

PERRY COUNTY COUNCIL
MEETING MNUTES
February 22, 2024

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

The meeting opened with the Pledge of Allegiance.

AGENDA

PM made the motion to accept with amendment, seconded by SG. Motion carried 6-0.

PUBLIC COMMENTS

- a) Anjan Kashyab, of An Island, LLC, appeared to discuss a new website scope and a server upgrade.
1. The current server is twelve years old, and has gone down approximately five times in the past two weeks. The average server age is ten years. It is at the age where it needs to be replaced, and An Island has maintained the server to keep it up to speed. He further stated the server continues to be in a good standing, but it is a matter of time before it starts having problems. An Island presented a quote of the cost to replace the server. Kashyab stated that when the current server was purchased, it was a good server at that time. An Island saved the County approximately \$5,000-\$6,000 when LOW needed a new server for their software. Instead of purchasing a new server, a virtual server was utilized. DE asked if the quote included labor, and Kashyab stated it would come from the IT hours budgeted for 2024. Kelli asked if this is for the transfer of information from the old server to the new one, and Kashyab confirmed this. Kelli asked Kashyab to explain the line items on the quote. She asked if the \$14,689.35 was for the actual server, and Kashyab confirmed this. He stated that the second line item is a five-year manufactures warranty. SG asked Kashyab that the County is in immediate need to update the server, and Kashyab confirmed this. SG further stated the website is not an immediate need. Auditor Hammack stated the website is working as it is now, but there are issues regarding it. SG stated he would like to see the website discussed at the upcoming budget session for 2025. Kelli asked Kashyab what the lead time is to get a server, and he responded 2 weeks to six months. He hopes that An Island could get this server within two months. He further stated that currently the server is working, but a new server needs to be installed as soon as they can get it. DE asked the Council their suggestions as to where to fund this purchase, with it possibly being Riverboat? Hammack stated there is an ARP meeting on Monday, February 26th where the Council could present to the ARP Committee for a server upgrade. Kelli stated the server is something that is definitely needed as it houses everything for the County. It is vital to have this; it is a need and not a want. Hammack stated this needs to be on some sort of procurement plan going forward. SG asked if this is something that needs to be ran past the Commissioners, and Hammack stated that it was this presented that past Tuesday, in which they said to bring to the Council for funding. Regarding a new website, Kelli stated that she would like to see a new website, but the server is the priority. She further stated it is only February, and possibly midyear the website can be looked at again. SG asked Hammack what funds could be used, and she replied Riverboat or the County still has right under one million dollars in ARP funds that have to be allocated by the end of 2024. She stated the Council can take a request to the ARP committee for a server upgrade; the time-frame for approval is unknown so that could be a timely process.

Hammack stated that the Council could approve this, and she would have to advertise the additional appropriation, and then be approved in March, and the Council could give the verbal approval to get the server ordered. Kelli stated that due to the dollar amount of \$17,000 for this purchase, she would typically like it to be bid out. However, due to the issues currently with the server, this is an emergency type of situation.

SG made a motion to fund the purchase of the new server out of Riverboat, seconded by PM. Motion carried 6-0.

Auditor Hammack commented that if the Council wants to bid out lower amounts than the State Statute requirement of \$50,000, the Council can tighten this amount but they would have to issue an Ordinance. DE stated that the Council needs to do an Ordinance, as well as the Commissioners. Kelli stated she would like to see the threshold lower.

2. DE stated that the website will be held off at this time. Hammack stated this was a project that she feels needed to be done, but it is not something that has to be done right now. She feels it needs to be in the pipeline to better serve the public. SG reiterated this is something he would like to see budgeted for in 2025.

MEGAN JASPERSEN, COUNTY EXTENSION DIRECTOR

- a) Jaspersen appeared to share the Purdue Extension Annual Impact Report that they receive from Purdue University that highlights things that are being done all across the state. She included the Local Impact Report that specifically highlights some things going on in Perry County.

Jaspersen gave an overview of what they have done this past year.

- b) Jaspersen asked the Council for an adjustment in the Summer Intern pay. She did not ask for additional money. The Council approved \$5,500 and that amount is based on 405 hours at \$13.55/hour. She is proposing to reduce this by 20 hours to 385 hours which would allow them to increase the hourly wage to \$14.25. This will keep them in their approved budget of \$5,500. This increase in wage will allow them to attract more qualified candidates. This would be a change in the Salary Ordinance.

SG made a motion to approve the change in the Salary Ordinance, seconded by GG. Motion carried 6-0.

APPROVAL OF MINUTES

- a) 01.25.2024

Kelli made a motion to approve, seconded by EW. Motion carried 6-0.

KRISTINIA HAMMACK, AUDITOR

- a) Request from the Commissioners to encumber Ambulance Equipment funds from 2023.

DE stated that they received a request to encumber \$8,846.40 for purchases in 2023. For 2023, they were budgeted \$35,000. For some reason, this invoice was not requested to be paid in 2023, so the funds are being encumbered now. Kelli asked if the Ambulance Service did not ask to encumber the additional \$17,000? Auditor Hammack stated they cannot. They were budgeted \$35,000 and did not spend approximately \$17,000. However, the County cannot award them the \$17,000 due to not having an invoice. They can only be awarded the \$8,846.40 for which the County has an invoice from the Ambulance Service dated November 2023. This invoice was not turned in for payment until January 2024. DE asked if these funds can still be encumbered, and Hammack confirmed this due having an invoice and 2023 is still not closed out. She further stated that the approximate \$9,150 of their 2023 budget that they did not spend cannot be encumbered, but if the Council wished to do an additional appropriation for the \$9,150, it can be requested.

PM made a motion to allow the encumber of funds in the amount of \$8,846.40, seconded by Kelli. Motion carried 6-0.

- b) With the current lawsuit with the County, there was a need to discuss funding for this. Auditor Hammack stated there was a Commissioner line item budgeted for \$3,000, which to date the County has paid \$862.50, leaving \$2,137.50 left in the appropriation. Hammack has a bill for \$4,092.00. This was presented to the Commissioners and they said to bring this to the Council to see where this will be paid from. She stated this can be paid from somewhere else, or they can request an additional appropriation.

Kelli asked that since this is an ongoing lawsuit, there will be additional amounts to be paid. Is this something that can be asked of the Commissioners to approve a lump sum or should this be done every time an invoice is received? Hammack stated that last year, the Care of Institution was handled as each invoice was received. It is the Council's call on how they want to handle this. Hammack stated the pros are the Council will know every month how much the County is spending by doing an additional appropriation. The con is what the Council ran into last year, with having to come back every month. It is a process of having to advertise, then they go to the Commissioners, then to the Council, and then back to the Commissioners to get paid. The easiest way is to do a lump sum, but it is the Council's decision.

Kelli asked what are the terms on the bill, and the bill did not state any. Kelli asked Hammack to check with the law firm to see if they will give net 60 for the payment term. Kelli stated she would prefer to appropriate each time bills are received so the Council can monitor this expense. SG agreed with this.

Hammack stated the line item is short \$1,954.50 to pay the current bill. DE stated to extinguish the remainder of the \$3,000 in Consulting, and the additional amount from Riverboat. PM asked what is the current balance in Riverboat? Hammack stated approximately \$160,000. If the \$1,954.50 is paid from Riverboat, and the \$3,000 was paid out of General, a vendor history could be pulled to monitor how much was paid. However, if the bills were paid out of the same fund and the same line item, it would be easier.

SG made a motion to take \$1,954.50 from Riverboat, seconded by GG. Motion carried 6-0.

Hammack stated she will advertise this additional appropriation out of Riverboat for both the server and legal fees. It will be advertised on March 18th, and the additional appropriation will be brought to the Council on March 28th; if approved, it can be paid out on the next claim docket in April.

- c) Auditor Hammack gave an update from the Legislative Conference held February 5th -7th In Indianapolis. Also attending this conference was Amanda Lasher, Treasurer, and Mendy Lassaline, Assessor.
- d) The AIC District Meeting will be March 27, 2024 at the Huntingburg Event Center. Hammack will register all those wanting to attend on February 29, 2024.

COUNTY COUNCIL

- a) County Council Attorney Rod Acchiardo drafted an Ordinance for Indiana Public Defender Commission Reimbursements. At the last budget session, Judge Lucy Goffinet asked that the partial State reimbursement that the County receives for indigent defense costs for non-misdemeanor criminal cases be set aside in a restricted fund for Pauper Attorney expenses.

PM asked if verbiage should be added to Section 4 for the provision that this Ordinance may be amended as needed? Acchiardo stated it is unspoken that an Ordinance can be amended.

Kelli asked if the language in this Ordinance states specifically misdemeanors do not get reimbursed? She stated there is a Bill that is being worked on in Session (SB179) where Perry County was included and could potentially get 100% if it is a test County. DE stated that Bill is for misdemeanors, and Kelli stated that the Ordinance is for non-misdemeanors.

Acchiardo stated this Ordinance is for non-misdemeanors, and any money received goes into a Restricted Fund. Kelli wanted to ensure this fund would not restrict funds if they are received for misdemeanors, and Acchiardo confirmed it would not.

SG made a motion to approve the Ordinance, seconded by EW. Motion carried 6-0.

Kelli asked Auditor Hammack if the \$150,000 budgeted for Pauper Attorney needs to be transferred into this Restricted account, and Hammack stated no. Reimbursement funds received from now forward need to be put in this account. If the \$150,000 were transferred, it would be pulling \$150,000 out of the General.

- b) Attorney Acchiardo stated his interpretation of the Personnel Policy Handbook Committee as far as who gets to appoints who. He stated that he and Kelli Wilgus have been exchanging emails regarding this. It is a nine-member panel. The County Commissioners appoint one, the County Council gets to appoint two, one County elected official is appointed by the elected officials, and the rest are status positions being the Sheriff, County Auditor, Highway Superintendent, HR Administrator, and County Attorney.

Kelli stated the question is the elected official and who appoints the elected official? All the elected officials in the County, or the Council and Commissioners together? Acchiardo stated the elected officials is what it states. Hammack stated she feels that the confusion results from the old Personnel Policy actually stating “Courthouse elected officials”. Acchiardo stated he interprets this to be elected officials other than the Council or Commissioners, as they are already getting representation. With respect to various members on the committee, you want to give everybody a voice, which is the intent. He further stated if you have other elected officials and they want someone representing their interest on this committee, then this is the way to go with this.

Hammack stated that in the past, the way this has been done is that the Auditor sent out an email to all the elected officials, whether they just did the Courthouse or they did all of them, and it stated that anyone that was interested in being on this committee needs to submit a letter of interest. This is exactly what Hammack did in January. She stated that in years past, another email would be sent out listing the interested parties, and to respond via email who you vote for.

Hammack did not feel comfortable doing it this way, as she did not want to know who everybody voted for. Hammack created a Google Doc. She was doing this process as it had been done before, but in a more secret manner. Hammack asked Acchiardo how the Auditor is supposed to do this? Should a meeting be called and everybody vote in person? Acchiardo stated he liked that an email was sent and they respond to it. However, Hammack needs to know who is responding to rule out fraud or potential for mischief. This needs to be done with accountability. Kelli stated from what she read regarding the Open Door Policy, every vote needs to be done in a public setting. Acchiardo stated as long as it is open to verification, he feels the County will be okay. Kelli stated the public is not aware, and she feels that is a problem. She further stated that if you allow to vote on email with this, what stops others from voting on email, and it is very clear on Open Door Policy that you cannot do that. Kelli stated she has concerns and will not be participating if that is how it is going to be done.

Hammack stated there are quarterly Department Head meetings, and it could be advertised that this vote will be done at that meeting. Acchiardo stated that the County wants to be as transparent as it can be.

Hammack asked that the Council and Commissioners would not be on this elected official list, and Acchiardo confirmed they would not as they are already represented on this committee.

Kelli wanted to make sure the Trustees were also invited to the Department Head meeting as they are elected officials, and GG stated they are only elected by their township. SG stated they are not part of the County package.

- c) There is a budget work session with Baker Tilly on March 14, 2024 at 4:00 p.m. which will assist the Council with the Budget process in the summer/fall. The meeting will be held at the North Annex (Armory). Kelli would like to have this live streamed, and Auditor Hammack stated Baker Tilly does not want it live streamed. Kelli feels it should be to have on the record what his advice is or what he is offering. Hammack stated he wants to make sure everyone in attendance feels comfortable to ask questions. Hammack stated this is more of a work session than a meeting. There is no official business. The purpose of this work session is to increase the County’s knowledge of the budget and be better prepared this year. DE stated he was emailed a couple publications and had them for the Council’s review.

Hammack stated this work session is of no cost to the County.

- d) The next regular meeting is Thursday, March 28, 2024 at 5:00 p.m.

The meeting was adjourned at 5:55 p.m. CST.

PM made a motion to adjourn, seconded by SG. Motion carried 6-0.

Minutes approved this 28th day of March, 2024.

President, Perry County Council

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