repairs for?

Commissioner Saylor: No idea.

Councilman Meyer: Okay, motion to…

Councilman Metzger: Table?

Councilman Meyer: Yeah, motion made by Ted to table.

Commissioner Saylor: To be honest, I don't know.

Councilman Meyer: And seconded by…

Councilman Hachmeister: Yeah.

Councilman Meyer: David to table.

Roger Emmons: It's not an additional; it's a transfer in Local Road and Street. Tires and Tubes to Repairs.

Councilman Meyer: I just like to know what the repairs are for.

Krystal Powless: (Inaudible).

Roger Emmons: Did Bobby not send anything?

Commissioner Saylor: I think he was planning on being here and something come up with his family.

Councilman Meyer: Okay, we have a motion on the floor from Ted and seconded by David to table. All those in favor? Opposed? Motion carried five, one (5-1 with Brad Overton opposing).

Councilman Overton: Now to the Coroner.

Councilman Richmond: Brad.

Krystal Powless: (Inaudible) end of the meeting can we bring that back up, or no?

Councilman Meyer: Do what now?

Krystal Powless: If I find an answer (inaudible)?

Councilman Meyer: Sure.

Krystal Powless: Okay.

Councilman Richmond: (Inaudible) business.

Councilman Meyer: That's alright.

CORONER BUSINESS
AUTOPSIES – MORGUE FEES

Councilman Meyer: Coroner Business, Coroner, Autopsies, Additional Appropriation, twenty thousand dollars ($20,000.00); Morgue Fees, one thousand five hundred dollars ($1,500.00); General of four thousand dollars ($4,000.00); for a total of twenty-five thousand five hundred dollars ($25,500.00).

Coroner Seaton: Yes.

Councilman Meyer: Good evening.

Coroner Seaton: Good evening.

Councilman Meyer: Tell me what the General is for.

Coroner Seaton: The General is for the, I think we talked about it in the budget hearings that the truck may come in and I can do the modifications and things out of this year's budget instead of next year's budget. So the truck is set to be delivered any day now. And so I need to get the cot ordered, the modifications, the cab.

Councilman Meyer: So this four thousand ($4,000.00) would be for the truck?

Coroner Seaton: Yes.

Councilman Meyer: But that's next year's budget?

Coroner Seaton: But I'm getting it now.

Councilman Meyer: Oh, you're getting the truck now?

Coroner Seaton: Yes.

Councilman Meyer: I gotcha.

Councilman Christmas: Next couple of days.

Councilman Meyer: I understand. Okay. I'm with you. Still think we needed a morgue. Don't you?

Councilman Overton: You've got two (2) months to get it ready.

Councilman Meyer: Yeah, I know.

Coroner Seaton: A new morgue?

Councilman Meyer: Yeah, a morgue.

Councilman Hachmeister: Motion to approve the Autopsies and the Morgue Fees.

Councilman Meyer: Motion made by David to approve the Autopsies and Morgue Fees of twenty-one thousand five hundred dollars ($21,500.00). Is there a second?

Councilman Overton: Second.

Councilman Christmas: I'll second. (Inaudible).

Councilman Meyer: And seconded by Brad. All those in favor? Opposed? Motion carries six, zero (6-0).

GENERAL - CORONER

Coroner Seaton: So not the General?

Councilman Meyer: Well, we haven't had that yet.

Councilman Christmas: We haven't got to that yet.

Councilman Meyer: Is there a motion for the General for four thousand dollars?

Councilman Christmas: Well, it has to be done.

Coroner Seaton: Truck's no good without...

Councilman Metzger: Yeah, I make a motion.

Coroner Seaton: Won't be able to use it.

Councilman Richmond: I'll second it.

Councilman Meyer: Greg to approve. Any discussion? All those in favor? Opposed? Motion carried four to two (4-2 with David Hachmeister and Brad Overton opposing).

Krystal Powless: And the two (2)?

Councilman Meyer: Brad and David.

Councilman Christmas: That's what I put down.

Coroner Seaton: Thank you.

Councilman Hachmeister: (Inaudible) transfer (inaudible).

Councilman Christmas: (Inaudible) phone call four (4) months ago.

Councilman Meyer: I know.

HEALTH BUSINESS
ANIMAL CONTROL EXPENSE – VAXCARE

Councilman Meyer: Health Business, Additional Appropriation, Health, Animal Control Expense, four thousand two hundred fifty-three dollars ($4,253.00); Vaxcare, six hundred ninety-five dollars ($695.00); for a total of four thousand nine hundred forty-eight dollars ($4,948.00).

Councilman Richmond: And this is all reimbursement?

Councilman Meyer: Yes.

Councilman Richmond: Motion.

Councilman Overton: Second.

Councilman Meyer: Motion made by Greg and seconded by Brad to approve. All those in favor? Opposed? Motion carries six, zero (6-0).

SHERIFF BUSINESS
REPAIRS/MAINTENANCE

Councilman Meyer: Sheriff Business, Additional Appropriation, Sheriff, Repairs/Maintenance, four thousand nineteen dollars and seventy-five cents ($4,019.75).

Councilman Hachmeister: Reimbursement.

Sheriff Kruse: Reimbursement.

Councilman Hachmeister: Motion to approve.

Councilman Overton: Second.

Councilman Meyer: Motion made by David and seconded by Brad to approve. Let me get my paper right here. Any discussion? This is the insurance deal, isn't it?

Sheriff Kruse: Yes.

Councilman Meyer: Okay. You made the motion?

Councilman Hachmeister: Yes, Sir. And Brad seconded.

Councilman Meyer: And Brad seconded. That's what I thought. You both look alike.

Councilman Overton: Yeah, we're close (inaudible).

Councilman Meyer: Any discussion on the motion?

Councilman Hachmeister: We'll discuss that later, too.

Councilman Meyer: All those in favor? Motion carries six, zero (6-0).

JAIL
CIVILIAN JAILER - LONGEVITY

Councilman Meyer: Additional Appropriation, Jáil, Civilian Jailer, seven thousand five hundred and sixty-one dollars and forty-six cents ($7,561.46); Longevity, six hundred forty dollars ($640.00); total eight thousand two hundred one dollar and forty-six cents ($8,201.46).

Councilman Richmond: Handbook issue.

Councilman Overton: So that's, Greg, your motion?

Councilman Richmond: (Inaudible).

Councilman Meyer: You made the motion?

Councilman Overton: Second.

Councilman Meyer: Motion made by Greg and seconded by Brad to approve. I mean, yeah, to approve the eight thousand two hundred one dollar and forty-six cents ($8,201.46). All those in favor? Opposed? Motion carries six, zero (6-0).

AMENDED SALARY ORDINANCE
CIVILIAN JAILER

Councilman Meyer: Amended Salary Ordinance, eight thousand two hundred one dollar and forty-six cents ($8,201.46).

Councilman Overton: Motion...

Councilman Hachmeister: Motion.

Councilman Overton: Motion to approve.

Councilman Meyer: Motion made by Brad and seconded by David?

Councilman Hachmeister: Yeah.

Councilman Meyer: To approve. All those in favor? Opposed? Motion carried six, zero (6-0).

Councilman Christmas: You're a smooth talker there Sheriff.

(October Appropriations are located on Page 25 of these Official Minutes)

HIGHWAY BUSINESS
TRANSFER – CONTINUED DISCUSSION

Krystal Powless: Before you move to the next item, I went back to Bobby's email and he said my other request is a transfer from Tires to Repair to keep the equipment running thought the winter. So I didn't know if that was enough.

Councilman Meyer: Is he betting on the (inaudible) that it's there?

Councilman Christmas: (Inaudible).

Councilman Meyer: He doesn't need it now, it's just in case the equipment goes bad he needs it?

Krystal Powless: (Inaudible) equipment. I don't know. I'm assuming (inaudible).

Councilman Meyer: I would...

Councilman Christmas: Let him come back next month.

Councilman Meyer: I would prefer to have him come here.

Councilman Hachmeister: He's got (inaudible).

Councilman Metzger: When he needs it, he can (inaudible).

Councilman Hachmeister: There you go.

Councilman Meyer: Myself, I'd rather leave the motion at...

Krystal Powless: Okay.

Councilman Christmas: Okay.

Councilman Meyer: We did, okay.

COUNCIL BUSINESS
WHEEL TAX/SURTAX ORDINANCE

Councilman Meyer: Council Business, Wheel Tax/Surtax Ordinance. Don't everybody jump at that one (1).

Councilman Richmond: This is something we need to do because of the State, the State (inaudible) the Highway Fund.

Councilman Hachmeister: Change the Ordinance.

Cliff Whitehead: We changed it that way we can use the Motor Vehicle Highway Fund, you can't use it for certain salaries and benefits anymore.

Councilman Meyer: The Ordinance in front of us?

Councilman Meyer: Now, this is an Ordinance so we have to read it tonight as an introduction?

Cliff Whitehead: This one (1) does not require two (2) readings.

Councilman Meyer: Oh, it does not?

Cliff Whitehead: It can be done in one (1). Yeah. Some Ordinances by Statute require two (2) readings. This one (1) doesn't.

Councilman Meyer: Not this one (1). Okay. I need a motion to introduce Ordinance 2018-08.

Councilman Overton: Motion to introduce.

Councilman Meyer: Motion made by Brad and seconded by, I heard somebody down there.

Councilman Richmond: Me.

Councilman Meyer: Greg, to approve. All those in favor? I like to read that, wait a minute. I'm sorry. Again, all those in favor? Opposed? Motion carries six, zero (6-0). Ordinance 2018-08, An Ordinance of the Warrick County Council, Indiana, amending the County Wheel Tax and Motor Vehicle Excise Surtax. Need a motion to approve or deny.

Councilman Richmond: Motion to approve.

Councilman Overton: Second.

Councilman Meyer: Motion made by Greg to approve and seconded by Brad. All those is favor? Opposed? Motion carried six, zero (6-0).

Councilman Richmond: What's the Ordinance number?

Councilman Meyer: 2018-08.

(Ordinance 2018-08 is located on Page 25 of these Official Minutes)

VISION PHASE-IN
RESOLUTION 2018-11 CONTINUED DISCUSSION

Councilman Meyer: I got one (1) more thing I was going to bring up.

Cliff Whitehead: I have something too, whenever.

Councilman Meyer: Go ahead, Counselor.

Cliff Whitehead: Back, going to 4A. The Tax Phase-In Preliminary Resolution, I was having a moment as well, we don't just need to introduce that. We actually need to pass that Preliminary Resolution declaring the area an ERA.

Councilman Hachmeister: And a second time reading it.

Cliff Whitehead: The second time we do the Confirming Resolution. So all we did was motion to introduce and so we would need a motion to pass to keep the train moving for that particular ERA.

Councilman Overton: Motion to...

Councilman Hachmeister: Pass.

Councilman Overton: Pass the ERA...

Cliff Whitehead: Preliminary Resolution.

Councilman Overton: Preliminary Resolution.

Cliff Whitehead: 2018-06

Councilman Overton: 2018-06.

Councilman Meyer: Okay, motion made by Brad to approve the Economic Development ERA.

Cliff Whitehead: Make sure I'm right on the number though, I'm sorry.

Kristine Georges: This is a...?

Cliff Whitehead: This is a Resolution not an Ordinance.

Kristine Georges: Is this for the Assisted Living?

Cliff Whitehead: No, this is for the Vision. 4A.

Councilman Hachmeister: 4A. I've got 2018-11.

Cliff Whitehead: Okay, I could be wrong. I know we're going back...

Krystal Powless: (Inaudible) was an Ordinance and it was '11.

Cliff Whitehead: I thought Vision was a Preliminary Resolution declaring it an ERA.

Kristine Georges: It is. 2018-11.

Cliff Whitehead: Okay, so it's 2018-11 and it's a Resolution.

Councilman Meyer: 2018-11.

Krystal Powless: Yes, it's a Resolution.

Councilman Meyer: So we have a motion made by Brad. Is there a second?

Councilman Richmond: Second. And seconded by Greg. Now, this in no way obligates us to the second reading then?

Cliff Whitehead: That's correct. This is just passing the Preliminary. To make it go into effect we have to pass the Confirming at the next meeting.

Councilman Meyer: Well, then I can vote for this.

Krystal Powless: So we didn't pass it, we just...okay.

Cliff Whitehead: Correct. We just introduced it.

Councilman Hachmeister: Well, that's what I was wondering when had said he was going to bring it back in November.

Cliff Whitehead: Yeah.

Councilman Hachmeister: Just so he could get it done before December.

Councilman Meyer: I'm glad one (1) of you young guys had a moment every once in a while.

Cliff Whitehead: Yeah.

Councilman Meyer: That makes me feel better.

Cliff Whitehead: The Ordinance we read, yeah, anyway. Here we are.

Councilman Meyer: Okay.

Councilman Christmas: All those in favor.

Councilman Meyer: All those in favor of the motion? Opposed? Motion carries six, zero (6-0).

Cliff Whitehead: Thank you.

Councilman Meyer: So that will come back in November?

Cliff Whitehead: I think they said November for the Confirming Resolution.

Councilman Meyer: Okay. Anything else, Counselor?

Cliff Whitehead: No.

(Resolution 2018-11 is located on Pages 26 through 27 of these Official Minutes)

SCHOOL RESOURCE OFFICER DONATION FUND

Councilman Meyer: I would like to congratulate and thank Sheriff Kruse. I've got a lot of feedback on this school safety thing, with the Officers in the schools. Talked to a lot of parents at different schools and the kids. And it's really, it's not going to solve our problem, but God forbid may happen. But I think it will, it makes everybody feel better. And as long as we can do something to make the public feel better, I think it's been a great thing. The kids are interacting with the Deputies and I think it's, thank you very much, Sheriff, for that. It's a great program.

Councilman Christmas: We think so much of it, we're gonna get rid of you the first of the year.

Councilman Meyer: Don't say that.

Councilman Christmas: We are.

Councilman Meyer: I got, I got three (3) people here, but I think they're gone. Ed Patton, Heritage Woods. John Kirkwood, Baker Daniels, and Rick Bans...Barnes? Heritage Woods. But they missed out on the prizes we were giving out.

Councilman Overton: They were the half-pot winners.

Councilman Meyer: Yes, they were the half-pot winners.

Councilman Overton: Let's split that between us.

Councilman Meyer: Now I need a motion to adjourn this meeting and then we will have the Public Hearing

LANDFILL MAINTENANCE FUND DISCUSSION

Auditor Stevens: I wanted to circle back from our last meeting, the disposition, Debbie Stevens, Warrick County Auditor.

Councilman Meyer: What are you talking about? Please.

Auditor Stevens: I wanted to circle back on the Indiana Department of Environmental Management, the Landfill Fund. Post-Closure Landfill Fund.

Councilman Meyer: Oh, Okay.

Auditor Stevens: We have an excess of around three...a little over three hundred thousand dollars ($300,000.00) that I kind of need a disposition or some direction from the Council on. It would become a Fund that you would appropriate each year at budget time, just for that year. We're not required to hold an excess of funds in this Fund. And as long as we pass our financial assurance test each year, we more than passed this year. So I'm expecting we will for the next several years. So, whatever you all need to do, or I need some direction I think from the Council on what to do with the funds that are sitting in this account. The assumption, I believe after researching the funds, the origination of the funds would have been that it would have come from General, originally, property tax.

Krystal Powless: (Inaudible) just to clarify (inaudible) you're talking about the Landfill Maintenance Fund (inaudible) balance is?

Auditor Stevens: Yes.

Krystal Powless: And you can't just spend it out of that Fund each year?

Auditor Stevens: Well, we could, but that's, that's an excessive amount of money just to sit in a Fund that can be appropriated each year by the Council just to cover the expenses for the testing for that year.

Councilman Hachmeister: But I thought we were okay.

Auditor Stevens: It feels like an excessive amount of money.

Krystal Powless: But that is why we collected it all those years to put in that Fund so we could have it available. But you could choose to do something else with the money, but then you still have to appropriate the money for the testing each year. So, it's whatever you guys decide.

Auditor Stevens: The cost for the testing, it has really kind of varied. Let me look at the previous year, '27...2017, twenty-seven thousand ($27,000.00). You appropriated twenty thousand ($20,000.00) for 2018. And we've expended fourteen thousand ($14,000.00). So it's not a large amount of money compared to what, you know, what we've got sitting in there.

Councilman Metzger: I'm sorry, Debbie, what was the total amount that it has just sitting dormant?

Auditor Stevens: The total amount right now, we haven't, you know, I didn't print out a new Fund, but as of last month we had three hundred seventy-one thousand seven hundred nine dollars ($371,709.00) in it. And we really only need an appropriation for the current year. If you wanted to leave enough to go ahead and take care of an appropriation for next year also, since you're almost through your budget process...

Councilman Hachmeister: I thought we originally had to keep a surplus just for the fact that in case we reneged.

Auditor Stevens: No. As long as we...

Councilman Hachmeister: And we still budgeted the amount every year.

Auditor Stevens: Correct. We're in a much different financial situation than we were twenty-five (25) or twenty (20) years ago, I guess when we closed the landfill. So we exceeded the financial assurance test with IDEM for this year. And they gave us permission to release the Fund. We do not need a trust. We do not need to hold the extra funds in the account. We can just move forward each year passing the financial test and then an appropriation for whatever those costs are going to be. And Roger, he's stepped up here behind me. He manages the Fund. He spends from it.

Roger Emmons: Yeah, Roger Emmons, County Administrator. I really appreciate Debbie's work in getting us into compliance for the State Law. But as long as we've got enough to maintain it each year, which means you've got monitoring wells, we have to test for methane to, and just basically to adhere to the IDEM regulations on closed landfills. So as long as we got the, and we get that, we can get a budget on it from our consultant which is Environmental Management Consultants out of Evansville. They've been taking care of it for a long time to make sure the proper reports are filled with IDEM and you know, on time. And as long as we've got that much money in there, then we should be good.

Councilman Richmond: I've got a question. What if they test and something was wrong?

Roger Emmons: That's, that's a good question.

Councilman Richmond: It'd be good to have that money in there for that?

Roger Emmons: Yeah, we would have to pay it somehow.

Councilman Hachmeister: Let's sell it.

Roger Emmons: Well...

Councilman Hachmeister: We bought it when we didn't have to, let's sell it.

Roger Emmons: You know, it's something we can look into, of course, it has to go, people have to know that that's an

old landfill. There's a lot of stuff under there.

Councilman Metzger: Can't we just park it in Rainy Day?

Auditor Stevens: That's, that would be my recommendation.

Councilman Metzger: Park it.

Auditor Stevens: You know, if I had a vote in this game. My recommendation to the Council would be to put the money in the Rainy Day. That helps us much more in a financial audit just as what we went through in May with the bond as an example to have the money there. I think everyone's been very prudent with the Rainy Day. I think it's an agreement among all of you that we keep the Rainy Day healthy, and so that if we had a situation with the landfill that calls, you know, calls for more money that what you've appropriated for that year just for the basic testing that's required, then you would have that.

Councilman Overton: Are we required to test this indefinitely from now until...?

Roger Emmons: As far as I know, yeah.

Auditor Stevens: Actually...

Councilman Overton: So what's going into this, what replenishes this Fund?

Councilman Richmond: I thought it ended at a certain time.

Auditor Stevens: We have ten (10) years left on it. Post Closure.

Krystal Powless: So my question is, if you move it to Rainy Day, where do you plan to appropriate the money for the testing at?

Auditor Stevens: You would just appropriate from your General budget.

Councilman Metzger: General Fund.

Auditor Stevens: You know, it would become a Fund that you would appropriate to just like any other Fund that you have to appropriate too.

Krystal Powless: So then you'd be appropriating out of tax dollars to pay it.

Auditor Stevens: Correct.

Krystal Powless: Even though that's what you've done for however many years you've put it into this Fund. You'd appropriate it in General and move it into this Fund each year out of tax dollars. So you'd be taking out of tax dollars and putting it into the Rainy Day or wherever you decided to put it, and then you would be appropriating again to the tax payers.

Councilman Overton: And there's nothing replenishing this Fund each year?

Krystal Powless: No.

Councilman Overton: This is just a set amount of money that's there, then when it's gone, it's gone.

Councilman Meyer: Can't we pay it out of the Rainy Day?

Roger Emmons: We used to get money from (inaudible).

Councilman Overton: So if it's good for ten (10) more years we're needing at least another two hundred thousand dollars ($200,000.00).

Roger Emmons: (Inaudible) ten (10) more years, what happens after that?

Auditor Stevens: We're done.

Krystal Powless: (Inaudible).

Auditor Stevens: We've met...

Councilman Richmond: (Inaudible) if something goes wrong.

Several speaking at once.

Councilman Overton: I would just as soon leave it in there, because we're going to need it for another ten (10) years at a minimum for two hundred ten ($210,000.00).

Councilman Meyer: If something goes wrong...

Councilman Overton: If something goes wrong, it's there. So. I mean that's, I'd just as soon...

Councilman Richmond: With IDEM rules and everything, Environmental Protection Agency rules changing every year, you never can tell. I like the Rainy Day Fund. I like having something for emergencies, but I would also like to keep something there for an emergency if something happens. Cause I don't trust the changes that take place.

Councilman Richmond: I appreciate you looking into that as a possibility.

Councilman Overton: Yeah.

Councilman Richmond: And I would feel more at ease if it were left there foremergencies.

Auditor Stevens: That's fine.

Roger Emmons: (Inaudible) maintain it. I thought it was longer than that. Indiana Code now is just the ten (10) years from now, because it's been closed a lot longer than ten (10) years.

Auditor Stevens: Correct. It's thirty (30) years post closure is the total amount.

Councilman Hachmeister: Subject, subject to change.

Auditor Stevens: So we have ten (10) left.

Councilman Hachmeister: Subject to change.

Roger Emmons: (Inaudible) you never know what they're going to do.

Councilman Metzger: And we test it annually? Is that...?

Roger Emmons: Yeah.

Councilman Metzger: And the test usually costs the County how much?

Roger Emmons: I think we've been spending less than thirty thousand ($30,000.00)each year.

Auditor Stevens: Yeah. We've spent fourteen thousand ($14,000.00) this year. Twenty-seven ($27,000.00), it just varies depending on what tests they have to do for whatever year we're in.

Councilman Meyer: Okay.

Auditor Stevens: Okay.

Councilman Meyer: Thank you.

Auditor Stevens: Thanks.

Several talking at once.

HIGHWAY BUSINESS
TRANSFER CONTINUED DISCUSSION

Councilman Meyer: Somebody want to take this off the table for Bobby?

Councilman Overton: Well, I...

Councilman Hachmeister: Well, it wasn't mentioned how long it was tabled so let's revisit it.

Councilman Meyer: Okay. Bobby, you want to come a minute? We have a question for you.

Bobby Howard: Alright.

Councilman Meyer: The Transfer from Tires and Tubes...

Bobby Howard: Yes.

Councilman Meyer: To Repairs. What's the Repairs?

Bobby Howard: That's, the repairs is on my equipment, and just basically just keeping our, it's our everyday maintenance and equipment. Our Repairs Line Item, we've had a lot of vehicles go down over this year. We've expended that money and to keep this equipment running through the winter, I'm going to need to put money from Tires, and I've got enough in Tires to cover it. It's an inner office, it's an inner budget transfer from money I already have to spend on tires. Not going to need that money for tires this year, but I need it for repairs to keep my trucks going or we won't have snow plows.

Councilman Richmond: Legal questions, do make a motion to take this off the table first since it was put on the table?

Councilman Christmas: Yes.

Cliff Whitehead: Yeah, yeah.

Councilman Richmond: Motion to take it off the table.

Cliff Whitehead: We didn't say the time of tabling.

Councilman Meyer: Motion made by Greg to take it off the table. Is there a second?

Councilman Christmas: Second.

Councilman Meyer: Seconded by Charlie.

Councilman Richmond: Now we can discuss it.

Councilman Meyer: All those in favor? Okay, motion carried six, zero (6-0). It's off the table. Now we can discuss it.

Councilman Hachmeister: Make a motion to approve the transfer.

Councilman Christmas: (Inaudible), Bobby.

Councilman Overton: Second.

Councilman Meyer: Motion made by David to approve and seconded by Brad. Is there discussion? Are things broken now? Or you're just anticipating?

Bobby Howard: I have some things that are broken down now, bills that are in now that I need to pay.

Councilman Meyer: Okay. That's what I was wondering.

Bobby Howard: Yes.

Councilman Meyer: I didn't know if you were anticipating repairs or...

Bobby Howard: It's both. It's to get through the season and to pay bills that I have currently.

Councilman Meyer: Okay. We have a motion made by David and seconded by Brad. All those in favor? Opposed? Motion carried six, zero (6-0).

Bobby Howard: Thank you very much. I apologize for my lateness.

Councilman Meyer: Thank you. That's alright. Thank you. Okay, now I need a motion to adjourn the meeting.

Councilman Overton: Motion to adjourn.

Councilman Hachmeister: Motion.

Councilman Meyer: Meeting's adjourned.

ADJOURNMENT: Meeting adjourned at 7:32 PM.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

Greg Richmond, Vice President

David Hachmeister

Brad Overton

Ted Metzger

Charles R. Christmas

(Not Present)
Paul Rudolph

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

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:

FUND	APPROPRIATION NUMBER / APPROPRIATION #	DESCRIPTION	AMOUNT REQUESTED	AMOUNT REQUIRED
Economic Development	1112.44611.000.0000	Prospect Drive	$415,000.00	415,000
Total Economic Development			$415,000.00	
Edit Roads	4903.44611.000.0000	Prospect Drive	$200,000.00	200,000
Total Edit Roads			$200,000.00	
Storm Water	1197.44610.000.0000	Building Projects	$300,000.00	300,000
Total Storm Water			$300,000.00	
Parks & Recreation	1219.30200.000.0000	Other Services	$6,700.00	4500
Total Park & Recreation			$6,700.00	
Health	1159.22500.000.0000	Animal Control Exp.	$4,253.00	4253
	1159.21375.000.0000	Vaxcare	$695.00	695
Total Health			$4,948.00	4948
Coroner	1000.18200.000.0007	Autopsies	$20,000.00	20,000
	1000.35020.000.0007	Morgue Fees	$1,500.00	1,500
	1000-21100.000.0007	General	$4,000.00	4,000
Total Coroner			$25,500.00	
Sheriff	1000.36550.000.0005	Repairs/Maintenance	$4,019.75	4,019.75
Total Sheriff			$4,019.75	4,019.75
Jail	1000.11254.000.0380	Civilian Jailer	$7,561.46	7,561.46
	1000.19500.000.0380	Longevity	$640.00	640.
Total Jail			$8,201.46	
Commissioner	1000.32400.000.0068	Telephone	$14,500.00	14,500
Total Commissioners			$14,500.00	

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 5 day of Oct 2018

AYE

Greg Richmond
Charles R. Christmas
Brad Overton
Paul Rudolph
Gary Meyer

NAY

David Hachmeister 1, 2, 3, 6 c

G. Comes Brown

ATTEST:
Deborah K. Stevens
Auditor Warrick County

ORDINANCE NO. 2018 - 08

AN ORDINANCE OF THE COUNTY COUNCIL OF WARRICK COUNTY, INDIANA AMENDING THE COUNTY WHEEL TAX AND MOTOR VEHICLE EXCISE SURTAX

WHEREAS, on April 6, 1982 the County Council of Warrick County (the "Council") enacted Council Ordinance No. ES-1-82 instituting a County Wheel Tax pursuant to Indiana Code 6-3.5-5-1, et seq. ("Wheel Tax"); and

WHEREAS, on April 6, 1982 the Council enacted Council Ordinance No. WT-1-82 instituting a County Motor Vehicle Excise Surtax on vehicles pursuant to Indiana Code 6-3.5-4-1, et seq. ("Surtax"); and

WHEREAS, the Council subsequently amended the Wheel Tax and Surtax Council ordinances in 1988, pursuant to Council Ordinance Nos. 1988-2, 2000-2, 2000-3, 2013-1, and 2014-7 (collectively, the "Wheel Tax and Surtax Council Ordinance"); and

WHEREAS, the Council has determined it is in the best interests of the citizens of Warrick County to amend the existing Wheel Tax and Surtax Council Ordinance to cause all future revenues received by Warrick County from the Wheel Tax and Surtax to be deposited into the motor vehicle highway fund of Warrick County and available for appropriation therefrom; and

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

Section 1. The Wheel Tax and Surtax Council Ordinance, specifically Section 2 of Council Ordinance 1988-2, shall be hereby amended to state the following:

> Beginning June 1, 2018, all revenues received by Warrick County in payment of the Warrick County Wheel Tax and Warrick County Motor Vehicle Excise Surtax shall be deposited into the motor vehicle highway fund of Warrick County and available for appropriation therefrom.

Section 2. This Ordinance shall be in full force and effect upon passage.

THIS ORDINANCE SHALL BE DEEMED EFFECTIVE AFTER ITS ADOPTION AND EXECUTION THIS 4th DAY OF OCTOBER, 2018.

WARRICK COUNTY COUNCIL

Gary Meyer, President

Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

(not present)
Paul Rudolph

Brad Overton

Ted Metzger

ATTEST: this 4th day of October, 2018.

Debbie Stevens, Auditor

WARRICK COUNTY COUNCIL

RESOLUTION NO. 2018 - 11

A PRELIMINARY RESOLUTION DECLARING AN ECONOMIC REVITALIZATION AREA FOR REAL AND PERSONAL PROPERTY TAX PHASE-IN

WHEREAS, North American Lighting, Inc. (the "Applicant") has submitted a Statement of Benefits – Real Estate Improvements and a Statement of Benefits – Personal Property and 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 the North Warrick Industrial Park, Warrick County, Indiana and more particularly described as:

11833 Industrial Park Drive, Elberfeld, Indiana 47613, and further identified as Parcel Number 87-04-18-101-001.000-007, and as more particularly described in the legal description attached hereto as Exhibit A (the "Property").

WHEREAS, the Warrick County Economic Development Advisory Council ("EDAC") on the 20th day of September, 2018 received Applicant's Statement of Benefits for both real estate improvements and personal property and also received Applicant's Application for Economic Revitalization Area and Phase-In of Property Tax and made a unanimous recommendation for approval by the County Council;

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 Personal Property, the recommendation of EDAC, 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 reasonably be 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, 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, 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, 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, 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, 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 deduction, 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 November 1, 2023.

Section 5. Deductions for redevelopment and/or rehabilitation of both real and 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 which are first assessed on or about March 1, 2020.

Section 6. 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. This notice complies with IC 6-1.1-12.1-2.5(c).

Section 7. 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 4 day of October, 2018.

Warrick County Council

Gary Meyer, President

Charles R. Christmas

Brad Overton

Ted Metzger

Greg Richmond, Vice President

David Hachmeister

(not present)
Paul Rudolph

ATTEST:

Warrick County Auditor

EXHIBIT A
LEGAL DESCRIPTION

Lot No. 7 of the North Warrick Industrial Park Subdivision Section 1, a plat of which is recorded at Instrument No. 2008R-004075 in the Office of the Warrick County Recorder.

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