WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
October 06, 2016
6:00 PM

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana.

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

County Auditor Debbie Stevens and Secretary Kristine Georges attended.

PLEDGE OF ALLEGIANCE

Gary Meyer: Thank you. Roll Call.

ROLL CALL

Gary Meyer: Roll call.

Krystal Powless: Gary Meyer?

Gary Meyer: Here.

Krystal Powless: Charlie Christmas?

Charlie Christmas: (Councilman Christmas was not in attendance).

Krystal Powless: David Hachmeister?

David Hachmeister: Here.

Krystal Powless: Allan Holweger?

Allan Holweger: (Councilman Holweger was not in attendance).

Krystal Powless: Brad Overton?

Brad Overton: Here.

Krystal Powless: Greg Richmond?

Greg Richmond: Here.

Krystal Powless: Paul Rudolph?

Paul Rudolph: Here.

Gary Meyer: I will make a update on Charlie. He's getting better. He's still in rehab with his ankle,he's getting better however Al is going in, I think tomorrow, for his surgery.

Krystal Powless: He went in tonight.

Gary Meyer: He went in tonight for his surgery tomorrow. So keep, keep these people in your thoughts, please. Also I'd just like to make a quick statement, I'm sure some of you have family and/or friends in Florida, South Carolina, all these places, so keep them in your mind too. It's supposed to hit tonight, and it's supposed to be pretty bad. So I know a lot of people may have family and friends at least down there. I do.

APPROVAL OF MINUTES
SEPTEMBER 1, 2016

Gary Meyer: So, okay, approve Minutes to the Regular, the Regular Meeting, September 1st, 2016. Any additions or corrections?

David Hachmeister: If not, motion to approve.

Brad Overton: Second.

Gary Meyer: Motion approved by David and seconded by Bad Brad to approve. All those in favor? Opposed? Motion carried. You voted for it I assume? Yeah, okay. Motion carried five, zero (50).

Paul Rudolph: Is that a Freudian slip calling him Bad?

Brad Overton: I was wondering that. It's early in the meeting.

Gary Meyer: It's early, it's early.

Paul Rudolph: I say a little bit for those...

Gary Meyer: I was gonna say, I gotta save some of this (inaudible) for later on.

QUORUM/MAJORITY VOTE

Gary Meyer: I will make an interesting statement here, we've got five (5) members present, which is a Quorum, however we do need four (4) votes to pass anything, which is the majority of the total of the Council, so, just to be aware of that.

INNKEEPER TAX DISCUSSION

Gary Meyer: Council Business, Innkeeper Tax Discussion. We've kind of discussed this issue quite a bit, and we tabled it several times. The only thing we could, the only thing that would be voted on tonight is if we wanna proceed with the issue which would go to the State and then the State would review it. Then it would come back to us. Then we would vote, actually on the tax increase, blah, blah, blah. Is that, am I reading this right, Counselor?

Cliff Whitehead: That's correct.

Gary Meyer: Okay, so, if you wanna go on, proceed with the issue, with the thing, we've changed it a lot from the State Statute, and that's what has to be approved by the State Legislature. And so that's what we would be voting on tonight is if we wanna proceed with this to go to the State Legislature. Then it would come back to us, if they changed it or not changed it, then we would vote on whatever we have to vote on at that point. So, if anybody wants to discuss it, I guess we can, but we've pretty well discussed this issue pretty much. So...

Paul Rudolph: So, Cliff, basically to confirm, if we said something tonight, we can have something drawn up for November, in which case we could have earliest passage in December? Is that a correct statement?

Cliff Whitehead: That is correct on, based on the State Legislature moving that quickly. So my next action, if the Council passes a motion to inform me to continue and further this, is to speak with a Representative about our proposed Ordinance. They would then take it to their Committee and their bill drafters to see if they need to change it in any way and then it would be up for a vote. But this is all on how fast our Representative and their Committee can move. There is a chance that they can't move as quickly as we want them to. But my understanding from Representative Bacon who was here two (2) months ago is that if we were to pass it this month, he could not see an issue of having a vote on it and being prepared to have a, for it, for it to be passed by the State Legislature for the 2017 Session.

Gary Meyer: It'd have to be voted on by the session? Not a Committee? So, it's...

Cliff Whitehead: It has to get out of committee first, then go to (inaudible).

Gary Meyer: Then go before everybody okay, I gotcha.

Cliff Whitehead: Correct.

Greg Richmond: And it does not enact it at that point for, from us, from our standpoint? It comes back for us to actually look at the Ordinance and decide whether to pass it or not?

Cliff Whitehead: That's correct. It enables us to then enact a levy pursuant to that enabling Statute. So, yes, so if for some reason they even modify it to an extent where you no longer want it pass it, want to pass it in the form they modified it to, or the Council changes their mind and decides they don't want to pass it, even if it's in the same form that we're voting on tonight, or may vote on tonight, you can, not enact it in the tax and not the levy.

Gary Meyer: Okay.

Greg Richmond: I for one would like to see it continued on to the Legislature since we wouldn't be passing it now, to get the wheels in motion, rather than waiting another whole year. And then it will come back to us and at that point in time we can discuss it, hash it, decide for it or against it at that time.

Gary Meyer: Right.

Greg Richmond: Cause nothing goes into effect for a law until we pass it.

Brad Overton: And I'd just like to point out because initially when this thing was presented, I, I couldn't say that I was a fan of it. But I think the two (2) key provisions that we made in our committee, reviewing this, I, I think was the one (1) is the Section 7, is the sentence that 'all distributions of money from the fund shall be made to entities designated as non-profit organizations under the laws of the United States of America.' And then the second part that I think that we've made which I think really puts the control back into our hands, especially since it is, I mean we'll call it what it is, if you wanna call it a tax on staying in a hotel or whatever you wanna say, I mean, just call it what it is. It's an increase in funds. But I think the other part is under Section 10, is 'that an expenditure mal not, may not be made under this Ordinance unless it is in accordance with the appropriation made by the Council in the manner provided by the law.' So for me to have even gotten behind and to get it as far along as it is and we're not voting yes or no on the approval of it. But I think if the County, if we're going to look at enacting something that would impact revenue or impact people's possible finances or budget, we've kept that within the Council's control and within their realm and also we had a focus of wanting to keep this on, enact this to promote non-profit organizations. Now granted there's a lot of different non-profit organizations and I, you can't say that every single non-profit is, you know, a great thing, necessarily. But I think we narrowed that scope down quite a bit and, and I think with that scope I think there is the possibility this fund could be used for a lot of good things. And I think also that it puts that control back to us to try to prevent some of those unwieldy and perhaps unseemly or unsightly expenses that we had people talk about that they didn't want enacted in regards to local and other areas near us that have spent money on things we thought weren't appropriate in these types of situations. So, but I just wanted to voice my opinion about that and you know, my concerns or my, I don't know, my opinion on this Ordinance. I don't know if anybody else has anything they wanna add, one way or the other.

Paul Rudolph: So I have a question. I'm glad you highlighted that stuff. Cause actually I had a question on that sentence you just discussed. So this sentence and I'll read it again, 'All distributions of money from the fund shall be made to entities designated non-profit organizations under the laws of the United States of America.' So I interpret that sentence to say that we want to advertise, we have to advertise with a non-for-profit. Is that how you're interpreting that sentence? Meaning if we give any money away to buy a pamphlet or anything else, that money's got to be used and, and

given to a non-profit. So all distribution of money from the fund, so if we get a lawyer, that lawyer has to be a non-for-profit. Cause that's a distribution of money. Right? So we purchase anything that's a distribution of money to my interpretation. Which I don't think, I'm not sure if we can do that. I, I think we want to be able to purchase things and so I'm not sure if I like or if I appreciate that sentence the way I think you may have intended it. Why guessing...

Brad Overton: I think probably our intent, and I don't wanna speak for anybody else, but let's say that it was, let's say Citizen Joe has a business producing furniture. Okay, and it's a for profit business, so that's what he, you know, that's, that's his business. And then we've got Citizen Sue, and she's, has some type of organization that's raising funds to promote the betterment and welfare of abused children, for instance. You know, the funding from this fund wouldn't be used to promote Citizen Joe's, you know, furniture business but we could use that money to promote or fund you know, whoever I named, Sue's fund for abused children. Or even...wait a minute...that should be something for tourism, so we're looking at a touristy thing. So something that would draw the tourism in that was a non-profit. So, I think that's...

Paul Rudolph: Scales Lake that's what...

Brad Overton: Yeah, let's say that. So I mean, I think that, I mean that was my intent with this, with the, was that yours as well, Gary?

Gary Meyer: Uh huh.

Brad Overton: I mean not to speak for anyone else. I think that was Charlie's even though he's not here also. But that was kind of our concept behind that. Now as far as what you're mentioning, whether they could use that to purchase or for an attorney, I, I don't know, I mean, that's not necessarily, I, I don't know as far as interpreting that. I mean I, I'd leave that up to the...

David Hachmeister: Well, if the money's for distributing to the organization then they can hire an attorney if needed be. But the money'd still need to be distributed to the non-profit.

Gary Meyer: Right.

Brad Overton: Yeah, yeah, certainly.

David Hachmeister: Or equipment, whatever the situation might be.

Cliff Whitehead: And, and I, I think Paul, that is a reasonable interpretation of the way it's written. That was the intent of, of the committee and obviously we'll have to, I don't know, we don't have to approve the committee's recommendation. However I think one of the things that we discussed in committee was the idea that we did not want this Commission to start having a lot of expenses of its own, and having a lot of overhead of its own, and this is a way that the committee decided would be a way to limit them really becoming their own, own beast in that sense. Because at the end of the day any decision that this Commission makes must be approve, to spend money, must be approved by this Council, which would then have to be approved by the Council's Attorney, whoever it may be at that time. So I, I understand your concern but I, I do think that was an intent of the, the Council's committee when we were looking at this. But words can always be changed as we've said numerous times it's not final. So if we wanted to have language inserted that would separate the operation of the Commission or maintenance of the Commission compared to distributions made with the purposes of promoting tourism, we can add language in there to that effect.

Greg Richmond: Non-profits, could that include, I'm not sure, but like the Warrick Chamber of Commerce? Are they non-profit? And then like the Indiana Department of Tourism?

Gary Meyer: Um hum.

Greg Richmond: So we could get promotions along the highways at the rest stops?

Brad Overton: Um hum.

Greg Richmond: Is that considered non-profit?

Gary Meyer: That's the way I look at it.

David Hachmeister: Yeah.

Cliff Whitehead: If, if, if they're under the tax code, as long, non-profit, then that, we wanna make this broad enough where one would not limit it to just a 501(c)3 or a typical non-profit, but be broad enough where it could take into consideration other non-profits like the Chamber. So that's why it's, it's broad enough where, yes, a non-profit under any of those sub-sections of 501 would qualify.

Paul Rudolph: So, Cliff, as our attorney, are you suggesting that it's okay to keep it as it is? Or that it might be better to make a revision to adjust that sentence? Right? So I'm just one person's attorney, one person's opinion. If no one else interprets it the same way, you know maybe that's just a overly formulaic interpretation.

Gary Meyer: Well I, I didn't, well I sat on the committee but I didn't interpret the way you are. But that doesn't mean right or wrong with it. The way I interpreted it is what we intended. The intent of the committee was to, like, like Cliff said, we didn't want them to have a pot full of money and create another bureaucracy. Basically we wanted to give the Council more control over the thing.

Brad Overton: So, I, I mean the way this is written now, I mean that wouldn't limit them from purchasing manila folders or some ink pens. I mean that's, I mean, I think, but I mean I don't know that maybe that's, I don't know if that's the concern that if, I mean I'm sure we could put something, I mean I don't know for office supplies or...? And, and were they required to hire an attorney, Cliff? Or was that, or we just thought that was probably best? I'd have to, I can't remember the discussion on that exactly.

Cliff Whitehead: Yeah, well first of all, no, I don't believe this would limit the Commission from not using the money, after

Brad Overton: Oh, okay.

Cliff Whitehead: Which I believe is what it contemplates. But an attorney who is not an employee of the Commission, just like I'm not an employee of the Council, I think it could be read like Paul says, that it would have to be a non-profit, which I think would be hard to come by. So to make it flexible enough, I, I do see Paul's point. That's why it's good to have this before the Council. And that we would have a separation of distributions in, for the purpose of promoting tourism, would be only to those entities designated as non-profit. That would leave open the management and operations of the Commission. And I'm sorry you had a second question that I...

Brad Overton: I think you answered me.

Cliff Whitehead: Oh really? As far as required, requiring an attorney?

Brad Overton: Oh, yeah, the required...

Cliff Whitehead: Requiring an attorney. They're not, they're not required to have an attorney. There's nothing in the, in the, the Uniform Innkeeper's Tax that requires the Commission to have an attorney. Some do, some don't.

Brad Overton: Okay.

David Hachmeister: Would this Commission be required to file a 501(c)3?

Cliff Whitehead: The Commission itself?

David Hachmeister: Yeah.

Cliff Whitehead: No.

David Hachmeister: Okay.

Cliff Whitehead: No.

David Hachmeister: Uh...

Cliff Whitehead: So to Paul's point, what I could do is, is modify that sentence, 'All distributions of money from the fund for the purposes of promoting tourism.' I'm looking for other, and I hate to amend this on the fly, without you looking at it. 'for the purposes of promoting the development and growth of the convention, visitor, and tourism industry in the County shall be made to entities designated as non-profit organizations under the laws of the United States of America.' I think that would then allow flexibility for the management, the operation to the Commission to do what they want as long as it's approved by the Council to hire their own vendors that would not have to be not, 501(c)3, 501 entities, non-profit entities.

David Hachmeister: Well I was wanting, and made the statement in the past meetings over, that I was the one that was not really in favor of it because I don't like payin' it myself when I go anyplace. So I don't have to go anyplace else, but as, and one of the things too that I didn't really like, the Council implemented a tax, but yet we couldn't control it, and I think the way it's written now, that we can control everything except sixty percent (60%) of the, of the appointees so you know, I would make a motion we proceed.

Gary Meyer: Okay, motion made by David.

Brad Overton: With the...

Paul Rudolph: With the amendment Cliff mentioned?

David Hachmeister: What you recommended?

Paul Rudolph: The suggestion? The adjustment to the second sentence of Section 7?

David Hachmeister: I don't...

Gary Meyer: What the attorney just talked about.

David Hachmeister: Uh...

Cliff Whitehead: I can go over it again if you wish?

David Hachmeister: Oh, if you think it needs to be amended, as I see it, I understand it.

Cliff Whitehead: My...my concern is that like Paul's interpretation of it is, others may have the same interpretation and then in order to correct that issue that others may have the interpretation of, we would have to go back to the State Legislature. So I, I think this does two (2) things. I think, I think it shores up that interpretation and two (2) it still keep the power in the Council to decide whether the appropriation is necessary. So just because they may hire an attorney who's a not, not a non-for-profit, the Council still has to appropriate money for that contract with that attorney. So again the power still rests in the Council. If you believe the Commission is not acting in furtherance of promoting or the bureaucracy of the overhead of the Commission is getting too high, so it allows some flexibility but, but not complete control in the Commission's hands.

Greg Richmond: So, so what, what I was concerned with was this, I read this also was like Boonville Square Flair and Newburgh Fiddler Fest, for example, if they wanted to, if, if somehow or another, they wanted to hire an advertising firm to promote this somehow or other...

Gary Meyer: (Inaudible) okay with this?

David Hachmeister: Yeah, I mean I'm okay either way.

Gary Meyer: Okay, he thinks it will clean it up enough.

Greg Richmond: That advertising firm would certainly not be non-profit. So how do we get around that?

Gary Meyer: He thinks it will clean it up (inaudible).

David Hachmeister: Okay, (Inaudible) question out of it.

Cliff Whitehead: I'm not, I think that's one step further than I'm personally not concerned with that interpretation because you're still, if that, those entities come to you, they're still non-profits. And they are still coming to the Commission and ultimately the Council for funds for advertising or for something. Just because they hire a vendor that may not be a non-for-profit, the money's still being distributed to the nonprofits. So I, I'm not concerned with that interpretation just me personally, but...

David Hachmeister: That's the way I was lookin' on it.

Paul Rudolph: Additionally, we could always give it to the non-profit that would then give it to such as, Friends of Newburgh that does Fiddler Fest. We could give it to Friends of Newburgh who would then give it to the advertising agency rather than giving it directly which would comply with the statute or with the section as drafted as modified.

Cliff Whitehead: That's correct.

Greg Richmond: Okay, I'll second it then.

Gary Meyer: Have a second, by, just asked for a second, seconded by Greg. So we have a motion by David, seconded by Greg to proceed with Cliff's adaption or...

Cliff Whitehead: Amendment to the...as written.

Gary Meyer: Amendment, yeah, that's what I was tryin' to think of. Any further discussion on the motion?

Paul Rudolph: I just wanna make sure, so we're, we're motioning not on the amendment but just to...

Gary Meyer: To proceed.

Paul Rudolph: To proceed to the State Legislature.

Gary Meyer: Right, that's it.

Paul Rudolph: Okay.

Gary Meyer: That's it. All those in favor of the motion? Opposed? Motion carried four, one (4-1, Paul Rudolph opposing).

Krystal Powless: And the one (1)?

Gary Meyer: Paul.

SUPERIOR COURT I BUSINESS ADULT PROBATION SUPERIOR TRAVEL

Gary Meyer: Okay, Superior Court Business, Additional Appropriation.

Paul Rudolph: Before we go on just real quick...

Gary Meyer: I'm sorry.

Paul Rudolph: I do think the amendment was a good idea, regardless of whether or not I'm for it. I'm just wanted to say that I'm, I'm glad we chose that.

Gary Meyer: That's because you brought it up.

Paul Rudolph: That's true too.

Gary Meyer: Superior I Business, Additional Appropriation, Adult Probation Superior, Travel Superior I, two thousand dollars ($2,000.00).

Judge Zach Winsett: Good evening, Gentlemen.

Gary Meyer: Hey, Judge.

Judge Zach Winsett: Zach Winsett for Superior Court number one (I). The first item, as you said, was the travel. Came up a little short on the travel budget. We owe our Probation Officer a little bit from her last training. She had to, and it's required, it's required training. I don't really have a lot to say about that. I think two thousand ($2,000.00) is, we're not going to use the two thousand ($2,000.00) probably but it'll go back in the County General at the end of the year.

Paul Rudolph: Where's the travel to?

Judge Zach Winsett: I, I thought I was just talking about additional pauper fees, and, and the salary ordinance. I had no idea about this Travel Superior I, so I, I don't have the answers to your questions. I was furiously texting when I came in

Brad Overton: But it was required training that they...

Judge Zach Winsett: It was required training and...

Brad Overton: Motion to approve.

Gary Meyer: Motion made by Brad. Is there a second?

David Hachmeister: Yes, I'll second it.

Gary Meyer: Seconded by David to approve the travel. Any further discussion?

Paul Rudolph: Do we know when the travel is?

Judge Zach Winsett: No, it's already taken place.

Paul Rudolph: It's already taken place.

Judge Zach Winsett: It's already taken place. We owe the probation officer a little money from the hotel stay and that sort of thing, for her travel expenses. I don't have anything left the rest of the year and I don't, I don't know of any other major expenses the rest of the year for the travel.

Paul Rudolph: So if I could just ask one question...

Judge Zach Winsett: Yes?

Paul Rudolph: We're doing it a little bit backwards, right? The travel's already occurred...

Judge Zach Winsett: Yes.

Paul Rudolph: And now we're approving the cost for it. Why is that?

Judge Zach Winsett: I...

Paul Rudolph: I'm not trying to give you a hard time about it, but I just wanna understand if there's something that, if there's a process that broke down a little bit.

David Hachmeister: We tabled it last meeting.

Paul Rudolph: Is that what it was?

David Hachmeister: Because you weren't here last meeting, we tabled it.

Paul Rudolph: That's what it was.

Judge Zach Winsett: I, I will have an answer on that at 8:45 AM tomorrow, cause I don't know how exactly that happened either.

Paul Rudolph: Thank you, Zach.

Judge Zach Winsett: Thank you. But yeah, that's something that needs to be looked at if not, half way through the year, quarterly, and saying, "Where are we at with the travel budget; what do we have going on," so policy will change tomorrow. I don't want that to happen again.

Greg Richmond: Theses are fees?

Paul Rudolph: I thought this was from County General.

Greg Richmond: Two, oh, two (202).

Krystal Powless: No, it's user fees.

Judge Zach Winsett: Oh, these are fees? Move it from (inaudible).

Paul Rudolph: So...

Judge Zach Winsett: Okay. Thank you.

Gary Meyer: Okay, we have motion made by Brad and seconded by David to approve. All those in favor? Opposed? Motion carried five, zero (5-0).

PAUPER DOCUMENTS

Gary Meyer: Additional Appropriation, Pauper documents, it's ten thousand dollars ($10,000.00).

Judge Zach Winsett: Yes, this is the line item that all our public defender fees come out of. The...

Gary Meyer: Is this part of that murder trial that we just went through?

Judge Zach Winsett: Yes, Sir.

Gary Meyer: Is it? Okay.

Judge Zach Winsett: And just to kind of paint a little picture for you, we originally budgeted ten thousand dollars ($10,000.00). That takes care of all civil extra Public Defender fees. All the children in need of services and, and child support, that sort of things, and, and the murder trial and these extra things. We were initially appropriated then thousand dollars ($10,000.00) at the beginning of the year. I came back in June for thirty ($30,000.00), got it. So that was forty ($40,000.00) for the year. The McCallister trial for this year alone, we've pulled thirty-three thousand ($33,000.00) out of that. Okay, that's what it's cost us for this year, just, just with that trial. Also coming out of this is mental evaluations when a criminal defendant has to have a mental evaluation. When we pay per diem to attorneys for a jury trial, we've had one of those this year, and the Civil Court appointments. So we're, we're over that forty thousand ($40,000.00) right now and that's because of that murder trial. Murder trial's not over, the, there's appeal. We're gonna have to pay for that. That's gonna run about six thousand dollars ($6,000.00). We have another murder trial right now, and there's going, there's either mental evaluations or maybe some kind of testing that's coming and we're going to have to keep paying our Public Defenders. So, that ten thousand dollars ($10,000.00) is inaccurate, the way I've seen it and, and figured it. If I'm gonna try to hit it on the button, it'd be twenty thousand ($20,000.00) to get us through the rest of the year. That's my best estimate. So, that's, that's what I'm asking for, is, is, is, is twenty thousand ($20,000.00) through this year and I'm trying to, I'm trying to hit that right on the button, not asking for any more than what I think it would take.

Brad Overton: We can't amend that tonight, since it's been advertised.

Krystal Powless: No, no. He'll be back next month.

Gary Meyer: He'll be back.

Judge Zach Winsett: Can we do the ten ($10,000.00)...can I ask for the ten ($10,000.00) tonight?

David Hachmeister: Motion to approve to approve the ten thousand ($10,000.00).

Judge Zach Winsett: I'd asked for the ten ($10,000.00) tonight.

Brad Overton: Second.

Gary Meyer: Motion made by Dave and seconded by Brad to approve the thousand ($10,000.00). Any further discussion? All those in favor? Opposed? Motion carried five, zero (5-0).

SALARY ORDINANCE
FIELD SERVICE OFFICER
VACATION DAYS

Gary Meyer: Salary Ordinance, Field Service Officer, Vacation Days, two hundred (200)...

Brad Overton: Motion, motion to approve, sorry.

Gary Meyer: Two hundred and sixty-four dollars and two cents ($264.02). Motion made by Brad to approve.

David Hachmeister: Second.

Gary Meyer: And seconded by David. Any, any discussion?

Paul Rudolph: Yes, just a quick, did I notice, and, Roger, you're in the room, did I notice that the Handbook has been changed that now people are able to sell two (2) weeks and it used to be one (1)? Is that a correct interpretation?

David Hachmeister: What's that got to do with this?

Gary Meyer: Hum?

David Hachmeister: What's that got to do with this?

Gary Meyer: Uh uh?

Roger Emmons (from the audience): If they're eligible for five (5) weeks, they can sell back ten (10) of those days, every year.

Paul Rudolph: Um...

David Hachmeister: But this is a retired person, so...

Paul Rudolph: I see...

Judge Zach Winsett: He, he actually turned...

Krystal Powless: Yeah.

Judge Zach Winsett: In his resignation.

Krystal Powless: I was gonna say.

Paul Rudolph: It just reminded me of that subject, I'll probably wanna ask you a couple more questions about that later, Roger. But for this, no other questions.

Gary Meyer: Okay, motion made by Brad and seconded by Dave. All of it, all in favor? Opposed? Motion carried five, zero (5-0).

Krystal Powless: Yes.

Gary Meyer: Alright.

HOME VERIFICATION OFFICER

Judge Zach Winsett: Um...an additional issue that I wanted to discuss that actually relates to the gentlemen who resigned. He worked at the Drug Court, and he was the only Home Verification Officer there. He was paid out of County General. I can't, with, with our current numbers, our current money, we're bringing in, and our expenses, the way things are going right now, I can't really justify hiring another, replacing him as Home Verification Officer. What we need as a program, the heart of the program, is the Coordinator who's the boss, and the two (2) Case Managers. They do a great job out there. I kind of inherited this program. It's a lot of work. It's a labor of love. But I think it does a lot for the community. It's done a lot for the methamphetamine epidemic, and it's going to do a lot for the upcoming opiate epidemic, and the epidemic that's already here, really. So we're already bracing for that and preparing for it. What I want to do is take an existing case manager that's paid out of the program fees and replace the person who resigned's spot, move that person who's paid out of the program fees to take his spot. So their salary and, and insurance and all that is paid out of County General. That would free up some funds for us to be utilized. Maybe we could hire some Home Verification part time. Maybe we could utilize with local law enforcement resources instead of hiring someone full time. And it would, that's what I'm asking the court, or the Council to do, for permission to do that. And I'd be here to answer any questions that you may have. There is a little difference in the salaries. There's about six thousand dollar ($6,000.00) difference. If, if the Council could make up that difference, it would really help us out. If not, I think we could make up that difference with our program fees. And I would respectfully request that to be made, that change to be made just as soon as possible. And then once the numbers get up and our, our budget starts looking better, then we'll look at possibly, maybe rehiring a Home Verification Officer full time, if we get there. We're just not there right now. So that's what I'm asking, and then this is, this is very, this is very important, it's a very important resource out there, the Drug Court, and our expenses keep going up out there. It's a pretty big building, we only occupy about half of it. But we, the utility bills are just really high. The internet and phone is really high, so we've got, we've got pretty high expenses.

Krystal Powless: (Inaudible).

Judge Zach Winsett: Right now we pay the Case Manager, we pay her salary, we pay her health insurance, she's on the County insurance, but we pay like twelve thousand dollars ($12,000.00) a year for it. We pay the PERF, we, we just pay everything. So that would, that would really free up some funds for us to utilize in other ways. And it's already budgeted. He's already budgeted for the rest of this year. That position is already budgeted for next year as well.

Gary Meyer: Now are you asking us for the six thousand dollars ($6,000.00) to supplement that salary?

Judge Zach Winsett: Yes, I'm asking for that as well.

Krystal Powless: You're asking, basically you're asking, he's asking to pay this position out of County General.

Gary Meyer: That has to be advertised doesn't it?

Krystal Powless: No, it doesn't have to be advertised, but I'd have to bring a salary ordinance next month retroactive back to today, or you can wait to approve it next month.

Gary Meyer: Okay.

Paul Rudolph: Put in my words, let me see if I got this right, currently the field soft, Field Service Officer which is no longer around, is paid out of County General at thirty-four ($34,000.00).

Krystal Powless: Yeah.

Judge Zach Winsett: Correct.

Paul Rudolph: And the Case Manager is paid out of the Judge's fund at forty-one ($41,000.00),

Krystal Powless: Correct.

Judge Zach Winsett: Correct.

Paul Rudolph: And he is asking that the case manager be now paid out of the County fund at the forty-one ($41,000.00). We would no longer have a Field Service Manager, which means long story short, there's a six thousand dollar ($6,000.00) impact to the County General Fund.

Judge Zach Winsett: Yes.

Paul Rudolph: There's a thirty-four thousand dollars ($34,000.00) savings to the, to your Honor's Fund.

Judge Zach Winsett: Yes.

Paul Rudolph: Which is obviously a net favorability, and I would support that.

Krystal Powless: And, and the answer I wanted to clarify, if you do support the extra six thousand ($6,000.00) that would have to be advertised, yes.

Gary Meyer: That's what I...

Krystal Powless: (Inaudible).

Judge Zach Winsett: And we have to come back anyway? Correct?

Krystal Powless: Yes.

Judge Zach Winsett: Okay.

Paul Rudolph: So I would motion that we advertise that for approval at the next month's meeting.

Krystal Powless: Okay.

Gary Meyer: Motion made by, excuse me, Paul to advertise the six thousand dollars ($6,000.00) for the next, for the November meeting. Is that right?

Krystal Powless: Well...

Greg Richmond: It's sixty-seven (67), seventy-two (72).

Krystal Powless: Well, that's for a whole year.

Greg Richmond: Okay.

Krystal Powless: Don't quote the number until I calculate exactly...

Gary Meyer: Okay.

Krystal Powless: What it needs to be. But you also need, your motion needs to include he can pay this person out of County General now or not.

Gary Meyer: I guess your motion includes that?

Krystal Powless: Not, Drug Court.

Paul Rudolph: Apparently it does.

Gary Meyer: Is there a second for that motion?

Greg Richmond: Second.

Gary Meyer: Seconded by Greg. Any further discussion?

Brad Overton: So, just to clear this up...

Judge Zach Winsett: Yes.

Brad Overton: We already have, we're already funding the one position out of County General currently, correct?

Judge Zach Winsett: Yes.

Krystal Powless: Um hum.

Brad Overton: Okay, and so all we're doing is, okay. That's, I was just, I was just a little confused on that wording there so...

Judge Zach Winsett: The, the heart of the program is the Coordinator and the two (2) Case Managers.

Brad Overton: Yeah.

Judge Zach Winsett: If we don't have them, we don't have a program.

Brad Overton: Right.

Judge Zach Winsett: We have a periphery of individuals such as the Home Verification Officer and for some reason those are the ones on County General. So we can kind of survive and lose him for a while, but we can't lose the Case Managers.

Brad Overton: Okay. I, I, I gotcha. So we're (Inaudible) okay.

Gary Meyer: Any further discussion? All those in favor? Opposed? Motion carried five, zero (5-0).

Judge Zach Winsett: Thank you, Gentlemen.

Gary Meyer: Thank you.

Judge Zach Winsett: Mr. Whitehead, Ms. Powless. Good evening.

HEALTH DEPARTMENT BUSINESS
ADDITIONAL APPROPRIATION

Gary Meyer: Health Department Business, Additional Appropriation, Animal Control, one thousand eight hundred and forty-four dollars ($1,844.00), Vaxcare, nine hundred fifty-six dollars ($956.00) for a total of two thousand eight hundred dollars ($2,800.00).

Krystal Powless: Remember you told him he didn't have to...

Brad Overton: Yeah, motion to approve

Gary Meyer: Mo…motion made by Brad to approve.

Krystal Powless: (Inaudible).

Gary Meyer: Is there a second?

David Hachmeister: Second.

Gary Meyer: And seconded by David. All those in favor? Opposed? Motion carried five, zero (5-0).

TRANSFERS

Gary Meyer: Transfers, transfer from Official Bonds, one thousand nine hundred eighty-five dollars ($1,985.00), transfer to Gas, Oil, and Lube, one thousand nine hundred eighty-five dollars ($1,985.00).

Brad Overton: Aaron, these bonds, do you even use these for anything?

Aaron Franz: Sometimes we do have to use them to pay for, it's, it's used basically to pay for our health office, some of our health officers, certifications is what it's used for.

Brad Overton: Oh, I mean, I was just wondering if it'd be easier to move those funds somewhere else, at the (inaudible)…

Aaron Franz: I just, I just hate to, I hate to do it early because if something comes up that's, that we might miss, so that's why we just kind of, we leave it there, and we can transfer if we need to, but I can probably do with less.

Greg Richmond: Even better.

Brad Overton: Okay.

Aaron Franz: Yes.

Gary Meyer: Is there a motion?

Brad Overton: Motion.

Paul Rudolph: Second.

Gary Meyer: Motion made by Brad to allow the transfer and seconded by Paul, was that you?

Paul Rudolph: Yes.

Gary Meyer: And seconded by Paul. All those in favor? Opposed? Motion carried five, zero (5-0).

Aaron Franz: Thank you.

Gary Meyer: Thank you.

AUDITOR BUSINESS
FUNDS 1124 & 1125 UPDATE
INTRODUCTION & PASSAGE OF RESOLUTION 2016-03

Gary Meyer: Auditor Business, Update, Funds 1124 and 1125 Congressional School Principle and Interest.

Debbie Stevens: Good evening. Debbie Stevens, Warrick County Auditor. I forwarded earlier this week a follow up email to all of you from Mr. Rudolph's request last month to discuss with the Treasurer Pat Brooks and discuss with the School Corporation Brech, Brad Schneider, is who I spoke with. And I did all of this by email so that you could see what his response was. And we also received a quote which I included in the email based on point seven, five (.75%) which is a new quote on interest that Pat received from a banker who was competing for some of our money to be invested in their bank. That is the highest quote on interest we currently have. So the earning, the annual earnings on the investment would be a hundred and fifty-six dollars ($156.00) a year, and the disbursement is more than that. So over time, the fund is going, the interest fund is going to go to zero (0). So I reached, I did reach out to Pat, with Pat, she was willing of course to go ahead and get the quotes so we, we would have an idea what we were talking about in interest. She really didn't have a preference either way, she was just like, it's such a small amount of money, the only way we're going to get that kind of interest is in, to include it in a larger investment which is how she got the point seven, five percent (.75%). And then, of course you saw the response from Mr. Schneider which is to just go ahead and disperse the lump sum, he's fine with that, and close, close the fund. Do you have questions for me?

Gary Meyer: Yeah, what is the advantage of us sending it back to the State, disposing the fund?

Debbie Stevens: It goes into, it goes to the Education Department, so it is, it does stay with things that are used with school, with School Corporations, or in regards to education. What's the advantage? For us, it, it means that we no longer administer, or we're no longer managing these funds for the School Corporation which is basically what we're doing with this money now. It, it was, as I mentioned before, money from sales of schools or property or maybe both out in the townships when we had a School Corporation formed in our County. So the money can be used for nothing else, the re, the rules around the fund is that it is to be invested. So if we do keep it in the County, we must invest it and so that we have some kind of revenue coming in in the form of interest.

Gary Meyer: Are there any rules as far as, can we disperse it in anyhow? Or can the County disperse it to our local schools? Or no?

Debbie Stevens: Just the interest.

Gary Meyer: Just the interest.

Debbie Stevens: Just the Interest Fund.

Gary Meyer: Okay. I just hate to see us spend, send money to the State that's our money.

Paul Rudolph: Seems to me that everyone is in agreement, the, this is the right thing to do. I haven't heard any disagreement, no one's challenged it. I'm I correct on that? Anyone else has any...

Gary Meyer: Well I, no I agree with that.

Paul Rudolph: Yeah.

Gary Meyer: I just have a personal problem with it

Paul Rudolph: I, I, I, understood, understood. So based upon that, I guess we need to introduce a Resolution?

Gary Meyer: We've got one.

Paul Rudolph: Or we...

Gary Meyer: Yeah. I guess we do need to introduce it.

Paul Rudolph: That's what I was wondering.

Gary Meyer: What's the number?

Krystal Powless: Three (3).

Gary Meyer: Three (3). Okay.

Paul Rudolph: I motion we introduce the Resolution.

Gary Meyer: Is there a second to that motion?

David Hachmeister: Yes, Sir.

Gary Meyer: Motion's been made and seconded to introduce Resolution 2016-03. Does that mean I need to read this?

Cliff Whitehead: Just the title.

Gary Meyer: Oh, okay.

Cliff Whitehead: And if any member of the public wants a copy, we have a copy.

Gary Meyer: A Resolution surrendering the custody of the County Congressional Township School Fund.

Brad Overton: Nice job.

Gary Meyer: That was it, huh?

Brad Overton: Yeah.

Gary Meyer: Got through that.

Paul Rudolph: No titles.

Gary Meyer: So we have a motion made by Paul and seconded by David to introduce, which we did. All those in favor of that motion? Opposed? Motion carried four to one (4-1 with Gary Meyer opposing).

Krystal Powless: And the one (1)?

Gary Meyer: Me. Now do we go ahead and vote on it, tonight?

Cliff Whitehead: Yes.

Gary Meyer: Okay. Okay, we vote on it, so...

Paul Rudolph: I take it that means we need a motion.

Cliff Whitehead: Motion to, yes, to...

Paul Rudolph: Motion to approve the Resolution that was introduced.

Gary Meyer: Motion made by Paul to approve the Resolution that the, the Resolution number 2016-03, is there a second?

David Hachmeister: Yeah, I'll second.

Gary Meyer: And seconded by David. Any further discussion? All those in favor? Opposed? Four to one, me. (4-1, with Gary Meyer opposing). Okay.

Gary Meyer: Thank you.

(Resolution 2016-03 is located on Pages 18 through 19 of these Official Minutes)

SHERIFF BUSINESS
SALARY ORDINANCE

Gary Meyer: Okay, Sheriff Business. Sheriff Ordinance, vacation and sick pay, three thousand ninety-seven dollars and thirty-nine cents ($3,097.39). Good evening, Sheriff.

Brett Kruse: Good evening. This is for a dispatcher that quit full time, she works part time.

Brad Overton: Motion to approve.

Paul Rudolph: Second.

Gary Meyer: Motion made by Brad and seconded by Paul to approve. All those in favor? Opposed? Motion carried five, zero (5-0).

Brett Kruse: Thank you, Gentlemen.

Gary Meyer: Thank you.

BUILDING DEPARTMENT BUSINESS
TRANSFER

Gary Meyer: Building Department Business, Transfer, transfer from Equipment two thousand seven hundred forty-nine dollars and seventy-eight cents ($2,749.78), transfer to General, two thousand seven hundred forty-nine dollars and seventy-eight cents ($2,749.78). Is there a motion?

Greg Richmond: It's just a transfer, so I'll make that motion.

Gary Meyer: Motion made by Greg to allow the transfer. Is there a second?

Brad Overton: Second....second.

Gary Meyer: Seconded by Brad. Any discussion?

Brad Overton: They need a thousand dollars ($1,000.00) for a computer monitor?

Krystal Powless: No, no, last month they turned in the transfer reversed.

Brad Overton: Oh.

Krystal Powless: And this is like, cleaning up that transfer that was made plus the transfer that was needed.

Brad Overton: Okay.

Gary Meyer: Any other discussion? All those in favor of the motion? Opposed? Motion carried five, zero (5-0).

PROSECUTOR BUSINESS
PRE-TRIAL TRANSFER

Gary Meyer: Prosecutor Business, Transfers, Pre-trial, transfer from Copy Paper one thousand dollars ($1,000.00), transfer to Contractual Services one thousand dollars ($1,000.00).

Levi Burkett: Good evening.

Gary Meyer: Good evening.

Levi Burkett: Levi Burkett, Chief Deputy Prosecutor for the Prosecutor's Office. I'm here on behalf of Mr. Perry, told me to send you all his regrets.

Gary Meyer: Yeah, I bet.

Brad Overton: Oh, that's the monitor.

Levi Burkett: Says jump, you know.

David Hachmeister: Motion to...

Levi Burkett: You ask how high on the way up.

David Hachmeister: Motion to approve.

Gary Meyer: Motion made by David to approve. Is there a second?

Greg Richmond: Second.

Gary Meyer: Seconded by Greg. Any discussion? All those in favor? Opposed? Motion carried five, zero (5-0).

Levi Burkett: Thank you very much.

Gary Meyer: Thank you.

Brad Overton: You're welcome.

Gary Meyer: Tell him this always goes easier when he's not here.

Levi Burkett: I will.

COUNCIL BUSINESS
RAINY DAY FUND ORDINANCE 2016-01
INTRODUCTION

Gary Meyer: Council Business, Rainy Day Fund Ordinance. Okay, think you got that at your table. I did have it here.

Brad Overton: This it?

Gary Meyer: This, uh, no, from what I understand, this Ordinance would allow us to move money into the Rainy Day Fund from other funds that we can't now.

Cliff Whitehead: That's correct.

Gary Meyer: Okay. There it is, thank you.

Brad Overton: You're welcome.

Gary Meyer: This would be Ordinance Number 2016-01. I guess I need a motion to introduce?

Cliff Whitehead: That's correct.

Brad Overton: Motion.

Greg Richmond: Second.

Gary Meyer: Motion made by Brad and seconded by Greg to introduce. All those in favor of that motion? Okay, opposed? Motion carried five, zero (5-0). An Ordinance of the Warrick County Council confirming a Rainy Day Fund pursuant to Indiana Code 36-1-8-5.1 amending County Council Ordinance 2004-01.

SUSPENSION OF RULES FOR ONE TIME READING OF ORDINANCE 2016-01

Brad Overton: I, I, you know, not to be rude, but I'd like this method here, you're just reading the first…

Gary Meyer: That's what my Counsel told me I could do.

Brad Overton: I tell you what, that's, bump him up a little bit.

Gary Meyer: No, no don't say that.

Cliff Whitehead: I'm sorry, what was that?

Brad Overton: Look, I don't have to listen to Meyer read for that long five (5) or six (6), seven (7), to that voice of his.

Gary Meyer: Trust me, I don't want to.

Brad Overton: Motion to approve.

Cliff Whitehead: And this, I'm sorry, this is an Ordinance so we will need a suspension of the rules to read this just once.

Gary Meyer: Okay.

Cliff Whitehead: And it must be to pass today, it has to be approved unanimously by those members in attendance.

Gary Meyer: Okay.

Cliff Whitehead: So if you first need a motion to suspend the rules to allow a one time reading, a lot, the Ordinance we pass in the first reading.

Gary Meyer: Okay. Is that your motion?

Brad Overton: I make a motion to suspend the rules…

Paul Rudolph: And, Cliff, I have a small revision.

Cliff Whitehead: Okay.

David Hachmeister: Uh, you gotta, you gotta finish the first one first.

Paul Rudolph: Is it better to announce after it's introduced or before or does it matter?

David Hachmeister: You voted?

Krystal Powless: (Inaudible) yeah.

Cliff Whitehead: Whatever your motion is (inaudible).

Gary Meyer: We, we voted to introduce it.

David Hachmeister: Okay. Or approve 'em.

Gary Meyer: He was making a motion to approve, I think.

David Hachmeister: Okay.

Greg Richmond: I'll second it.

Gary Meyer: Is that alright?

David Hachmeister: Well the second time...

Brad Overton: Well, I guess a motion to suspend the rules is what it has to be now, so I apologize for jumping the gun.

Gary Meyer: Motion to suspend the rules.

Krystal Powless: And who seconded it?

Greg Richmond: I did.

Gary Meyer: Greg did.

Krystal Powless: Okay.

Gary Meyer: All those in favor of that motion? Opposed? Motion carried five, zero (5-0).

ADOPTION OF ORDINANCE 2016-01

Paul Rudolph: So before we vote on the actual Ordinance itself, I have a small revision. Don't want you guys to think I'm not reading. The Ordinance details provides as follows: 'Whereas Indiana Code 36-1-8-5.1,' this is the second whereas, 'Provides that an Ordinance must pass,' I'm guessing it's supposed to say, 'provides an Ordinance must *be* passed that establishes the Rainy Day Fund and specifies it's source of funding which may include any funding source specified in the Ordinance or Resolution.' I would just recommend we insert the word 'be' after the word 'must' in the first line of the second 'whereas'. So I would move that we pass it as adjusted for the 'be'.

Gary Meyer: Okay. Motion made by Paul to approve this with the suggestion, the, the adjustment to the second paragraph. Is there a second?

Brad Overton: Second.

Gary Meyer: And seconded by Brad. Any further discussion on the motion? All those in favor? Opposed? Motion carried five, zero (5-0).

(Ordinance 2016-01 is located on Pages 19 through 20 of these Official Minutes)

COMMISSIONER BUSINESS
EMAIL SERVER

Gary Meyer: Okay. Anybody else have anything? Anybody from the audience? Oh, Roger, you have something, yeah.

Roger Emmons: Roger Emmons, Commissioner's Office. I sent you an email yesterday, Gentlemen, regarding the second year's subscription for our secure email software. And you were kind enough to pay for it last year, just like to ask for your consideration to do so again this year. If not, the reason I came, if you, if, I'll have to look and see if I have the funds or whether I'm gonna have to come back next month for an additional order transfer. It is fifty-four hundred dollars ($5,400.00), however our computer resource manager is shopping around to find a cheaper alternative. The secure email, we covered last year the importance of that. And a year ago, in late September, our IT Manager had said that at point we had eleven (11) County Departments already last year that he was aware of that transmitted Social Security numbers, credit card numbers, or protected health information via insecure email and that can open the County up to some serious liability. So we feel that this is well worth the hundred and forty (140) users that have it on their computers. They know how to use it, it's easy to use, and, and they know when to use it. Like I say, I'm just wanting to know if you'd be kind enough to pay for it again out of your budget, if not, we'll, we'll make alternate plans.

Brad Overton: Third time's the charm for you guys?

Roger Emmons: Next year I'll put it in the budget.

Gary Meyer: Do you think he'll, do you think he will come back with something by our next meeting? Like a cheaper amount?

Roger Emmons: Yeah, that's the hope. Doug's working on it now. He's doing it via email of course and we'll get something in writing for you.

Greg Richmond: He wants this to come out of County budget...

Gary Meyer: I kinda wait, like to wait to that…

Greg Richmond: Council (inaudible)…

Gary Meyer: Before we approve this to see…

Greg Richmond: Okay.

Gary Meyer: If he can come up with something…

Krystal Powless: Can you hold that though without (inaudible)…

Gary Meyer: But that's just my opinion.

Roger Emmons: Well, I…

Paul Rudolph: I would agree.

Roger Emmons: Was thinking maybe we would just approve up to fifty-four hundred ($5,400.00) and if we get it cheaper than that, then that's what we'll shoot for.

Greg Richmond: That's what I was thinking, so we could get the wheels in motion, if you can't find anything, you'll not have to wait 'til next month.

Gary Meyer: The next month, yeah.

Greg Richmond: To advertise, cause advertisement time is coming up quick.

Gary Meyer: I don't have a real big problem with that.

Greg Richmond: Me either. So I move that

David Hachmeister: Yeah.

Greg Richmond: I move we pay out of the County Council budget…

Paul Rudolph: I bet it's cheaper if we wait.

Greg Richmond: The fifty-four hundred dollars ($5,400.00) subscription for email software encryption.

Gary Meyer: Well it will come back to us though.

David Hachmeister: Yeah.

Gary Meyer: Okay motion made by Greg to pay for it out of our budget up to fifty-four hundred dollars ($5,400.00), and I assume if it comes in cheaper, that money just comes back into our budget, correct?

Roger Emmons: Of course. Now you won't spend it? I mean, well what we did last year was we got the invoice, I gave it to Krystal and she paid it, so…

Gary Meyer: Yeah.

Roger Emmons: You know, if we can get it for a thousand dollars ($1,000.00) less, then all the better.

Gary Meyer: Okay. Okay.

Krystal Powless: Second made?

Gary Meyer: Motion was made by Greg, is there a second?

Brad Overton: Second.

Gary Meyer: And seconded by Brad. Any further discussion? All those in favor? Opposed? Motion carried four, one (4-1, with Paul Rudolph against).

Roger Emmons: Thank you, Gentlemen.

Gary Meyer: Thank you, have a good evening.

(Council Appropriations are found on Pages 20 of these Official Minutes)

DISCUSSION ON COMMISSIONER'S NEW EMPLOYEE HANDBOOK PROVISIONS

Paul Rudolph: Roger…

Gary Meyer: It was Paul…

Paul Rudolph: Before you leave really quick, just wanted to understand something. So about that…

Gary Meyer: Krystal, Paul voted no.

Roger Emmons: Um hum.

Paul Rudolph: Do you know how much money that's going to cost next year?

Roger Emmons: Of course not.

Paul Rudolph: Ah...

Roger Emmons: I would recommend, the reason the Commissioner's did it, was to, because we already had a department with the union contract that had that clause in it. The, it's currently, if your eligible for five (5) weeks you can sell back five (5) days. They increased that to ten (10) days. We didn't really have a lot of requests for that, but did it, as I said, to bring it even with this, this one union contract. You know, I get your agendas each month, I don't see that many that ask to sell back five (5) days...

Gary Meyer: Did you sign that?

David Hachmeister: Yeah, this too.

Roger Emmons: I would recommend to wait and see how it goes next year and,

Gary Meyer: Did Paul sign it?

Roger Emmons: And that way the Council will know whether you're going to be able to do it or not and make the recommendation back to the Commissioners to change it back.

Paul Rudolph: So, and, and this probably isn't directed at you as much as it is the Commissioners as a body. My personal concern, I'm not speaking for any other Council members, is we're obviously the fiscal body of the County. It appears the Commissioners made a change that's gonna have a negative fiscal impact on the County. And the Council wasn't approached, I wasn't approached, no analysis was performed on the amount of money this might cost. It might be five hundred dollars ($500.00) it might be ten thousand dollars ($10,000.00), might be twenty thousand dollars ($20,000.00). I know right now we're talking about thirty thousand dollars ($30,000.00) to a select group of employees, and it's gathered a fair amount of attention. So if we have a way to mitigate that type of expense, but instead we're increasing it. And my recommendation would be, when there's a cost, a fiscal cost, a financial cost to policy change in the handbook, it would be nice if the Council was given a heads up on the subject.

Roger Emmons: I understand. Evidently they didn't feel the need to do that. But it was the County Commissioners directed the County Attorney to make the provision, and it was sent out.

Paul Rudolph: And this is for future reference. Obviously.

Roger Emmons: Yeah, sure, I certainly understand it. And I know in my situation, the more I'm away from work, the more work piles up.

Paul Rudolph: I can appreciate that.

Roger Emmons: If I can sell back like two (2) weeks, in, instead of just the one, which I've done for several years now. Then I'm, you know, I may get paid for that but I'm also going to be working, when I could have been off a week. And I know, and Krystal knows how it piles up. If, the bureaucracy, the paperwork is never ending.

David Hachmeister: I guess it depends on how many people, how many employees have, do have five (5) weeks' vacation.

Roger Emmons: Believe it or not, I think we've got fifty or more.

David Hachmeister: We do?

Roger Emmons: Yeah.

David Hachmeister: Okay.

Roger Emmons: And I, and I had no idea of that.

Krystal Powless: I've worked here a long time and I don't qualify.

David Hachmeister: Yeah.

Krystal Powless: Yet. Close.

Roger Emmons: But I will convey your, your sentiments to the Board. Okay.

Paul Rudolph: Thank you, Sir.

Roger Emmons: Alright, thank you, Gentlemen.

Gary Meyer: We have two (2) people's names on here. We're going to have the, that hearing in about ten minutes, so, does anybody have, wanna address the Council for what we've already discussed tonight with our regular meeting. Okay, if not...

DISCUSSION ON AUDITOR TRAVEL EXPENSES

Greg Richmond: I have something.

Gary Meyer: Okay.

Greg Richmond: I have a question for the Auditor.

Gary Meyer: Is this going to be for the budget though, Greg?

Greg Richmond: No.

Gary Meyer: Okay.

Greg Richmond: Well, it concerns what's already been spent in the budget.

Gary Meyer: Oh, okay, okay.

Debbie Stevens: Yes.

Greg Richmond: We put five hundred dollars ($500.00) in your fund for travel. And I know that the AIC, I call it a convention party, costs a lot more than that and I've been going through the budgetary.

Debbie Stevens: Yes.

Greg Richmond: You spent a lot of money in travel this year. How do you justify that since we only put five hundred dollars ($500.00) in it? Where are you getting this money?

Debbie Stevens: Well as an Elected Official, I, I can use the money for training. All of the conferences include legislative changes, they include, there's been a great deal of discussion on budgetary changes and there are things that have been missed that should not have been missed. Just as an example the Redevelopment Commission, the law was implemented in July of 2014. That was before I took office. If someone's not paying attention to the new legislation, things that change with the DLGF, and almost everything impacts the Auditor's Office. And I do currently serve on the Advisory Board for the State Auditor, for a new application that's going into Gateway. And that is for the abstract...

David Hachmeister: But that, that wasn't the question.

Debbie Stevens: That will be put into Gateway. Pardon me?

Greg Richmond: My, my problem is all those issues that you discussed, I learned about at a one (1) day State Called Meeting. And I think that you could probably learn about that in a State Called Meeting also. And a lot of things that, the AIC is a wonderful organization, but they're a money making organization as well. And I've been to one (1) of those parties where the...

Debbie Stevens: I'm not a partier, Mr. Richmond.

Greg Richmond: Vendors wine and dine people.

Debbie Stevens: I go, I go back to my room. I catch my work up for the day, and then I go to the meetings and the sessions.

Greg Richmond: These meetings go usually one (1) day, of meetings that might be appropriated out of three (3) and it's very expensive hotels. So, I looked at the agenda and I checked it out. And a lot of this stuff was vendor presentations and things like that. And I just don't see why your office needs to spend so much money traveling because hotels are very expensive. Training I understand that, that can be done at the State Called Meeting. And if you're going to be active in the Auditor's Association, I don't think we should have to pay for that. Just my personal opinion about traveling places. We have to be cost conscious here on everything.

Debbie Stevens: You know we have a Fund 2502 that has been mismanaged for many years.

Greg Richmond: Can you tell me why you don't come to us to ask for more money when you travel?

Debbie Stevens: And I'm working, I'm working with the legislative committee right now. I serve on, on a legislative committee to try to get legislation...

Greg Richmond: That, that doesn't, to me, you don't have to do that, Ma'am, you don't have to do that.

Debbie Stevens: Those are important funds to get out to the Law Enforcement.

Greg Richmond: That's over and above you being Auditor. That's what my call is. We each have our jobs to do. Sometimes you try to do our job, a whole lot, as a matter of fact. And you try to do the Commissioner's jobs.

Debbie Stevens: I, I watch the money for the tax payers.

Greg Richmond: That's okay, but you're not if you're traveling everywhere, at expensive hotels, being on AIC Committees and legislative committees and all these different things. We don't have to do that.

Debbie Stevens: You may not feel that that's important.

Greg Richmond: So five hundred dollars ($500.00), you need to stick with your travel budget. That's my issue. Stick with your travel budget.

Debbie Stevens: But we are appropriated as Elected Officials for training, correct?

Greg Richmond: I don't have anything more, Mr. President.

Debbie Stevens: I, I don't think I'm misusing what those funds are intended for. And you said you attended a one day meeting and you learned everything, then how was it that the funds were not received in from the Redevelopment

Greg Richmond: That's a different issue.

Debbie Stevens: It's a fiscal body issue and a fiscal officer.

Greg Richmond: It's a legislative issue, is legislative issues and what I was brought up to date on. Now I'm through with what I've said. I think you're spending too much money traveling. Nobody else spends the money you spend.

David Hachmeister: Motion to adjourn.

Brad Overton: Second.

Gary Meyer: Meeting is adjourned.

ADJOURNMENT: Meeting adjourned at 6:55 PM.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

Greg Richmond, Vice President

David Hachmeister

Brad Overton

Allan Holweger

Charles R. Christmas

Paul Rudolph

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

WARRICK COUNTY COUNCIL
RESOLUTION NO. 2016- 63

A RESOLUTION SURRENDERING THE CUSTODY OF THE COUNTY CONGRESSIONAL TOWNSHIP SCHOOL FUND

WHEREAS, pursuant to Indiana Code § 20-42-2-1 et seq., Warrick County currently controls the County Congressional Township School Fund, which was derived from the sale of congressional township school lands and consists of the principle from such sale(s) and interest earned on that principle (the "Fund").

WHEREAS, pursuant to Indiana Code § 20-42-2-4.5, by resolution of the Warrick County Council (the "Council"), Warrick County may surrender the custody of the Fund or any part of the Fund to the treasurer of the State of Indiana;

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

Section 1. The Council finds that the Fund, in its entirety, shall be surrendered to State of Indiana;

Section 2. Pursuant to Indiana Code § 20-42-2-4.5, by adoption of this Resolution, the Board of Warrick County Commissioners, the Warrick County Auditor, and the Warrick County Treasurer shall take all steps necessary to surrender the custody of the Fund to the treasurer of the State of Indiana;

Section 3. Pursuant to Indiana Code § 20-42-2-4.5(b), within ten (10) days after the passage of this Resolution by the Council, the Warrick County shall prepare and file with the Board of Warrick County Commissioners a report (the "Report") showing the following:

(1) The total amount of the Fund that has been entrusted to and is held in trust by Warrick county;
(2) The total amount of the Fund that is loaned as provided by law;
(3) The total amount of the Fund, if any, loaned to Warrick County and which loans are unpaid;
(4) The total amount of the Fund held in cash in the possession and custody of Warrick County and that is not loaned; and
(5) A separate schedule of past due loans showing the unpaid balance of principal and the amount of delinquent interest due and unpaid on each delinquent loan.

Section 4. Pursuant to Indiana Code § 20-42-2-4.5(e), the Board of Warrick County Commissioners shall examine the Report, and, if found correct, the Board of Warrick County Commissioners shall order:

(1) that the Report be entered on its records; and
(2) the Warrick County Auditor to draw the Warrick County Auditor's warrant, payable to the treasurer of the State of Indiana, for the amount of the Fund that is not loaned and is held in cash in the custody and possession of Warrick County as shown by the Report.

The Warrick County Auditor shall forward the warrants to the auditor of the State of Indiana together with a certified copy of the Report. The Warrick County Auditor shall also forward with the payment a certified copy of this Resolution electing to surrender the custody of the Fund, in its entirety.

Section 5. Pursuant to Indiana Code § 20-42-2-4.5(d), after passage by the Council of this Resolution, no part of the Fund may be loaned by Warrick County or by any official of Warrick County. Except as provided in Indiana Code § 20-42-2-4.5(d), all outstanding loans of the Fund, if any, not part of the amount retained by Warrick County at the time of the passage of this Resolution shall be collected when due. Any loan that comes due and payable after the passage of this Resolution may be renewed for one (1) additional five (5) year period, on the application of the person owing the loan as provided by law. However, a loan that is more than one (1) year delinquent in payment of principal or interest at the time of the passage of this Resolution of the Council may not be renewed.

Section 6. Pursuant to Indiana Code § 20-42-2-4.5(e), on May 1 or November 1 immediately after the passage of this Resolution and each May 1 and November 1 thereafter, all the money collected and on hand that belongs to the Fund that is to be surrendered shall be paid to the treasurer of the State of Indiana. If at the time for a semiannual payment the amount collected and paid to the treasurer of the State of Indiana when added to the amounts previously paid to the treasurer of the State of Indiana is less than the result determined by multiplying two and one-half percent (2.5%) of the amount in this Resolution by the number of semiannual payments that have occurred after the passage of this Resolution, the Warrick County Auditor shall draw the Warrick County Auditor's warrant on the general fund of Warrick County for an amount sufficient to pay to the treasurer of the State of Indiana the difference between the amount paid and the amount equal to the result of multiplying two and one-half percent (2.5%) of the amount designated in this Resolution by the number of semiannual payments that have occurred after the passage of this Resolution. The maximum time to surrender money that Warrick County designates in this Resolution is for a period not to exceed twenty (20) years.

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 6 day of October, 2016.

Warrick County Council

Gary Meyer, President

Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

Allan Holweger

Brad Overton

Paul Rudolph

ATTEST:

Warrick County Auditor

ORDINANCE NO. 2016-21

AN ORDINANCE OF THE WARRICK COUNTY COUNCIL CONFIRMING A "RAINY DAY FUND," PURSUANT TO INDIANA CODE § 36-1-8-5.1, AMENDING COUNTY COUNCIL ORDINANCE 2004-01

WHEREAS, Indiana Code § 36-1-8-5.1 authorizes Warrick County to establish a rainy day fund to receive transfers of funds raised by a general or special tax levy whenever the purposes of such a tax levy have been fulfilled and an unused and unencumbered balance remains; and

WHEREAS, Indiana Code § 36-1-8-5.1 provides that an ordinance must be passed that establishes the rainy day fund and specifies its sources of funding, which may include any funding source specified in the ordinance or a resolution; and

WHEREAS, Warrick County's current Rainy Day Fund Ordinance 2004-01, as amended, only provides that the "unused and unencumbered reserve balance of the CEDIT funds" may be used to fund the Rainy Day Fund; and

WHEREAS, Warrick County desires that other funding sources may be used to fund its rainy day fund.

NOW, THEREFORE, BE IT RESOLVED by the Warrick County Council that Warrick County Council Ordinance 2004-01 be amended and restated as follows:

Section 1. Funding of the Rainy Day Fund. A Warrick County "Rainy Day Fund" has been established to receive transfers of unused and unencumbered funds raised by a general or special tax levy on taxable property within the County whenever the purpose of such tax levy has been fulfilled and an unused and unencumbered balance remains, including those funds allowable under Indiana Code § 36-1-8-5, Indiana Code § 6-3.6-9-15, or any other funding source specified in a resolution that is adopted by the County Council under Indiana Code § 36-1-8-5.1 and not otherwise prohibited by law.

Section 2. Purposes of the Fund. The funds, on deposit in the Rainy Day Fund, may be used for the operation of Warrick County and its various departments, including, but not limited to, salaries and wages, costs of services, supplies, equipment, capital improvements, repairs and similar expenditures.

Section 3. Appropriations. The Warrick County Council may authorize the expenditure of funds from the Rainy Day Fund, by appropriations made in the same manner as other funds are appropriated that receive tax moneys, upon making a finding that the proposed use of the funds is consistent with the intent of the Rainy Day Fund.

Section 4. This Ordinance shall be in full force and effect from and after its passage and action had confirming, modifying and/or rescinding the same.

PASSED this 6 day of October, 2016.

Warrick County Council

Gary Meyer, President

Greg Richmond, Vice President

Charles R. Christmas

David Hachmeister

Allan Holweger

Brad Overton

Paul Rudolph

ATTEST:

Warrick County Auditor

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	DESCRIPTION	AMOUNT REQUESTED	AMOUNT REQUIRED
Adult Probation Superior	2002-000-4325.00	Travel Superior I	$2,000.00	2,000
Total Adult Prob. Superior			$2,000.00	
Health	1159-000-4225.00	Animal Control	$1,844.00	1,844.00
	1159-000-4220.00	Vaxcare	$956.00	956
Total Health Department			$2,800.00	2,800
Superior Court I	1000-111-4189.00	Pauper Documents	10,000.00	10,000
Total Superior Court I			$10,000.00	

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 6 day of OCT, 2016

AYE	NAY

ATTEST: Deborah Stevens

Auditor Warrick County