

STATE OF INDIANA)
SS)
COUNTY OF CLAY)

OCTOBER 6, 2025

The October 6, 2025 Regular meeting of the Clay County Commissioners was called to order by President Marty Heffner at 9:00 a.m. Those present included Commissioners Paul Sindere, Marty Heffner, and Bryan Allender. Also attending was Eric Somheil, Attorney for the County Executive. Patricia A Foxx made a record of the proceedings to wit:

Brison Swearingen led the Pledge to the Flag followed with prayer by Marty Heffner.

A motion to approve September 2, 2025, Regular Meeting minutes was made by Bryan Allender and seconded by Paul Sindere. Motion carried 3-0. Bryan Allender made a motion to approve September 29 Special Meeting minutes and seconded by Marty Heffner. Motion carried 2-0-1.

**IN THE MATTER OF CONSIDERATION FOR TITLE 4-E
GRANT CIRCUIT COURT**

Judge Thomas, Circuit Court, presented Title 4-E to the Commissioners. He would like permission to proceed with the paperwork to receive reimbursement back into the County for the Chin cases that are held in his court.

A motion to approved the Title 4-E grant application as presented was made by Paul Sindere and seconded by Marty Heffner. Motion carried 3-0.

**IN THE MATTER OF CONSIDERATION FOR CASA
RENEWAL GRANT**

Dawn Creech, presented CASA grant renewal for January 1, 2026 thru December 31, 2026. This year the grant request is for \$132,985. The County match is \$83,173.00

A motion to approve grant as presented was made by Bryan Allender and seconded by Paul Sindere. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR CLAY COUNTY REDEVELOPMENT SPENDING PLAN

Lou explained this is the second year for the Redevelopment Commission to have a spending plan for the upcoming year.

The Clay County Commissioners acknowledged they received a copy of the Clay County Redevelopment Commission Spending Plan for 2026.

IN THE MATTER OF METALS AND ADDITIVES, LLC ABATEMENT RESOLUTION 2025-10

Lou Britton, Attorney, appeared before the Commissioners on behalf of the above listed company and presented the following:

**RESOLUTION NO. 2025- 10
OF THE CLAY COUNTY COMMISSIONERS**

Metals and Additives LLC (Personal Property Tax Abatement)

WHEREAS, **Metals and Additives LLC** (“Petitioner”) has submitted to the Clay County Commissioners it’s Statement of Benefits-Personal Property Form SB-1/Personal Property dated the 11th day of August, 2025 in connection with a proposed abatement for the purchase of drying equipment to increase drying capacity and has represented the Project will permit it to maintain 106 full-time salaried and hourly jobs, and an annual payroll of approximately \$8,340,774 and add 6 new full time-salaried and full time-hourly jobs with an annual payroll of approximately \$249,000.00 and that the cost of the project is approximately \$350,000.00 acquisition and installation of used manufacturing equipment acquired by it in an arm’s length transaction; and

WHEREAS, the Petitioner has been advised that Petitioner will be required to execute a form of Abatement Calculation Agreement and will be required to pay a fee annually based upon the amount of the abatement in accord with Resolution 6-2008 of the Clay County Council, and Petitioner has agreed to execute such Abatement Calculation Agreement and pay such fee; and

WHEREAS, the Petitioner has agreed to pay the tax abatement initiation fee of \$3,500.00 to the Clay County Redevelopment Commission to defray costs and expenses of the creation of the Economic Revitalization Area; and

WHEREAS, the Clay County Redevelopment Commission has been charged with giving preliminary review and approval of tax abatement applications and making its recommendation to the Clay County Council and Commissioners concerning such abatements and has approved said application;

The Clay County Commissioners, acting at its regular meeting, at which meeting a quorum was present, which meeting was duly advertised according to law, did, by a majority vote, adopt the following Resolution:

NOW, THEREFORE, BE IT RESOLVED as follows:

The Clay County Commissioners hereby approve the Statement of Benefits (SB-1) for Personal Property improvements dated the 11th day of August, 2025, submitted by Petitioner and subject to Petitioner's execution of an Abatement Calculation Agreement, agreement to pay the annual fee established by Resolution 6-2008 of the Clay County Council and payment of the costs to the Clay County Redevelopment Commission of the establishment of the Economic Revitalization Area, does recommend consideration of the application by the Clay County Council and authorizes the execution of the Abatement Calculation Agreement submitted to the meeting.

Dated: October 6, 2025

CLAY COUNTY COMMISSIONERS

Bryan Allender /s/
Bryan Allender

Marty Heffner /s/
Marty Heffner

Paul Sinderson /s/
Paul Sinderson

Attest:

Patricia Foxx /s/
Patricia Foxx, Auditor
Clay County, Indiana

A motion was made by Bryan Allender to approve the Metals and Additives, LLC abatement Resolution 2025-10 and seconded by Paul Sinderson. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR EMA HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS GRANT

Marty Heffner, Commissioner, filled in for Rob Gambill, EMA director who was not present. Marty explained this will pay for the hazardous material training for first responders as well as the commodity flow studies. Karen Schneiders, Thrive, mention the commodity flow would be liquid being transported in and out of the county. The grants amount requested \$20,000.00 for the period of October 1, 2025 thru September 30, 2026. The County does not have any match.

A motion to approve Hazardous Material Emergency Preparedness grant as presented was made by Paul Sindere and seconded by Marty Heffner. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR EMA 2025 SALARY REIMBURSEMENT GRANT

Marty explained 2025 EMA Salary Reimbursement grant. This grant reimburses the County for half of the salary EMA position. The grant is for October 1, 2025 thru September 30, 2026 for the amount of \$24,475.00. The grant does not pay for any of the fringe benefits. County pays the all of fringe benefits.

A motion to approve the 2025 EMA Salary Reimbursement grant as presented was made by Bryan Allender and seconded by Paul Sindere. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR 2026 TITLE VI IMPLEMENTATION PLAN

Marty explained the 2026 Title VI Implementation Plan is up to date now.

A motion to approve 2026 Title VI Implementation Plan as presented was made by Paul Sindere and seconded by Bryan Allender. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION OF WIC ARMORY RENTAL

Rachel Dickerson, WIC Coordinator, presented the lease agreement with Brazil Armory. There are no changes to the contract with a begin date of October 1, 2025 through September 30, 2026.

Marty Heffner made a motion to approved WIC Armory Lease agreement and seconded by Paul Sindere. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION OF CLAY COUNTY SAFETY ACTION PLAN RESOLUTION 2025-08

Dan McGrath, DCCM Representative and Brianna Stenger, RQAW Client Liaison, presented the final Safety Action Plan Resolution 2025-08 to the Commissioners. The Committee had several meetings and ended up with 79 projects awareness.

A motion to approved Safety Action Plan Resolution 2025-08 as presented was made by Marty Heffner and seconded by Paul Sindere. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION OF PROCLAMATION FOR RED RIBBON WEEK

Judge David Thomas presented Proclamation for Red Ribbon Week. Judge Thomas said that Red Ribbon week is October 23-31, 2025. We encourage all citizens to participate in the drug free community.

Motion to approve Proclamation for Red Ribbon Week as presented was made by Paul Sindere and seconded by Bryan Allender. Motion carried 3-0.

RED RIBBON WEEK PROCLAMATION

WHEREAS, Alcohol, tobacco, and drug abuse in the United States of America is harming this Nation and the people in it; and

WHEREAS, It is imperative that unified prevention education efforts by community members be launched to eliminate drug abuse, alcohol abuse, and the harm caused by tobacco abuse; and

WHEREAS, The National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23 - 31; and

WHEREAS, in Clay County, Indiana Government, law enforcement, Indiana businesses, schools, the media, and our citizens have joined together to demonstrate their commitment to healthy drug-free lifestyles; and

WHEREAS, the community of Clay County vows to commit its resources to ensure the success of the Red Ribbon Campaign and to providing awareness education for our young people; and

NOW, THEREFORE, BE IT RESOLVED, The Clay County Commissioners hereby proclaim October 23 - 31, as RED RIBBON WEEK, and encourage its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free community.

Dated this 6th day of October, 2025.

By: Clay County Commissioners

Marty Heffner /s/
Commissioner

Paul Sindere /s/
Commissioner

Bryan Allender /s/
Commissioner

IN THE MATTER OF CONSIDERATION OF EXTENSION AGREEMENT FOR LIQUID ASPHALT MATERIALS

Marty explained the document will serve as an extension agreement for the liquid asphalt bid from Asphalt Materials which will be extended through 2026. There will be no increase in the extension agreement for 2026.

A motion to approve Asphalt Materials contract as presented was made by Paul Sindere and seconded by Bryan Allender. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR GORDON FLESCH CONTRACTS

Andrew Gauer, Sales Rep for Gordon Flesch, presented two contracts for the copiers for the Auditor's office and Extension Office. The contracts will be for 60 months from October 1, 2025 to September 30, 2029.

A motion to approve both Gordon Flesch contracts as presented was made by Paul Sindere and seconded by Bryan Allender. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR COMMISSIONERS STORAGE BUILDING

Bryan presented the Storage Building quotes that were opened on September 29, 2025. Bryan recommended the lowest quote of \$43,000.00 from Levi Fishers.

Bryan Allender made a motion to approve quote from Levi Fisher for \$43,000.00 to build the Commissioner's storage building as presented and seconded by Marty Heffner. Motion carried 3-0.

IN THE MATTER OF PUBLIC COMMENTS

Paul Sindere addressed the attorney Eric Somheil's name in the newspaper. The Commissioners are not suing Eric Somheil. The newspaper will correct the error.

Linda Chezum addressed the Open-Door Law for public information. Eric said the Ordinance and Resolution books are in the Auditor's office and they are codified. The county agenda is on the website along with the Minutes when they are approved.

Karen Schneider, Thrive, said the Tribal application was uploaded to the website with the assistance of Patti Foxx, County Auditor.

IN THE MATTER OF ADJOURNMENT

There being no further business a motion to adjourn was made by Bryan Allender and seconded by Paul Sindere. Motion carried 3-0.

Clay County Commissioners

Attest:

Clay County Auditor