

**PERRY COUNTY COUNCIL
MEETING MINUTES
November 16, 2023**

The Perry County Council met on the above date at 5:00 p.m. as was duly advertised. Council members in attendance were President David Etienne (DE), Keith Huck (KH), Stan Goffinet (SG), Kelli Harding (Kelli), Earla Williams (EW), Paul Malone (PM), and Gale Garner (GG). Auditor Kristinia Hammack, Sheriff Alan Malone, and Attorney Rod Acchiardo were also present. There was no *News Representative* present.

The meeting opened with the Pledge of Allegiance.

AGENDA

KH made the motion to accept as amended, seconded by EW. Motion carried 7-0.

PUBLIC COMMENTS

- a) Jim Carter, President of the Perry County Humane Society, presented information from the State Comptroller's Office that stated which Indiana counties actually have the County Option Dog Tax. Carter has contacted all but two of the counties on the list of ten counties from the State Comptroller. Three of the counties on this list do not have the tax, so in reality out of the ninety-two (92) counties in Indiana, there are seven or less counties participating in this, which is less than 10% of Indiana counties. He is looking for a sponsor in the State Legislature to eliminate the County Dog Tax. With the County Option Dog Tax not passed in Perry County, the county can not tax dog to receive revenue for control of animals, as in an Animal Control Officer. Carter would like to see the County be able to license dogs and cats if a license would be set up.

KRISTINIA HAMMACK, AUDITOR

- a) October 3, 2023 Meeting Minutes.
PM made a motion to accept, seconded by SG. Motion carried 7-0.
- b) October 12, 2023 Meeting Minutes.
KH made a motion to accept, seconded by EW. Motion carried 7-0.
- c) October 17, 2023 Meeting Minutes.
EW made a motion to accept, seconded by SG. Motion carried 7-0.

d) ADDITIONAL APPROPRIATIONS

- **SPECIAL LEGISLATION-JAIL; REPAIRS BUILDING AND FIXTURES**

#1114.36100.00000.0381--\$10,000.00

Sheriff Malone stated there are some outstanding bills and he is wanting to get this appropriation so there will not be late fees incurred when they are received. DE stated the budget was for \$30,000 and he asked why this would not be paid out of Inmate Housing or Commissary? Malone stated many bills have already been paid out of Commissary and he has some big bills coming up with the two extra deputies and equipment, which will take money out of Commissary. Kelli stated there is approximately \$94,000 in Inmate Housing. She would like to see this come out of Inmate Housing instead of Special Legislation, which is the excess money from when the jail was paid off. She stated it could be used for this, but the County needs to stretch that money as far as they can. Technically, the Inmate Housing and Commissary are supposed to be used to help off-set the budget, and if that can be done in order to make the Special Legislation money last longer, she would like to see this paid from Inmate Housing or Commissary.

Malone stated he has already spent over \$10,000 for various bills. Malone stated a portion of the \$94,000 in Inmate Housing is already spoke for with such items as overtime, tasers, and body cameras.

Kelli asked Sheriff Malone if he has a budget for those future expenses as \$94,000 is quite a bit of money. Malone stated he does not have that information with him. He would have to look to see what was available and Kelli stated the Council needs to know that information. He was budgeted \$55,000 and has spent \$40,930.15, which leaves a little over \$14,000.

PM wanted clarification that the \$10,000 would get the Sheriff through the end of the year, and Malone stated yes as far as right now.

DE stated the Special Legislation was designated as long-term building maintenance, which this is.

Kelli asked Malone to provide her with a plan of what reoccurring expenses are coming out of Inmate Housing. She acknowledged that amounts change based on the number of inmates, but she would like to see what Malone has set aside for vehicles or whatever. Malone mentioned he has \$15,000 just for overtime, plus had an inmate in the hospital the past five days which will take a lot of money from Inmate Housing.

KH made a motion to accept, seconded by PM. Motion carried 6-1. Kelli would like to see it come out of the Inmate Housing Fund.

- **GENERAL FUND-COMMISSIONER; DEDICATED TO PSAP 911-DISPATCH**

#1235.38000.00000.0068--\$46,555.00

Steve Hauser stated this was decided at the joint meeting between the Perry County Council and City of Tell City Council on August 23, 2023 for 2023 loss. It was agreed upon by the Perry County Council that they would pay the deficit, although they could not do it at that meeting until it was appropriated, as the County did not have that amount of money coming in at that time.

\$31,055 plus an additional \$12,500 for the City of Cannelton and \$3,000 for the Town of Troy. This allows for the obligation that the two entities, the Perry County Council and City of Tell City agreed to. Hauser stated that if the Council wishes not to do this, the County can not make the payments to the City of Tell City for the remainder of the year. This amount has been agreed upon at the Joint Council meeting.

DE stated the Council does not have a problem with paying this, but they feel it should go before the Commissioners prior to it coming to the Council. KH stated if the Council does not appropriate the money, the Commissioners can not sign the claims. SG stated this is coming out of the Commissioner's budget, and the Commissioners should be able to approve.

DE stated since this is the Commissioner's budget, normally it would be signed by a Commissioner. That way, they would be aware of it. Auditor Hammack stated the Administrator signed all these claims in the past. SG stated it has to go before the Commissioner, otherwise they do not know what is coming out of their budget. Then this would be sent to the Council for funding. Hammack stated additional appropriations were never on the Commissioner's meeting before.

Hammack will send an email to all entities within the Commissioner's budget to start forwarding these claims on to the Commissioner President to handle them. Hauser asked if the Commissioners will be doing the claims as they would be glad to stop doing them, and Kelli stated she would think so since it is their budget.

PM made a motion to table, seconded by KH until the November 27th meeting. Motion carried 7-0

- **GENERAL FUND-COMMISSIONER; AMBULANCE SERVICE**

#1000.38700.00000.0068--\$185,447.81

DE stated he does not have anything on this. He asked if this includes repairs to the garage doors? There was discussion regarding the contract between the County and EMS. Possibly since the contract is from 2014, the Commissioners need to take a look at it. DE stated it is vague and it is open. Kelli stated this is out of the Commissioner's budget, so it would need to go before them first, and if in agreement, it would then come to the Council.

SG made a motion to table until November 27th, seconded by Kelli. Motion carried 7-0.

- **GENERAL FUND-COMMISSIONER; CARE OF PATIENT INST**

#1000.39106.00000.0068--\$55,026.24

Kelli stated this needs to be sent to the Commissioners. Auditor Hammack stated not one month in this year has this process of going to the Commissioners first been done. KH stated the County is going to have to find somewhere else to send these juveniles due to non-payment. Hammack stated her office receives calls from vendors wanting payment.

Kelli made a motion to table until the November 27th meeting, seconded by SG. Motion carried 6-1.

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- **GENERAL FUND-RECORDER; FIRST DEPUTY**

#1000.11200.00000.0004--\$9.59

This is being done due to adjusting fair wages from salary to hourly.

Kelli made a motion to approve, seconded by PM. Motion carried 7-0.

- **GENERAL FUND-RECORDER; SECOND DEPUTY**

#1000.11300.00000.0004--\$4.65

This is being done due to adjusting fair wages from salary to hourly.

Kelli made a motion to approve, seconded by PM. Motion carried 7-0.

- **GENERAL FUND-RECORDER; SALARIES**

- #1000.11100.00000.0004 \$1000.00
- #1000.11200.00000.0004 \$1000.00
- #1000.11300.00000.0004 \$1000.00
- #1000.12100.00000.0004 \$229.50
- #1000.12100.00000.0004 \$336.00

This is for a one-time bonus to the Recorder and office staff while encompassing the back indexing project. DE stated the County had just given a 5% and 10% raise, and now they are wanting a bonus? Mendy Lassaline, Perry County Assessor stated this mirrors what the Council passed a couple weeks ago to the Prosecutor's office. DE stated the Council did not pass that; it was State Statute.

Assessor Lassaline stated some departments have funds where they can transfer from and it would be similar to the Prosecutor. The County would not have to do anything with it. The Recorder takes all their expenses out of their Perpetuation Fund, and had they not taken them out of there, the Council would not have to do anything with this as well. The Recorder did not want to run that fund low since she expenses so much from that fund.

The Treasurer does not have a fund to take this bonus out of.

Assessor Lassaline pointed out that in the Assessor's budget, there was a part-time person budgeted for 2023 in the amount of \$17,166 in salary that is not going to be used in County General. That amount more than covers in County General without touching cash balances to cover the bonus.

Kelli mentioned there are a lot of departments that do not have funds to take anything out of. Her issue is everybody has a job to do with requirements whether they work Monday through Friday. This bonus is not the same as the Prosecutor's situation at the last meeting. The Prosecutor has a State Statute that gives the Prosecutor the authority. It is Federal funds that go to the State. The prosecutor has a statute that gives the Prosecutor the authority to do certain things with these funds outside of the County Council. For this reason, the Council did not have to say yes or no, because regardless of what the Council would say, the Prosecutor has the power by the Legislature of the State. That is not the case for these accounts; they have to come before the County and the County has to look at it and approve or not approve. It is not the same thing as the Prosecutor's office. Kelli stated if you want that authority, you can go to your State Legislators and lobby for that same authority. DE stated the Prosecutor was by State Statute. The County does not make the decision or rules for the Prosecutor. The Council did not vote on the Prosecutor bonus as they have no say over it.

Kelli's issue with the bonus, not that she would not love to give everyone a bonus, but she would like to give to everybody if they could. You can not just pick and choose which office or department gets it. Some offices collect fees, but that is part of their job description and the duties of the job between eight to four each day.

Kelli stated if the offices are interested in the fees, this is something they can take before the Legislatures and lobby for them to put some sort of statute in place where it would give the office authority to do as they see fit with the fees.

PM asked if the Recorder could already do this bonus with the Perpetuation fund? Assessor Lassaline stated she was afraid it would run her fund low.

PM asked Clerk Rachel Roark if this was the same for her, and she stated it was for IV-D. Clerk Roark stated she spoke with Dossett Consulting who said this has been done wrong in the past; you cannot get a full bonus out of the IV-D Incentive. Auditor Hammack stated they were told by Dossett Consulting that if you take money out of IV-D Incentive, the County has to do a matching out of another fund. You can not take it 100% out of IV-D.

Kelli stated she is not in favor of the stipend.
PM asked if this is a one-time bonus? Assessor Lassaline stated correct, and Clerk Roark stated it has never been done before but never asked for before. Attorney Rod Acchiardo stated the Prosecutor has the power to give bonuses, and it is independent of the Council. The budget that the Prosecutor has allows them to do that if they have excess funds.
PM stated whether it is Federal money, State money, or Local money, it is all taxpayer's dollars.
Kelli stated if you are prepared to do this bonus for these four offices, every other department could potentially show up at the next meeting and demand the same thing; and they wouldn't be wrong. PM stated they can cross that bridge when they come to it.

PM made a motion to allow the bonus, no second. Motion died.

- **GENERAL FUND-TREASURER; SALARIES**

#1000.11100.00000.0003	\$1000.00
#1000.11200.00000.0003	\$1000.00
#1000.11300.00000.0003	\$1000.00
#1000.12100.00000.0003	\$229.50
#1000.12100.00000.0003	\$336.00

DE stated this is the same scenario and same amount as the Recorder; this is for the same reason, a one-time bonus.

PM made a motion to allow, no second. Motion died.

- **GENERAL FUND-CIRCUIT COURT; COMPENSATION PAUPER ATTORNEY**

#1000.31104.00000.0232--\$147,000.00

Kelli stated she is aware there were special circumstances this year that probably will not be next year, but she believes if she is looking at this correctly, the County has paid out \$340,000 in Pauper Attorney fees and this is a request for an additional \$147,000. The County is getting close to half a million dollars and she wanted to remind everyone the Council only budgeted \$150,000 next year.

Kelli made a motion to approve, seconded by PM. Motion carried 7-0.

- **RIVERBOAT-AUDITOR; CONSULTING FEES**

#1191.31101.00000.0068--\$8,000.00

This amount was incurred for consulting services received during budget. DE stated the County paid something earlier in the year, and Auditor Hammack replied yes. The amount earlier in the year was the Annual Financial Report. DE stated the Council has budgeted \$10,000 for next year.

Kelli made a motion to table until November 27th due to this coming out of the Commissioner's budget, seconded by SG. Motion carried 7-0.

e) **APPROPRIATION TRANSFER**

GENERAL-PERRY COUNTY CIRCUIT CLERK:

FROM: 1000.32100.00000.0232	Postage	\$	7.70
TO: 1000.12202.00000.0232	Court Reporter Sec	\$	3.74
TO: 1000.11300.00000.0232	Probation Sec	\$	.22
TO: 1000.13800.00000.0232	Judge Court Reporter Sec	\$	3.74

Kelli made a motion to accept, seconded by EW. Motion carried 7-0.

GENERAL-SOIL & WATER:

FROM: 1000.39601.00000.0750	Deer Creek Lake	\$	10.47
TO: 1000.11117.00000.0750	District Sec/Treasurer	\$	10.47

PM made a motion to accept, seconded by KH. Motion carried 7-0.

GENERAL-CIRCUIT CLERK:

FROM: 1000.11303.00000.0062	Precinct Board Members	\$	4,000.00
TO: 1000.36800.00000.0062	Voting System Support Services	\$	4,000.00

KH made a motion to accept, seconded by SG. Motion carried 7-0.

GENERAL-CIRCUIT CLERK:

FROM: 1000.11303.00000.0062	Precinct Board Members	\$	5,705.55
TO: 1000.11100.00000.0062	Clerk	\$	1,000.00
TO: 1000.11200.00000.0062	Clerk First Deputy	\$	887.20
TO: 1000.11300.00000.0062	Clerk Second Deputy	\$	2,317.70
TO: 1000.11300.00000.0062	Clerk Part-time Deputy	\$	462.40
TO: 1000.12100.00000.0062	Social Security	\$	422.25

TO: 1000.12200.00000.0062 Retirement \$ 616.00

This is the one-time bonus.

PM made a motion to approve, motion died for lack of a second.

GENERAL-ASSESSOR:

FROM: 1000.11203.00000.0008 Part-time Employee \$ 3,565.50

TO: 1000.11100.00000.0008 Assessor \$ 1,000.00

TO: 1000.11200.00000.0008 Assessor First Deputy \$ 1,000.00

TO: 1000.11300.00000.0000 Assessor Second Deputy \$ 1,000.00

TO: 1000.12100.00000.0008 Social Security \$ 229.50

TO: 1000.12200.00000.0008 Retirement \$ 336.00

This is a request for a one-time bonus plus Social Security and Retirement.

PM made a motion to allow, motion died for lack of a second.

GENERAL-AUDITOR:

FROM: 1000.11105.00000.0002 Auditor Second Deputy \$ 3,000.00

TO: 1000.11100.00000.0000 Auditor \$ 1,000.00

TO: 1000.11200.00000.0002 Auditor First Deputy \$ 1,000.00

TO: 1000.11118.00000.0002 Auditor Financial Deputy \$ 1,000.00

PM made a motion to allow, motion died for lack of second.

GENERAL-COMMISSIONER:

FROM: 1000.11401.00000.0068 Administrator Salary \$ 20,000.00

TO: 1000.36500.00000.0068 Software \$ 20,000.00

This is for the Time and Attendance Software. KH made a motion to pay, seconded by PM. Kelli felt this needs to go to the Commissioners first since this is coming out of their budget.

KH stated that from tonight's meeting forward, anything that is coming from the Commissioner's budget needs to get approved by them before coming to the Council. Kelli feels that is the appropriate process. DE stated that the departments sign off on their claims, and the Commissioners is a department, so it should be treated the same.

KH made another motion to approve, seconded by PM. KH stated the Commissioners verbally approved this. Motion died 5-2.

SG made a motion to table until November 27th, seconded by GG. Motion carried 5-2.

COUNCIL

- a) The 2024 Board Appointments for terms ending December 31, 2023, are normally made the first meeting in January. These appointments need to be advertised. Auditor Hammack stated the County is in the process of advertising but wanted the Council to review. Kelli stated there were a couple of individuals on the list that are not on the Board now. Kelli will email this information to Auditor Hammack. Hammack stated her office has tried to get the list organized. KH acknowledged this is a great update. Hammack stated she needs the Council's approval to advertise all of their appointments.

KH made a motion to allow the Auditor to advertise for open Board Appointments in January, 2024, seconded by PM. Motion carried 7-0.

- b) There is a Special Meeting on November 27, 2023 at 12:00 p.m.
- c) KH stated next year the Council should consider moving their meeting in between the Commissioner's two meetings so that there is less shuffling; approvals and the appropriations can be made so money is in the account and it is not debated. He stated the County does not need to be paying bills late and the Auditor trying to explain to vendors why they are not paid. Hammack stated the Council could change from the fourth Thursday to the third Thursday and the Commissioners move from the third to the fourth Thursday. DE stated the Council always schedules their meetings in January at the Organizational Meeting. He asked the Council to be thinking about this change between now and January to see how that would work.

The meeting was adjourned at 6:11 p.m. CST.

PM made a motion to adjourn, seconded by KH. Motion carried 7-0.

A Special Meeting of the County Council will be held on Monday, November 27, 2023, at 12:00 pm CST.

Minutes approved this 27th day of November, 2023

President, Perry County Council

Minutes prepared by:
Kristinia L. Hammack, Perry County Auditor