

VIGO COUNTY COUNCIL
Sunshine Meeting Minutes
Tuesday, November 6, 2024 at 5:00 P.M.
Council Chambers, Vigo County Government Center

Pledge of Allegiance

President Todd Thacker called the meeting to order at 5:00.

Calling of the roll

Aaron Loudermilk – absent; Nancy Allsup – present; Vicki Weger – present; Marie Theisz – present; Travis Norris – running late; David Thompson – present; and Todd Thacker – present. [Councilman Norris arrived at approximately 5:05.]

Communications from elected officials, other officials or agencies of the County

Commissioner Mark Clinkenbeard said the update on the ARPA funds from RJL Solutions would take place next week. They Commissioners will also be withdrawing the request for ARPA funding for the Hasselburger Bridge on tonight's agenda. Bids had come in under what had been anticipated and the extra funding will not be needed.

i. Mainstream Fiber Networks endorsement letter – Council
This had been discussed and tabled at the October meeting. President Thacker asked Commissioner Mark Clinkenbeard if they had become aware of any other local entity applying for the same grant. Mr. Clinkenbeard said the Commissioners were not aware of anyone else.

Reports from committees

There were none.

Resolutions and Ordinances other than appropriations.

i. Resolution 2024-20 – County Council

Council Attorney Michael Wright said the Superior Court Judges in Vigo County issued a mandate under Indiana Trial Rule 60.5 at the end of October. An Executive Session was held and Mr. Wright has prepared a Resolution that details what has occurred and lays out the Judges' requests, which includes making the mandate retroactive to January 1, 2024. The Resolution indicates that the Councils' prerogative not to consent to the judicial mandate that has been issued. Under the Trial Rules there are essentially two options. After the mandate has been issued, the body that has been ordered to do something can consent and waive the process and agree to pay the appropriation as requested or not consent to the mandate which triggers the Supreme Court appointing a Special Judge who is specifically not from around this area, and does not know the people in this area, to adjudicate the issue. It is one of the few processes that is an original action in the Indiana Supreme Court meaning that there is no review from the trial court order but review in the Indiana Supreme Court. Mr. Wright's sister works in the Vigo County Court system and is one of the employees that is part of this mandate.

This creates a conflict of interest and he will not be able to handle the matter. The Resolution provides that he can communicate with potential third party counsel who can take the case. This does not authorize Mr. Wright to make any decision but does allow him to gather information and bring it back to the Council. He has reached out to three law firms in Indianapolis. The Judges are represented by Krieg Devault in Indianapolis. There was a brief discussion about making a decision now rather than waiting until the first of the year when there will be new Council members. There was also discussion about whether or not the new Council members could amend any decisions on actions taken now if they so chose.

ii. Resolution of Reallocation of Existing Appropriation 2024-16 - Voter Registration

Bob Lawson from Voter Registration said they were requesting a transfer from Office Supplies to New Equipment in order to pay for supplies from a correct account.

iii. Resolution of Reallocation of Existing Appropriation 2024-17 – Parks

Brian Gilbert said they were requesting this out of series transfer from gasoline to liability insurance due to the large premium increase. This is the only account with enough money to handle the transfer.

iv. Resolution of Reallocation of Existing Appropriation 2024-18 – E911

No one was present for this request. President Thacker read the letter requesting the reallocation. This transfer was needed due to increased liability insurance premiums. They had been advised by State 911 that State 911 funds could not be used to pay insurance. President Thacker suggested contacting E911 requesting a representative to be present at next week's meeting.

v. Resolution of Reallocation of Existing Appropriation 2024-19 – Group Homes

Sheila Priester said this reallocation was needed because it is hard to estimate how much money will be needed for the year for institutional supplies, routine maintenance repair/supplies and gasoline for vehicles. All three of those accounts will need additional money to make it through the end of the year.

vi. Resolution of Reallocation of Existing Appropriation 2024-21 – IT

Scott Swan said he was going to need additional money in his line items for Telecommunications and Contractual Services because of unforeseen expenses for the new maintenance building.

Ordinances relating to appropriations.

i. Additional Appropriation 2024-77: Riley Fire Protection District – Special Fire Debt

Vern Tincher explained that the bank had raised interest rates on a loan which will require additional funds to be able to pay. They are requesting an additional \$11,604 to meet that obligation.

ii. Additional Appropriation 2024-78: Commissioners – Liability Insurance

Commissioner Mark Clinkenbeard this request for an additional \$66,839 is for liability insurance. There had been a big increase in claims this year, especially at the jail, and there is not enough money to pay it. They have transferred everything that they can. There was a short discussion.

iii. Additional Appropriation 2024-79: ARPA Grant Fund – Security Equipment

Commissioner Mark Clinkenbeard introduced Sgt. Tom Little and Steve Clark from Innovative Communication Solutions to talk about installation of cameras on the outside of the Court House for security concerns. There will be 7 cameras although the cameras have several lenses which allows for expanded views. This will be recorded and also be able to be viewed live. David Thompson asked if there was a maintenance fee once installed. These cameras will attach to the existing server.

iv. Additional Appropriation 2024-80: ARPA Grant Fund – Hasselburger Bridge

This was withdrawn.


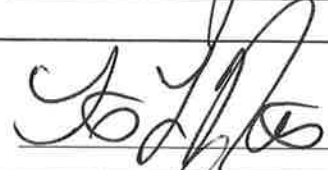


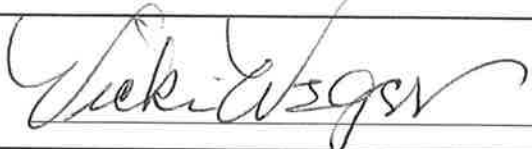
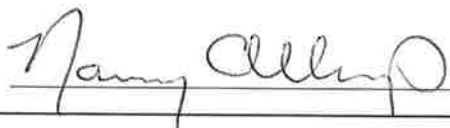
Public Comments

There were none.

Vicki Weger made a motion to adjourn the meeting. Travis Norris seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed and the meeting was adjourned at 5:25 p.m.

MINUTES OF THE VIGO COUNTY COUNCIL
SUNSHINE MEETING
NOVEMBER 6, 2024

Presented to the Vigo County Council, read in full and adopted as written this 12th day of November, 2024.

Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	David Thompson	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Travis Norris	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Marie Theisz	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker, President	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Vicki Weger	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Nancy Allsup	
Aye <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	Aaron Loudermilk	<hr/>

Attest:



James W. Bramble
Vigo Auditor