

STATE OF INDIANA)  
 SS)  
 COUNTY OF CLAY)

Council President Larry Moss called the regular meeting of the Clay County Council to order on Monday, April 6, 2015, at 6:00 p.m. Council members present were Larry Moss, Michael McCullough, Toni Carter, John Nicoson, Pat Heffner, Jason Britton and Jackie Mitchell. Auditor Jennifer M Flater made a record of the proceedings, to wit:

Larry Moss led the Pledge of Allegiance and gave the opening prayer.

A motion to approve the March 2, 2015, regular meeting minutes was made by Toni Carter and seconded by Mike McCullough. Motion carried 7 ayes.

**IN THE MATTER OF ADDITIONAL APPROPRIATION**

Larry Moss read the following:

COUNTY EMERGENCY APPROPRIATION ORDINANCE

Whereas, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now, therefore:

Sec.1. Be It Ordained by the County Council of Clay County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds names and for the purposes specified, subject to the laws governing the same:

		Aye	Nay
COUNTY GENERAL			
PROSECUTOR			
Personal Services			
Depositions	\$ 5,000.00	7	_____
COMMISSIONER			
Other Services and Charges			
Underground Tanks Deductible	\$ 30,000.00	7	_____
Personal Service			
Payroll Corr	\$ 46,913.00	7	_____
COURTHOUSE			
Personal Services			
Overtime	\$ 1,802.00	7	_____
CIRCUIT COURT			
Personal Services			
Petit Juror	\$ 2,000.00	7	_____
Other Services and Charges			
Mileage	\$ 4,000.00	7	_____
SUPERIOR COURT			
Capital Outlay			
Digital Recording System	\$ 922.00	7	_____
EMA			
Capital Outlay			
Equipment	\$ 7,000.00	7	_____
CLERKS PERPETUATION			
Other Services and Charges			
Contractual Services	\$ 11,310.00	7	_____
FEDERAL EQUITABLE SHARING-SHERIFF			
Capital Outlay			
Vehicle	\$ 52,642.00	7	_____
CUMULATIVE CAPITAL DEVELOPMENT			
Capital Outlay			
Community Corr Building	\$ 1,600.00	7	_____

Presented to the Clay County Council, read in full and adopted this 6th day of April, 2015.

AYE	NAY
<u>Larry Moss /s/</u>	_____
<u>Toni Carter /s/</u>	_____
<u>Jason Britton /s/</u>	_____
<u>Jackie Mitchell /s/</u>	_____

John Nicoson /s/ \_\_\_\_\_  
Michael McCullough /s/ \_\_\_\_\_  
Patricia Heffner /s/ \_\_\_\_\_  
Members of the Clay County Council

ATTEST: Jennifer M Flater /s/ \_\_\_\_\_  
Jennifer Flater, Clay County Auditor

Bob Pell explained the request for depositions. There was only \$1,000.00 in the 2015 budget and we have already had two trials this year and know of two more coming up. John Nicoson made a motion to approve the additional for \$5,000.00 for depositions and was seconded by Toni Carter. Motion carried 7 ayes.

Tony Fenwick explained the \$30,000.00 would cover the deductible on the fuel tanks at the Highway. Jason Britton made a motion to approve the additional \$30,000.00 for the new Fuel Tank Fund and was seconded by Jackie Mitchell. Motion carried 7 ayes.

Jennifer Flater explained the request to make correction to certain employee's payroll. Toni Carter made a motion to approve the additional \$46,913.00 for payroll corrections and was seconded by Pat Heffner. Motion carried 7 ayes.

Tony Fenwick explained the request for overtime for John Hughbanks, this is to payout his comp time he has from 2014. When we prepare our budget for 2016 we will put a little money into overtime to cover his comp time for 2016. Mike McCullough made a motion to approve the additional \$1,802.00 for overtime and was seconded by Pat Heffner. Motion carried 7 ayes.

Judge Trout explained the request for more money in Petit Juror and mileage, as we are having more jury trials our expenses will be increased. Toni Carter made a motion to approve the additional \$2,000.00 for Petit Juror and \$4,000.00 for mileage and was seconded by Jason Britton. Motion carried 7 ayes.

Judge Akers explained the request for a new computer. Last year you approved the new recording system and we thought our current computer would work, however, we discovered it is not compatible with the recording system. Mike McCullough made a motion to approve the additional \$922.00 for a new computer and was seconded by Jackie Mitchell. Motion carried 7 ayes.

Bryan Husband explained the request for radio upgrades. Last year we received a grant for \$20,000.00 for radio upgrades and to properly update all radios in the County we are going to be short \$7,000.00. Jackie Mitchell made a motion to approve the additional \$7,000.00 for radio upgrades and was seconded by Toni Carter. Motion carried 7 ayes.

Vicki Wheeler explained she had made this request last year, however, the books weren't completed until the first of December and she had not received a bill until March. Therefore the additional had not been spent in 2014 and the money was not encumbered. Mike McCullough made a motion to approve the additional \$11,310.00 for contractual services for Clerk's Perpetuation fund and was seconded by John Nicoson. Motion carried 7 ayes.

Sheriff Paul Harden explained the request for two new four wheel drive trucks. The money is from the Federal Equitable Shares and is limited to what the money can be spent on. The department will be trading in two vehicles. Pat Heffner made a motion to approve the additional \$52,642.00 for two new Sheriff Vehicles and was seconded by John Nicoson. Motion carried 7 ayes.

Bryan Allender explained the request for an inspection and engineer fees. The French Building is a possibility for the new Community Corrections facility and would need to be inspected. If the inspection is good then we will need to have an engineer look over the building to suggest the changes necessary to be ADA compliant. Jason Britton made a motion to approve the additional \$1,600.00 for an inspection and engineer fees and was seconded by Pat Heffner. Motion carried 7 ayes.

**IN THE MATTER OF SHERIFF'S RETIREMENT PLAN**

Sheriff Paul Harden discussed the changes being made to the retirement plan with McCready and Keene INC. This is an annual requirement that needs to be signed by County Council President, Sheriff, and the Merit Board and a copy mailed to the IRS by April 15<sup>th</sup>.

Motion to approve the changes to the Sheriff's Retirement plan with McCready and Keene was made by Mike McCullough and was seconded by Jason Britton. Motion carried 7 ayes.

**IN THE MATTER OF STOP GRANT**

Prosecutor Bob Pell presented the STOP Grant renewal. The grant runs from July 1, 2015 thru June 30, 2016. Bob stated this grant is very beneficial to our office and we are required to have someone designated to assist with victims of abuse.

Motion to approve the STOP Grant was made by Toni Carter and seconded by John Nicoson. Motion carried 7 ayes.

**IN THE MATTER OF ORDINANCE 8-2015 AUTHORIZING A LOAN FROM TERRE HAUTE SAVINGS BANK TO PURCHASE A KENWORTH TRUCK**

Larry moss read in full the following:

ORDINANCE NUMBER 2015-8  
ORDINANCE AUTHORIZING A LOAN FROM TERRE HAUTE SAVINGS BANK FOR  
PURCHASE OF KENWORTH TRUCK

WHEREAS, the Board of Commissioners of Clay County, Indiana desires to purchase two Kenworth Trucks for the Clay County Highway Department, and pay cash for one and obtain a loan for the second through Terre Haute Savings Bank.

WHEREAS, the anticipated loan amount is approximately \$108,102.00 for the Kenworth Truck being financed with the loan interest rate being 1.875%.

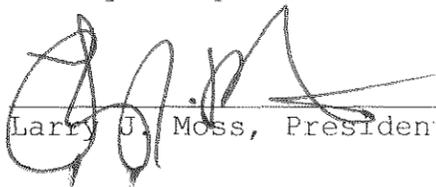
WHEREAS, it is the intent that such loan will be fully paid in one payment in one year from the date of the loan, being approximately April, 2016.

NOW, THEREFORE, be it ordained as follows:

The Clay County Council approves the loan from Terre Haute Savings Bank, for the purchase of a Kenworth truck for the Clay County Highway Department, in the amount of \$108,102.00 with applicable interest:, with repayment in 12 months, and authorizes the Council President, Larry Moss, and Commissioner President, Tony Fenwick, to execute such loan documents with Terre Haute Savings Bank on behalf of Clay County, Indiana, and allow such bank security in the truck being financed until the loan is fully paid.

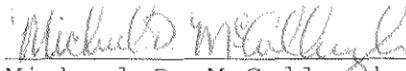
Approved by the County Council of Clay County,  
6<sup>th</sup> day of April, 2015.

Indiana this

  
Larry J. Moss, President

  
Toni Carter

  
Jackie Mitchell

  
Michael D. McCullough

  
Jason Britton

  
Patricia Heffner

  
John Nicoson

ATTEST:

Jennifer M Flater /s/  
Jennifer M Flater, Auditor

Tony Fenwick said he was able to get a loan with THSB with an interest rate of 1.875% for one year for the purchase of a Kenworth Truck. The County can pay off the loan early with no penalties.

Mike McCullough made a motion to suspend the rules and pass on first reading, seconded by John Nicoson. Motion carried 7 ayes.

Jackie Mitchell made a motion to accept Ordinance 8-2015 as presented, seconded by Toni Carter. Motion carried 7 ayes.

**ORDINANCE 7-2015**

**AMENDED SALARY ORDINANCE**

An ordinance setting compensation for certain County Employees, for the calendar year 2015.

Be it ordained by the County Council of Clay County, Indiana as follows:

HIGHWAY  
Truck Driver/Equipment Operator \$ 16.07 per hour

Effective April 6, 2015. Presented to the Clay County Council for first reading this 6th day of April, 2015, and set for approval the 4th day of May, 2015.

AYE

NAY

<u>Larry Moss /s/</u>	_____
<u>Michael McCullough /s/</u>	_____
<u>Jason Britton /s/</u>	_____
<u>Jacqueline Mitchell /s/</u>	_____
<u>John Nicoson /s/</u>	_____
<u>Patricia Heffner /s/</u>	_____
<u>Toni Carter /s/</u>	_____
Members of the Clay County Council	

ATTEST:

Jennifer M Flater /s/  
Clay County Auditor

Jennifer Flater explained we are correcting the job title from Truck Driver or Equipment Operator to Truck Driver/Equipment Operator. The dollar amount stays the same as the original salary ordinance.

Mike McCullough made a motion to suspend the rules and pass on first reading, seconded by John Nicoson. Motion carried 7 ayes.

Toni Carter made a motion to accept Ordinance 7-2015 as presented, seconded by Pat Heffner. Motion carried 7 ayes.

**IN THE MATTER OF A LOAN FOR ROAD GRADER FOR HIGHWAY DEPARTMENT**

Paul Sinderson stated during the Commissioners meeting this morning they had received quotes for a Road Grader. Brad Stultz is going to meet with RUDD Equipment and inspect the two Road Graders and determine which one will best meet our requirements. Eric Somheil will prepare an ordinance for the May meeting to pursue a loan for the Road Grader.

**IN THE MATTER OF ADJOURNMENT**

There being no further business, Pat Heffner made a motion to adjourn seconded by Toni Carter. Motion carried 7 ayes.

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Members of the Clay County Council

Attest:

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Clay County Auditor