

PERRY COUNTY COUNCIL MINUTES – MARCH 24, 2022

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, Charles Baumeister, Danny Bolin, Lynn Fulkerson, Randy Cole and Paul Malone. Earla came to meeting at 5:45 p.m. Sheriff Alan Malone was also present. Chief Deputy Auditor Susan Harpenau is filling in for Auditor Pam Goffinet who is attending a tax sale conference.

AGENDA

There was one addition that needed to be added to the agenda:

1. Annie Hynes – Air Evac

Paul made the motion to approve the agenda as was amended, seconded by Charlie. Motion carried 6-0.

MINUTES

Minutes from the meetings of January 27, 2022, were mailed to the Council members for their review. Charlie made the motion to approve the January 27th minutes, seconded by Danny. Motion carried 6-0.

AIR EVAC – NEW PROGRAM

Annie Hynes with Air Evac came before the Council to introduce a new program with Air Evac called Census Plan. She handed out a typical brochure to the council members. She said they are an air ambulance service. They transport patients when they get sick or hurt to a higher level of care. She also talked about the membership program. The County has provided this service to the employees as a payroll deduction. She said we are Air Evac 92 which means we had 92 bases 12 years ago. She commented there are 320 bases now. She said they have a new program that she thought would be beneficial for the Perry County employees. In the past we have done payroll deduction program and whoever wanted to sign up could and pay out of their own pockets. This new program is called a Census Plan. She said it is like a paid benefit. This would be the county providing the Air Evac membership for their employees. They are offering each membership at \$65.00. So for a hundred employees, it would cost the county \$6,500.00 a year. This would cover the employee and everybody in their households under the same roof. They always ask their members to let their medical providers know this and put it in their records. She said they give ID stickers for their vehicles and their homes that they are members.

David asked if these memberships are based on positions. So if someone quits, then it will go to the next person. She said yes, you are actually buying slots. Those names have to be turned into Air Evac. She informed them that she has not presented this presentation to the Commissioners yet because she just missed their meeting. The memberships the employees currently have expires on May 1, 2022, so since time was limited, she is talking to the Council first. Chief Deputy Auditor Susan Harpenau said the idea is to have a motion of intent tonight to have the funding in place. David commented depending on how the Commissioners would vote if they would approve the plan. Charlie asked where would we finance this out of. David said half from County General and half from the Riverboat fund. Randy asked how many employees participate now. Annie said there are 22 employees. David asked if someone used this how much would a flight be. It could be \$40,000.00 more or less. It is a very expensive flight. She said with this program, there is no out of pocket expense with this program for the members. There is no co-pay or deductibles. She said they bill the insurance for the member and they take whatever the insurance pays them. Randy asked what does the insurance provider provide as far as the need for air evac. What do they cover. He said some insurance policies recognize it as part of the policy and some don't. Annie said they are always out of networking because they operate their own networking system. She commented that it depends on how the doctor charts and what the emergency is. She said a patient doesn't know what their bill is going to be until they get it and whether insurance will cover it or not. She said insurance companies try to get out of paying claims when they can because that is how they grow as a company. Randy said he would like to know what kind of coverage we currently have before we enter into another \$6,500.00 commitment that we may already have coverage. It is a question for the insurance provider. There was discussion whether our insurance has coverage or not for this. It was asked how many other counties are on this. She said she has presented this new program to Martin County and they are taking it for their employees as well as Tell

City is for the city employees. Randy asked who determines which helicopter is used when being transferred from another hospital. Annie said this does happen because they do have competitors. Generally the decision is made by 911 Dispatch, EMS personnel or the hospital. She said she likes to educate the members on the program. Randy Kleaving commented that Teresa talked with Auditor Goffinet and the expense from the insurance company would come out of our pocket. We are self insured. There was much more discussion. It was decided the trustees would get together before the Commissioner meeting and talk with APEX and see how much employees would be out of pocket without this coverage? How does the insurance handle the Air Evac expense? Air Evac will still bill the insurance company with this coverage. There was no motion given on the new Census Plan.

COMMENTS FROM THE PUBLIC

Commissioner Gregg Jarboe came before the Council to possibly pass a resolution to allow the county to take the full amount of the ARP funds that are remaining and put them into a fund under the 10 million clause of the final rule. If not, he would like to ask the Council to consider a resolution to that point. He said he doesn't think they are ready to start the discussion in the ARP committee unless they know that they have a resolution saying the Council will follow what the ARP committee recommends. He commented that it is not that the committee doesn't trust the Council, it is that four are leaving at the end of the year and not knowing who will be back, they want assurance that the money is going to be there for programs they are trying to establish. He hopes the Council puts this on their agenda soon.

He said he would also like to request that the same group doing the county job descriptions, Waggoner, Irwin and Scheele, to do on boarding packages for our boards and committees that we appoint people to. There are some things we actually need to train them on which are responsibilities, duties and general things like open door laws and how to run a meeting. We put these people on these boards because of their knowledge, we also need to help them about the board. He said there is an IC code that they can read for the legalese. He knows there is cost associated with this request. He said he doesn't think it matters, it is something that needs to be done.

TRANSFERS

The Perry County Sheriff requested a transfer of \$15,000.00 from the 7th Police Officer to Part Time Police Officer within the Sheriff budget in County General. Sheriff Alan Malone said that Deputy Poehlein is on military leave now for the last six or eight months. He will be gone that much longer also. He said he will be gone 14 months and they are hurting, so he wants to use this for more help from his part time deputies that he has. Randy made the motion to approve the request, seconded by Danny. Motion carried 7-0.

Highway Superintendent, Steve Howell, requested to transfer from Master Mechanic to Part Time Master Mechanic in the amount of \$4,788.00 within the Motor Vehicle Highway fund. He said they have a mechanic who is quitting and his time will be up the first part of April. The part time mechanic has agreed to work a little longer. Once he has earned what he can for the year, he then would like to replace the mechanic position. The mechanic has to have CDL license. Paul made the motion to allow the transfer, seconded by Charlie. Motion carried 7-0.

TRANSFER APPROPRIATION ORDINANCE

CC-22-03

WHEREAS, IT HAS BEEN DETERMINED THAT IT IS NOW NECESSARY TO TRANSFER MONEY FROM ONE MAJOR BUDGET CLASSIFICATION TO ANOTHER MAJOR BUDGET CLASSIFICATION IN THE FOLLOWING NAMED BUDGET; NOW THEREFORE:

SEC. 1. BE IT ORDAINED BY THE COUNTY COUNCIL OF PERRY COUNTY, PERRY COUNTY, INDIANA, THAT THE FOLLOWING TRANSFERS BE MADE IN THE FOLLOWING MADE BUDGET:

COUNTY GENERAL FUND

TRANSFER \$ 15,000.00
FROM: ACCOUNT #1000-005-1000.29 \$ 15,000.00
7TH POLICE OFFICER'S SALARY
TO: ACCOUNT #1000-005-1000.21
PART TIME POLICE OFFICER
WITHIN: PERRY COUNTY SHERIFF'S BUDGET

COUNTY HIGHWAY FUND

TRANSFER \$ 4,788.00
FROM: ACCOUNT #1176-533-1000.12 \$ 4,788.00
MASTER MECHANIC SALARY
TO: ACCOUNT #1176-533-1000.13
PART-TIME MASTER MECHANIC
WITHIN: PERRY COUNTY HIGHWAY BUDGET

ADOPTED THIS 24TH DAY OF MARCH, 2022.

NAY

AYE

DANNY BOLIN /S/
LYNN FULKERSON /S/
EARLA WILLIAMS /S/
CHARLES BAUMEISTER /S/
PAUL J MALONE /S/
RANDALL COLE /S/
DAVID A ETIENNE /S/

ATTEST:

PAMELA L. GOFFINET /S/
PERRY COUNTY AUDITOR

ADDITIONAL APPROPRIATIONS

Sheriff Alan Malone requested an additional appropriation in the amount of \$11,820.00 for Security Systems Update from LIT-Special Legislation fund. Alan and Sergeant Zach Taylor came before the Council to discuss the jail tracker system they used at the Detention Center since 2014. He said it was a good system but recently they started looking at jail tracker mobile. He said everything they can do at booking can be done electronically. Alan said it looks like a phone and jail officers will get one. Every time they have an incident or count, instead of running back to booking they can go on line with this device. He stated their count now is up to 90 and this would help a lot . They can spend more time in the pods. When there is an incident, they can take a picture and upload it right there with the device. One of the important things they do is their count and they do this by watch tours. They can do that also with this. This device will do so much more for them. To be able to do this, each inmate will wear an arm band with picture and certain information on it. He said the big thing is that they will not have to run into the booking room everytime something happens. Zach said everything they will do will be documented with an electronic time stamp instead of writing it down on paper. It will be right there with them to get it done. Alan said Zach did a lot of research on this. They gave them a trial device and it has worked out very well. He said he can go to Walmart and buy an unlocked phone, such as a Motorola, a lot cheaper than from the company. Alan feels this is a good application and it might save us down the road from a lawsuit. He said the cost is \$11,820.00 and then it will be \$1,753.00 per year. They continually do updates. Paul made the motion to allow the request.

Randy said before we do that, we are trying to pull this out of the local income tax fund. He said he looked up the law that was passed and it was changed last year that the excess was to go to the Highway Department and it was written that this money would be applied after the jail bonds were paid. He commented that we have spent money out of there already and now it has been rewritten that it is used for operations and maintenance of the jail. He said it is contingent upon paying off those bonds before we start spending money out of what was a tax to pay for the jail. If we want to go ahead with this, he suggested if we are going to talk about paying those bonds off, then that cash would be available. He said in the interim, we have money available from housing prisoners, that he could utilize and pay for it out of there. Randy said we can pay the bonds off in

August. Sheriff said he was hoping to have money left in there but he will be okay. There was a lot more discussion on this. Randy commented that we have overcharged the taxpayers by approximately 2 million dollars. David said this income tax was passed to build the jail and not to go on forever. Once we can pay the bonds off we need to do that. Charlie said these are things we have spent out of the fund for the upkeep for the jail since 2018. He said if we go through \$318,000 to now, this money isn't going to last very long. Alan said we have a great jail but it is getting older. He informed them of other things that will be needed. Randy stated that everything has a life expectancy and we should be planning for that. He said the government does a poor job of planning. We need to be budgeting to address these issues and not coming in to ask for something that we don't have any money for. Charlie said yes he agrees with that but he didn't think there was planning ahead when the jail was built. The discussion went on among the members. Randy said he has no problem of getting this jail tracker mobile started but can we use the Inmate Housing fund to pay for it. Alan informed them of what all he has used that fund for. He said without it, we would be struggling. Charlie asked if this question of whether to use this fund should be turned over to Rod. Susan said as of March 23rd, there is \$108,402.69 in the Inmate Housing fund. Alan asked if they could do an intent to use the Inmate Housing fund to pay for the jail tracker mobile. Paul made the motion, seconded by Earla. Motion carried 7-0.

The Perry County Commissioners requested \$5,222.34 for Prevention and Education, \$5,222.34 for Treatment and Intervention, \$5,222.34 for Law Enforcement Justice and \$5,222.35 for Administrative from the Drug Free fund. This is something that is done every year. Administrator Teresa Kanneberg informed them that the Substance Abuse Committee asked for this appropriation it is dependent on how much was collected that year for drug and alcohol related charges. They grant this money out based on the line items and having an approved comprehensive plan by the Indiana Criminal Justice Institute. Charlie made the motion to approve the additional, seconded by Lynn. Motion carried 7-0.

Jason Hoch, County Prosecutor, requested \$4,400.00 for Extradition Expense from the Pretrial Diversion fund. Jason said this is from December 2021, he charged an individual from Perry County with the crime of sexual misconduct of a minor. The crime charged was this individual was over the age of 21 and a 14 year old child, so when the criminal charge was filed, the court issued an arrest warrant. This individual was recently arrested in Reno, Nevada and being held on our warrant. So, in this situation, his office uses this prisoner transport of America. The jail commander helps out with this. They charge a fee to bring the individual back. Now because of COVID, they fly them back to where they need to be. Given the crime charged, if we don't go get him, he will be released and given a court date. So he is seeking extraditing him back here. Randy made the motion to allow the request, seconded by Charlie. Motion carried 7-0.

The Perry County Treasurer, Amanda Lasher, requested an additional appropriation of \$8,172.50 for Office Equipment from the ARP-2021 Coronavirus Local Fiscal Fund. David said this was for seven computers. Charlie said they already had done an intent on this request. Charlie made the motion to approve, seconded by Lynn. Motion carried 7-0.

*******SEE BACK PAGE FOR THE ADDITIONAL ORDINANCE*******

INTENT FOR DATA PIT STOP SOFTWARE – AUDITOR OFFICE

David said this was missed at budget time and not included. This software is utilized to do a lot of their work in the Auditor office. David said after talking with Auditor Goffinet, we can take this out of the Riverboat fund. Gregg Jarboe spoke up saying they do a lot of data analysis for us based on our specific data. Susan said the depreciation schedule is set through here to help with the Annual Financial Report for the state and all our inventory and assets also. It is just not software, it is a service also. Randy made the motion for intent from the Riverboat fund, seconded by Charlie. Motion carried 7-0.

DISCUSSION OF ARP FUNDS

Charlie gave a brief history of before with the ARP funds. When it first came out there was a formula and with that formula, the county could have recouped the whole 1.8 million and we said we didn't want to do that. That is why 1.2 million was set aside for grants and that left \$661,677.00. We also took out \$6,000.00 for Community Foundation to run the grant program, \$355,00.00 for computer software and \$8,172.50 for

Treasurer's computers. This now leaves \$292,504.50 from the first round. He said he brought this up because there are some things coming up shortly that he doesn't know where we are going to have the funding for. He would like to ask the ARP committee to recoup this balance for the county. The money will stay in the fund and taken out as needed. Gregg Jarboe said this is not what he was asking before. When the formula was done before, it was complex, you take 1.04% times the loss amount and also for the second year. He said we could have taken the entire ARP funds but we decided not to at that time. Gregg said what he is asking is with the final rule, we can take up to 10 million in government loss. He suggested we take the whole funding and put it in an accounting fund as a loss. This gets us away from a lot of accounting rules and auditing measures. He said with that benefit comes a risk. Now there are no rules on how that money is handled. Gregg wants a resolution. He doesn't want the next 2 million dollars all go in a fund for the county and we fix everything in the courthouse with it. I want it to follow the recommendations of the ARP committee. That is what he asking the resolution for. That way the ARP committee still has some control. This group has done a lot work. He hopes the Council recognizes this and supports them. He said he would like to put money into a revolving loan. As a committee to benefit the county, they want to have that say. He said the commissioners signed a resolution saying this also. It is just like a rubber stamp for them. Charlie made a motion for a resolution to be written. Randy seconded the motion. Motion carried 7-0. Gregg said he could write something up and bring it to them and have Rod to review it.

SECURE CLOUD BASE – EMAILS

Gregg Jarboe said that Anjan with AnIsland has been helping him with this. He stated the county's email server was compromised by a cyber threat. Despite our use of multi factor authentication and regular software updates which are widely regarded as industry best practices, this still happened. He said that Anjan has done everything in his power to keep that box up to snuff. After the server was compromised, it was used for spear phishing of employees of Perry County. Spear phishing involves highly specialized attacks against specific targets or small groups of targets to collect information or gain access to systems. In our instance, it was being used to spear phish internal employees with a suspicious attachment which is in the process of being extracted by our IT company for analysis and by our law enforcement. Once we learned of the incident, the server was quickly shut down in order to protect our network and the public. He said he made that call personally once he saw what was going on. They were concerned the perpetrators could have expanded their attacks to target residents of Perry County who have previously emailed our employees. If we put the server back on the internet or connect to the network, it would expose our current employees and residents to unknown cyber attacks. The best course of action is for the server to remain shut down until this has been completely remediated and our email system is transitioned to a cloud based provider. They have notified the County Sheriff and the FBI of the incident and they are looking into the matter. All are cooperating with the investigation. Gregg handed them a list of things they have done and asked for. Anjan said all the servers are still safe. He said by the weekend, they should have the emails back for the employees. He said by going to the cloud, we will save money and be more secure. Gregg said that he and David made the decision to get this started. There was more discussion. Charlie made the motion to take this from Computer Maintenance out of Cumulative Capital Development fund, seconded by Danny. Motion carried 7-0.

REDEMPTION OF DETENTION CENTER BONDS

Jason Semler with Baker Tilly was contacted with a payoff amount of the Detention Center bonds. As of August 1, 2022, it is \$7,469,000.00 which includes the principal and interest. He said currently we have \$8,472,084.05 in the fund which is sufficient to pay off the bond if we go that route. David said he assumes we would still collect for the rest of this year after we pay it off. Randy said because of delayed payments that should be correct. Randy said if we stop this in 2022, we should get around 2 million dollars extra with getting the \$161,000 each month for the rest of the year. It was decided to have Jason Semler of Baker Tilly to come down and give an explanation about the pay offs.

There being no further business to come before the council, Paul made the motion to adjourn the meeting, and Earla seconded the motion. The motion carried 7-0, with adjournment at 6:44 p.m.

Minutes approved this 26th day of May, 2022.

President, Perry County Council

*Minutes prepared by:
Pamela L Goffinet, Perry County Auditor*