

## COUNTY COUNCIL MEETING

Commissioner's Office, Courthouse, 300E. Main St. Madison, IN.  
Tuesday, August 9, 2011 @ 5:00p.m.

Attendance: Jake Kloepfer, Laura Boldery, Judy Smith, Bill Hensler, Dr. Kevin Britt, Larry Wynn, Auditor – Celeste Reed, County Attorney Wil Goering

Meeting began with Pledge of Allegiance to the Flag.

Laura Boldery made motion to accept June 14, 2011 Meeting Minutes and Larry Wynn seconded. Motion carried; all approved.

Public Service Video Board Contract: Dr. Kevin Britt made motion to approve the contract for TV15 to produce video programs of their public meetings that will be made available for viewing on cable community access channel TV15 and on TV15's website at \$70.00 per meeting. Larry Wynn seconded the motion, motion carried; all approved.

John Wallace – Sheriff: Presented his monthly Activity and semiannual Commissary Fund reports.

Judge Todd and Judge Frazier – Attorney Pauper Fees: Superior Court requested \$65,000 in additional funds and Circuit Court requested \$150,000 for pauper attorney fees. Circuit court also requested an additional \$75,000 for Secure Juvenile Placement. Judge Frazier stated that due to an upcoming Child Abuse Trial starting in late September she will be requesting an additional \$4,000.00+ by the end of the year. Laura Boldery asked if either Judge had any money left in any of their funds that could be transferred. The Public Defender Fund has a balance of \$38,404.00. Larry Wynn made motion to use this balance towards pauper funds for Superior Court and Jake Kloepfer seconded. Motion carried; all approved.

Larry Wynn made a motion to use \$50,000 from the Rainy Day fund for the Circuit Court pauper attorney fund and Jake Kloepfer seconded. Motion carried; all approved. There is currently a \$16,000 balance in the Juvenile Placement fund. The Auditor's office is holding \$32,030.00 in invoices for this fund. Larry Wynn made motion to approve \$50,000 from the Rainy Day fund and Joe Craig seconded. Motion carried; all approved.

### Request for Transfers and Appropriations:

Surveyor 0101-010-0322 Travel \$250.00 transfer to 0101-010-0211 office supplies  
0101-010-0361 Equipment \$200.00 transfer to 0101-010-0211 “ ”

Jake Kloepfer made motion to approve and Larry Wynn seconded. Motion carried; all approved.

**HGC Change orders: 4900-001-0361-00**

- \$2,645 Add data drops and power lines Rm 216
- \$21,501 Replace all ceiling fans and switches
- \$400.00 Exit light for 3<sup>rd</sup> floor per code
- \$1,158 Add wall sconces with switches
- \$6,883 run fiber optic cable to Sheriff office
- \$8,124 add microphone/recording system

Jake Kloepfer made motion to approve and Judy Smith seconded. Motion carried; all approved.

**CEDIT – 11911:**

\$50,000 purchase Bituminous for Hwy Department 0010233.00

Joe Craig made motion to approve and Larry Wynn seconded. Motion carried; all approved.

**Health Department – 0801-001-0211.00 – Vote was tabled until next meeting**

\$36,602.82 Legal Fees, \$1,000.00 Legal Fees, \$1,208.50 Legal Fees

**Sex Offender Ordinance 2011-8:** Judy Smith made the motion to approve and Dr. Kevin Britt seconded. Motion carried; all approved.

**Community Corrections Salary Ordinance 2011-1:** This salary is effective July 1, 2011 to June 30, 2012. The council unanimously approved.

**Celeste Reed – Auditor:** Inquired about the payback of the CEDIT loan for the proposed 911 consolidated center that has been put on hold. The next 911 board meeting is in September. Wil Goering said he thought it would be repaid by the end of the year.

**Wil Goering – County Attorney – update of courthouse and insurance:** Insurance won't make final payment until HGC gives them a final bill showing all costs of change orders. The fire has cost the county under \$100,000 including all the upgrades. He stated we had a good policy, agent, and adjuster. The courthouse interior and exterior walls are still damp. Dehumidifiers have been placed throughout the building which is helping. Travelers Insurance is prepaying \$10,000 to pay for repainting the walls next year once they dry out. We have settled with the insurance company for \$900,000 for personal property.

**Ralph Armand – Health Department:** approached the Council seeking reimbursement of legal fees incurred pursuant to I.C. 36-1-17-3. Ralph was indicted by a grand jury and the charges were later dismissed. A request was also made for Mike New of the Health Department for his legal fees. Mike was given a target notice related to the Grand Jury Investigation but was not indicted. County Attorney Wil Goering explained

under the statute an exonerated person can be reimbursed customary and reasonable legal fees for a criminal case related to an act that was within the scope of the person's official job duties. Prosecuting Attorney Chad Lewis also addressed the Council and questioned whether the criminal charges against Ralph Armand were related to an act within the scope of his official duties. The Council held an extended discussion on the issues. Auditor Celeste Reed advised the Council she had received from Ralph Armand detailed and itemized billing records of his attorney fees. The Council took the matter under advisement so the members could review the information submitted by Ralph Armand to the Auditor and discuss it again at their next meeting on 9-13-2011.

Dr. Kevin Britt motioned to adjourn the meeting and Larry Wynn seconded. Motion carried; all approved.

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Auditor Attest: \_\_\_\_\_ DATE \_\_\_\_\_