

STATE OF INDIANA)
SS)
COUNTY OF CLAY)

NOVEMBER 3, 2025

The November 3, 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:

Bryan Allender led the Pledge to the Flag followed with prayer by Cheryl Schopmeyer.

A motion to approve October 6, 2025, Regular Meeting minutes was made by Bryan Allender and seconded by Paul Sindere. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION TO VACATE PART OF WEBSTER STREET

Jim Deal, Attorney, presented Ordinance 2025-19 to vacating streets in West Brazil, Indiana in Posey Township. This portion of the street is not in use. Per the following:

ORDINANCE NO. 2025-19

AN ORDINANCE VACATING STREETS IN WEST BRAZIL, INDIANA

All that part of Webster Street in Nussel's Addition to West Brazil described as follows: Beginning at the northeast corner of Lot 5 in said addition; thence along the lot lines south 240 feet to the south line of said addition; thence northeasterly along the south line of said addition 40 feet to the southwest corner of Lot 13 in said addition; thence along the lot lines north 240 feet to the northwest corner of Lot 20 in said addition; thence southwesterly 40 feet to the point of beginning.

All of Fairbank Street in Nussel's Addition to West Brazil.

All that part of Harris Street in Nussel's Addition to West Brazil (designated as a half street on said plat) described as follows: Beginning at the northeast corner

of Lot 20 in said addition; thence along the lot line south 240 feet to the south line of said addition; thence northeasterly along the south line of said addition 14 feet to the east line of said addition; thence along the east line north 240 feet; thence southwesterly 14 feet to the point of beginning.

All that part of Nussel Avenue in Nussel's Addition to West Brazil (designated as a half street on said plat) described as follows: Beginning at the northwest corner of Lot 5 in said addition; thence along the lot line south 240 feet to the south line of said addition; thence southwesterly along the south line of said addition 20 feet to the west line of said addition; thence along the west line north 240 feet; thence northeasterly 20 feet to the point of beginning.

WHEREAS on October 10, 2025 a petition pursuant to Indiana Code Section 36-7-3-12 to vacate a part of streets in West Brazil, Posey Township, Clay County was duly filed with the Secretary of the Board of Commissioners of the County of Clay, and

WHEREAS the petition was set for hearing on Monday, November 3, 2025 at 9:00 A.M. before the Board of Commissioners of the County of Clay after notice by publication was given as required by law in Indiana Code Chapter 5-3-1, and

WHEREAS the petition was found to be in due form and content and that the closing and vacating of the road would in no way be adverse to the best interests of Clay County, Indiana or to any other person, the Board of Commissioners of the County of Clay now finds that the petition should be granted.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLAY as follows:

SECTION ONE
Vacating of County Road

The following described unused streets located in West Brazil, Posey Township, Clay County, Indiana be and hereby is vacated as a public way:

All that part of Webster Street in Nussel's Addition to West Brazil described as follows: Beginning at the northeast corner of Lot 5 in said addition; thence along the lot lines south 240 feet to the south line of said addition; thence northeasterly along the south line of said addition 40 feet to the southwest corner of Lot 13 in said addition; thence along the lot lines north 240 feet to the northwest corner of Lot 20 in said addition; thence southwesterly 40 feet to the point of beginning.

All of Fairbank Street in Nussel's Addition to West Brazil.

All that part of Harris Street in Nussel's Addition to West Brazil (designated as a half street on said plat) described as follows: Beginning at the northeast corner of Lot 20 in said addition; thence along the lot line south 240 feet to the south line

of said addition; thence northeasterly along the south line of said addition 14 feet to the east line of said addition; thence along the east line north 240 feet; thence southwesterly 14 feet to the point of beginning.

All that part of Nussel Avenue in Nussel's Addition to West Brazil (designated as a half street on said plat) described as follows: Beginning at the northwest corner of Lot 5 in said addition; thence along the lot line south 240 feet to the south line of said addition; thence southwesterly along the south line of said addition 20 feet to the west line of said addition; thence along the west line north 240 feet; thence northeasterly 20 feet to the point of beginning.

SECTION TWO
Repeal of Conflicting Ordinances

All ordinances or any parts thereof previously enacted which are in conflict with the provisions of this ordinance are hereby repealed.

SECTION THREE
Effect of Ordinance

This ordinance shall be in full force and effect from and after its passage and publication, if any, as required by law.

SECTION FOUR
Recordation of Ordinance

The Secretary of the Board of Commissioners of the County of Clay shall furnish a copy of this ordinance to the Clay County Recorder for recording and to the Clay County Auditor for transfer.

ORDERED AND ESTABLISHED this 3rd day of November, 2025.

TABLED FOR COMMISSIONERS DECEMBER 1ST MEETING

Bryan Allender
Commissioner, Clay County, Indiana

Mary Heffner
Commissioner, Clay County, Indiana

Paul Sindors
Commissioner, Clay County, Indiana

Patricia A. Foxx
Secretary of Board of Commissioners of the
County of Clay

The Commissioners tabled the request to vacate the street until a future meeting.

IN THE MATTER OF CONSIDERATION FOR METALS AND ADDITIVES REAL ABATEMENT RESOLUTION 2025-13

Scott Craig, Attorney, represented Lou Britton to present the abatement for Metals and Additives Real Abatement. The building plans had changed to build sooner than later so the company is asking for Real Abatement.

RESOLUTION NO. 2025- 13 OF THE CLAY COUNTY COMMISSIONERS

Metals and Additives LLC (Real Property Tax Abatement)

WHEREAS, **Metals and Additives LLC** (“Petitioner”) has submitted to the Clay County Commissioners it’s Statement of Benefits-Real Property Form SB-1/ dated the 13th day of October, 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 \$1 million for construction of new real property improvements; 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 \$1500 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 Real Property improvements dated the 13th day of October, 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: November 3, 2025.

CLAY COUNTY COMMISSIONERS

Bryan Allender /s/

Bryan Allender

Marty Heffner /s/

Marty Heffner

Paul Sinderson /s/

Paul Sinderson

Attest:

Patricia Foxx

Patricia Foxx, Auditor
Clay County, Indiana

A motion to approve Metals and Additives Real Abatement Resolution 2025-13 as presented was made by Paul Sinderson and seconded by Bryan Allender. Motion carried 3-0.

**IN THE MATTER OF CONSIDERATION FOR PURDUE
EXTENSION CONTRACT FOR 2026**

Olivia Morgan presented the annual Purdue Extension contract for 2026. Paul stated we do not have all of our allotted full time employees at Extension Office. Olivia will look into the questions from the Commissioners regarding the Purdue Extension contract.

The Commissioners took no action on the contract.

IN THE MATTER OF VERGE ASSESSMENT RESULTS

Rick Anderson, from Verge, did not have the finished results available for this meeting.

IN THE MATTER OF CONSIDERATION FOR ONSOLVE CONTRACT FOR 2026

Marty Heffner, Commissioner, presented the contract for Onsolve for 2026. After reviewing the contract, there were changes which needed to be made and the revised contract had not yet been received.

The Commissioners decided to table this matter.

IN THE MATTER OF CONSIDERATION FOR 2026 ANNUAL BID PACKET FOR THE HIGHWAY DEPARTMENT

Marty presented the 2026 Annual Bid Packet that the highway put together.

A motion to approve the 2026 Annual Bid Packet as presented was made by Bryan Allender and seconded by Marty Heffner. Motion carried 3-0.

IN THE MATTER OF CONSIDERATION FOR 2026 COUNTY HEALTH INSURANCE

Paul Sinderson, Commissioner, presented the annual 2026 County Health Insurance. The insurance premium increased 5% for 2026 and the 2026 Amendment #3 was approved. There is NO additional charge for Dental and Vision.

We will keep the Swift MD Plan. Both the Dental and Vision plans will increase from \$800 to \$875 each. We approve the Ryan Specialty Plan with the specific contract of 12/13 and the specific amount of \$85,000.

2026 County Health Insurance as followed:

Premium Rates for 2026 (Cost per paycheck)

<u>Regular plan (\$750 Individual Deductible)</u>	<u>High Deductible Plan (\$1,500 individual Deductible)</u>
Employee: \$50	Employee: \$40
Dependent: \$194	Dependent: \$163
Spouse: \$257	Spouse: \$200
Family: \$263	Family: \$205

If you do not have the insurance policy for the Regular Plan or High Deductible Plan, you can add Dental and/or Vision for yourself at a cost of \$17 per paycheck. If you want BOTH Dental and Vision, the cost will be \$34 per paycheck. For employee and dependent, the cost is \$34 per paycheck. For employee

and Spouse, the cost is \$34 per paycheck. For the employee and family, the cost is \$51 per paycheck. If you want BOTH Dental and Vision, you would double the amounts given for each category.

If you have the health insurance policy, there is NO additional charge for Dental and Vision.

A motion to approve 2026 County Health Insurance as presented was made by Paul Sindere and seconded by Bryan Allender. Motion carried 3-0.

A motion to approve 2026 Amendment #3 as presented was made by Paul Sindere and seconded by Marty Heffner. Motion carried 3-0.

IN THE MATTER OF PUBLIC COMMENTS

Chris Styleburg, Jack's Fine Foods, presented the Commissioners an issue with the Health Department. After a brief discussion, the Commissioners will review the paperwork that were given to them. Mr. and Mrs. Lohrman and Mr. Ron Leach also had comments on the Health Department.

IN THE MATTER OF ADJOURNMENT

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

Clay County Commissioners

Attest:

Clay County Auditor