

**PERRY COUNTY BOARD OF COMMISSIONERS**  
**MINUTES –December 4, 2023**

The Perry County Board of Commissioners met at 9:00 a.m., as was duly advertised. Commissioners: President Randy Cole (RC) and Rebecca Thorn (RT) were in attendance. Auditor Kristinia Hammack, Sheriff Alan Malone, and Attorney Andrew Foster were also present. There was no *News Representative* in attendance.

The meeting opened with all present reciting the Pledge of Allegiance.

**AGENDA**

RT made a motion to approve the agenda as amended, seconded by RC. Motion carried 2-0.

**PUBLIC COMMENTS**

a) Auditor Hammack stated on September 11, 2023, Junie Voges submitted his letter of resignation that he would be retiring the end of this year. She wanted to touch base with the Commissioners as it is December 4<sup>th</sup> and asked where they are at on this? She is guessing this job will fall on her and her office. RC stated this is on his to-do list and the Commissioners are looking at different options

**MINUTES**

a) 11.21.23

RT made a motion to approve, seconded by RC. Motion carried 2-0.

**KRISTINIA HAMMACK, AUDITOR**

a) Auditor Hammack gave a report on the Fall Settlement. On November 20<sup>th</sup>, the Auditor's Office receipted in \$7,698,351.15 and submitted their settlement to the State. Approval was received back and last Thursday, November 30<sup>th</sup> funds were disbursed to the allocated cities and townships. \$2,543,000.55 remained in the County. She commended Treasurer Amanda Lasher and the fact that she and Auditor Hammack work really well together has allowed them to get this done as quickly as possible.

b) 12.04.2023 Payroll in the amount of \$175,993.81

RT made a motion to approve, seconded by RC. Motion carried 2-0.

c) Health Insurance Claims: \$69,676.14

RT made a motion to approve, seconded by RC. Motion carried 2-0.

d) Flex Spending Claims: \$63.29

RT asked Auditor Hammack if this will be the last claim or will it be in December? Auditor Hammack responded no; they have until March or June of 2024 to spend what the employees have put in these accounts. With the new insurance, the County will not be offering Flex Spending Accounts.

RT made a motion to approve, seconded by RC. Motion carried 2-0.

e) Dental Insurance Claims: \$78.78

RT made a motion to approve, seconded by RC. Motion carried 2-0.

f) Vision Insurance Claims: \$78.71

RC made a motion to approve, seconded by RT. Motion carried 2-0.

a) Life Insurance Claims: \$1,431.69

RT made a motion to approve, seconded by RC. Motion carried 2-0.

b) Pension Claims: \$31,293.00

RT made a motion to approve, seconded by RC. Motion carried 2-0.

c) Approval of 12.04.2023 Claim Docket: \$1,629,023.81

RT made a motion to approve the claim docket, seconded by RC. Motion carried 2-0.

**ALAN MALONE, SHERIFF**

Sheriff Malone appeared before the Commissioners seeking support as his office moves forward to start a K-9 Program at the Perry County Sheriff's Office. Currently there is no K-9 patrol unit in Perry County. Many times the Sheriff's office has had to rely on Spencer County, the Indiana State Police, and other agencies if a K-9 is needed for anything. He spoke of the recent missing person and his office had to utilize someone from Jasper to come to assist.

Malone stated there is no doubt that the County has a drug problem in Perry County. A large portion of crime is directly related to the use and distribution of illegal narcotics.

Recently the County approved the hiring of two additional deputies for the Sheriff's workforce, and he is confident with the addition of the additional deputies, starting this program will help with scheduling and provides his office with an additional tool with the use of a K-9. He can assure the Commissioners that the handler will be responsible for always reporting to the Sheriff for overtime and compensation time. He is confident that with the two new deputies in January 2024, this will allow to flex-off the handler for kennel matters and training.

In the past, the Sheriff's Office was fortunate to use Inmate Housing, as the County does not like to pay overtime, which pays overtime for their Correctional Officers and Deputies. His office will continue to utilize this fund once the K-9 is brought on.

He spoke to the County's insurance company, and there will be no additional costs of liability. The Liability Insurance currently has a \$10,000 limit for property damage. RT asked what insurance company did he speak to? Malone replied Highland.

Malone has spoken with Dr. Matt Labhart at the Perry County Animal Hospital who will provide all services 100% free of charge. This includes all shots and surgeries.

With the duties of a K-9 handler, Malone can assure the Sheriff's Office will follow the FLSA (Fair Labor Standards Act) regulations.

The Perry County Sheriff's Office will begin this program without any tax dollars being spent. Grants and donations will allow this to be self-funded and he will not ask for any additional funds during his tenure. Malone will be Sheriff for another three years. He can not speak for the next Sheriff.

The handler will understand the guidelines given to him or her and will be responsible for having a K-9 365 days a year. The handler will also understand he or she is providing the use of a shelter for the dog, and he has people willing to help with this.

Sheriff Malone is hoping the Commissioners will support the K-9 Program which he wants to begin soon. He reiterated that this will not cost the County any money or tax dollars.

RC stated with the two new deputies in 2024, they were to be patrol deputies, but now Sheriff Malone is going to take one of those deputies and turn them into a K-9 handler?

Sheriff Malone stated no, it will be a current deputy. He has two of his deputies interested, one male and one female. RC asked if the K-9 will still be a patrol unit?

Malone stated yes. RC asked will the dog be available in the event it is needed? Malone responded yes; this dog will be used for various types of calls.

RC stated he assumes the Council will need to approve grants before applying for them. Malone stated if they were matching grants they would, but he has received grants for the last eight years and did not need approval. Malone believes if it is over a certain dollar amount, he would need approval.

RC stated he is concerned regarding soliciting funding, and he believes it is State Statute that the Commissioners have to approve setting up a fund as it has to be titled specific for the K-9 Program. It needs to be a restrictive fund for use of the K-9 Program only, where the current Sheriff's fund for donations can be used for wherever the Sheriff's Office decides to use it.. Malone will look into this.

RC asked if Malone has an expectation of what his total costs will be to set this program up? Malone stated the K-9 Program he wants to utilize is \$15,000 to purchase the dog and training, and the academy for the handler. The grants and donations plus the Commissary fund will cover the supplies needed such as leashes, bark collars, muzzles, etc. He does not want to purchase any of these until he knows what the K-9 Unit needs.

RC asked Malone if he has a budget for this, and Malone stated approximately \$6,000. Equipment for the vehicle will cost approximately \$1,000, with \$2,000 being the most it would cost. RC asked if Malone knows what the cost will be to take the vehicle to a vendor to install the equipment? Malone stated they will be using a vehicle that they already have, so he feels this will not be very expensive.

RC stated that there is the cost of food, the veterinary bills are covered; the county may want to insure the dog for a little more than \$10,000 should it need to be replaced. RC stated cost for the first year is approximately \$23,000-\$25,000. Malone stated there may be amounts in the future he will need for purchases. The handler will know what he or she will need.

RC stated there is the initial amount to set up this program, and years two, three and four will be less. He suggested Malone contact the Tell City Police Department to find out what their costs were when they had a K-9 Program. RC mentioned that the Tell City Board and Public Works agenda for that evening had a K-9 Program listed. RC does not want to duplicate in the county. He is not against a K-9 Program as it is a useful tool, but if this could be a joint effort, it could lessen the costs to both entities. Malone stated one dog is not enough in this county, and he has spoken with Tell City on how they can work together. RC would like to see discussion with Tell City as the first step. If it makes

sense to start the K-9 Program, he feels a restrictive fund needs to be set up, and as long as it can be put together and makes sense.

RT asked who the vendor is and location of the vendor? Malone stated it is a place in Bowling Green, Kentucky. She asked where the dog would be coming from, and Malone responded Mexico or overseas. RT asked if he is using a Malinois or Shepherd? Malone stated he has not made that decision. RT asked how many vendors Malone has checked with, and Malone stated only the vendor in Bowling Green. Tell City Chief Derrick Lawalin spoke to another agency who has used this vendor, and was told it was a success. RT asked how long it would take for the canine to arrive, and he stated they already have the dogs. RT asked what would they do with the dog if they have no handler or place to put it? Malone stated it does not just come, he would first have to pick a handler, the handler would go to Bowling Green and start meeting with the dogs, and the canine and the vendor try to find a bond, and then they would get the dog. The training for the handler would be in Bowling Green.

RC asked Malone if he has a timeline? Malone would like to have this program in place very soon. He stated that he and Chief Lawalin have spoken regarding going together for training, staying at the same place, and possibly sharing a two-bedroom cottage for a minimum cost. RT asked Malone if he has already committed to this vendor, and Malone stated he has told them he wants to move forward but wanted to speak to Commissioners and the Council to get their support. He would like to be able to start the training by February or March. RT asked if he would have to purchase the dog before this time, and Malone stated he would have to put down \$5,000. RC asked when that deadline is, and Malone stated when they tell the vendor that they want the dog. They would try to begin the handler training in January or February. When Malone selects a handler, he would go to Bowling Green and give them the initial deposit of \$5,000.

RT asked what happens if the handler decides to cease employment after two years, a year, six months? Malone stated that is what they risk every day. RT stated that those dogs have one handler, and Malone he has seen where handlers have been changed, but it is not a good idea. RT asked if there is a contract for the handler to sign stating they have to do this program for X number of years? Attorney Andrew Foster stated you can put educational requirements where if they do this, they would have to pay back the County. RT feels that if you are putting an expense out on the dog, there should be something to back that up. Malone does not feel this would work. An officer has the right to resign at any time. Foster stated that it could be included that if they resign in X amount of time, the training would have to be repaid.

RT asked Malone what do you do with the dogs when they are no longer of use? Malone stated they are retired.

RC asked Malone to sit down with Chief Lawalin of the Tell City Police Department just to see rough numbers as to what they are spending. He further stated this will give the County a better idea of the expense should the grants and donations fail to come in.

RC stated that to set up the restricted fund, they can look to see if it can be tax deductible. Cindy Taylor gave a public comment regarding a K-9 Program in Perry County.

## **COMMISSIONERS**

### **a) Bid Opening**

1. SynEnergy Partner LLC submitted a bid for Premium Diesel Fuel and Gasoline, On Road and Off Road.

Premium On Road has a firm price of \$3.10 and a flex price of \$3.148  
Premium Off Road has a firm price of \$3.104 and a flex price of \$3.153  
Steve Howell, Highway Superintendent, stated the price changes daily on these. The above prices are the prices as of the day the bid was completed. Howell received prices that morning and if the Commissioners accept these prices, he will call them and lock the prices in. This is based on 15,000 gallons more or less.

Howell stated that today's price for On Road Firm price is \$2.971 and Flex price is \$2.832. Off Road Firm price is \$2.974 with Flex price of \$2.835. Unleaded gasoline Firm price is \$2.578 and Flex price of \$2.091. Howell stated that the County has been taking the firm price the last few years, and it has been beneficial. RC asked Howell if he had a tank at the Highway Department for gasoline, and Howell confirmed this. Howell further stated these prices included the winter blend.

RC made a motion to accept the bid from SynEnergy for the Firm price of On Road and Off Road Diesel and Gasoline, seconded by RT. Motion carried 2-0.

2. Mulzer Crushed Stone, Inc submitted a bid for various sizes of crushed stone as follows:

Crushed Stone of quality to meet specifications of INDOT in the flowing sizes as need for 2024, FOB Perry County Highway Trucks:

| <u>Size</u>        | <u>Location</u> | <u>Unit Price</u> |
|--------------------|-----------------|-------------------|
| #53 & #73          | Tower Quarry    | \$11.30           |
|                    | Tell City Yard  | \$21.60           |
| #2, 5 & 7          | Tower Quarry    | \$13.50           |
|                    | Tell City Yard  | \$23.50           |
| #9                 | Tower Quarry    | \$14.60           |
|                    | Tell City Yard  | \$26.15           |
| #11                | Tower Quarry    | \$14.40           |
|                    | Tell City yard  | \$27.90           |
| #11 CAPP           | Tower Quarry    | \$15.20           |
|                    | Tell City Yard  | \$29.10           |
| #12                | Tower Quarry    | \$15.00           |
|                    | Tell City Yard  | \$29.10           |
| Rip Rap            | Tower Quarry    | \$13.70           |
|                    | Tell City Yard  | \$28.00           |
| Washed Pea Gravel  | Tell City Yard  | \$28.80           |
| Regular Pea Gravel | Tell City Yard  | \$25.00           |

Crushed Stone, the following sizes stockpiled or spread in the following townships, for 2024:

| <u>Size</u>    | <u>Township</u> | <u>Unit Price</u> |
|----------------|-----------------|-------------------|
| #53 & #73      | Anderson        | \$21.30           |
|                | Clark           | \$19.35           |
|                | Leopold         | \$20.65           |
|                | Oil             | \$19.60           |
|                | Tobin           | \$27.85           |
|                | Troy            | \$25.55           |
|                | Union           | \$20.35           |
| #2, #5, #7, #8 | Anderson        | \$23.50           |
|                | Clark           | \$21.55           |
|                | Leopold         | \$22.85           |
|                | Oil             | \$21.80           |
|                | Tobin           | \$30.05           |
|                | Troy            | \$27.75           |
|                | Union           | \$22.55           |
| #9             | Anderson        | \$24.60           |
|                | Clark           | \$22.65           |
|                | Leopold         | \$23.95           |
|                | Oil             | \$22.90           |
|                | Tobin           | \$31.15           |
|                | Troy            | \$28.85           |
|                | Union           | \$23.65           |
| #11            | Anderson        | \$24.40           |
|                | Clark           | \$22.45           |
|                | Leopold         | \$23.75           |
|                | Oil             | \$22.70           |
|                | Tobin           | \$30.95           |
|                | Troy            | \$28.65           |
|                | Union           | \$23.45           |

|          |          |         |
|----------|----------|---------|
| #11 CAPP | Anderson | \$25.20 |
|          | Clark    | \$23.25 |
|          | Leopold  | \$24.55 |
|          | Oil      | \$23.50 |
|          | Tobin    | \$31.75 |
|          | Troy     | \$29.45 |
|          | Union    | \$24.25 |
| #12      | Anderson | \$25.00 |
|          | Clark    | \$23.05 |
|          | Leopold  | \$24.35 |
|          | Oil      | \$23.30 |
|          | Tobin    | \$31.55 |
|          | Troy     | \$29.25 |
|          | Union    | \$24.05 |
| Rip Rap  | Anderson | \$24.70 |
|          | Clark    | \$22.75 |
|          | Leopold  | \$24.05 |
|          | Oil      | \$23.00 |
|          | Tobin    | \$31.25 |
|          | Troy     | \$28.95 |
|          | Union    | \$23.75 |

RT made a motion to accept the bid, seconded by RC. Motion carried 2-0.

RC stated no bids were received for gasoline locally.

**b) Additional Appropriations**

**General-Commissioner: Telephone**

**#1000.32300.00000.0068--\$1,500.00**

This amount is due to the transition from AT&T to PSC.

RT made a motion to approve, seconded by RC. Motion carried 2-0.

**Cumulative Capital Projects-Courthouse; Software Maintenance**

**#1138.36500.00000.0161--\$8,000.00**

RC stated this is the quarterly billing for An Island. Auditor Hammack stated the County has already paid out four installments to An Island. The fourth quarter of 2022 was not paid out of the 2022 budget, it was paid out of the 2023 budget.

The funds were not encumbered nor paid out in 2022.

RT made a motion to approve, seconded by RC. Motion carried 2-0.

- c) The Interlocal Agreement will use the excess Economic Development funds that the County will be getting this year to off-set the cost of the Solid Waste \$45.00 fee. If everyone is in agreement, the \$45.00 annual fee will not be collected, which will save mailing and postage incurred, the clerical staff, and the cost to take an individual to court who refuse to pay. It will lower the overhead and net revenue will remain similar to the Solid Waste. The Solid Waste will continue to operate as they have been; the taxpayer will just not be required to pay the \$45.00 fee. This is the result of Covid plus wages increased. Local Income Tax is received based upon wages. The public has had wage increases, but unfortunately inflation has had an impact. This is a way to take the additional funds the County is collecting and help the local residents by paying their \$45.00 Solid Waste fee. RT likes this idea due it takes the burden off residents who are on fixed incomes. This is a good thing because it concerns every citizen in this county by having this fee paid.

RT made a motion to approve the signing of the Interlocal Agreement with the understanding that it will pay the portion of the County residents, seconded by RC.

Motion carried 2-0.

- d) Auditor Hammack stated with the Commissioners only having one more meeting this year. There is a list of other contracts that need to be taken care of so to not be in the same situation as last year? RC stated he believes there will be several. He also stated that some of these have State Statute that specifically states the first of the year. She asked the Commissioners to notify her of anything she needs to do to organize this. She is also needing input on Board Appointments. RC stated he received a letter from Region 15 and can possibly use that as a format to get these appointments in order.

The meeting was adjourned at 10:07 a.m. CST.  
RT made a motion to adjourn, seconded by RC. Motion carried 2-0.

The next meeting of the Board of Commissioners will be held on Tuesday, December 19, 2023, at 5:00 p.m.

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|------------|----------------|
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| Randy Cole | Rebecca Thorn  |
| President  | Vice-President |

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