

DECEMBER 12, 2022

REGULAR SESSION

PULASKI COUNTY COUNCIL

The Pulaski County Council met in regular session Monday December 12, 2022 7:15PM (due to length of Joint Session) at the Pulaski County Highway Department training room. Councilmembers present were Kenneth Boswell, Adam Loehmer, Ron DeSabatine, Mike Tiede, Kathi Thompson, Jerry Locke, and Tim Overmyer with County Auditor Laura Wheeler.

Also present were Leeann Wright, Matthew Scott, Brice Calabrese, Chris Parish, Steve Sewell, Steven Mundy, Michelle Mitchell, Trace Risner, Jeff Richwine, Fred Rogers, Chris Schramm, Judge Mary Welker, Nathan Origer, Jason Stevedahl, Bo Disinger, Gary Kruger, Dave Olds, Ron Fox, Wade Wake, Ray Tijerina, Tim Shively, Hailey Cooper, Abigail Unger, Megan Sauberlich, Zach Griffin, Hubert Hoover, Matthew Scott, Megan Galbreath, and Maurice Loehmer.

Service plaques presented to outgoing Councilmembers, Ronald DeSabatine and Kathleen Thompson.

IN RE: SHERIFF

Negotiations on going to increase the daily stipend Pulaski County gets for Federal prisoners. The additional money can serve to cover salary increases. If the work release project goes forward, it would open up beds in the jail, allowing additional Federal prisoners. Nightly pay rate and use of ARPA funds. If positions were staffed and wages increased, would overtime be cut was met with uncertain answer.

IN RE: CDC

Doors and hardware still waiting to be installed and HVAC noise not yet resolved.

Space assignments and layouts still under discussion for the courthouse renovation. Tonn & Blank did some exploratory demolition to provide the architect and construction manager a better sense of some of the materials under layers of flooring, behind window trim and above layers of ceiling. Construction start expected the first of July 2023.

IN RE: OTHER BUSINESS

Kathleen Thompson made a motion to approve the November 14, 2022 regular meeting minutes, Jerry Locke seconded and motion carried unanimously.

Resolution 2022-11 Electronic Means of Communication presented for review and approval and reads as follows:

**PULASKI COUNTY RESOLUTION NO. 2022-11
A REESOLUTION ESTABLISHING THE POLICY BY WHICH MEMBERS OF THE
PULASKI COUNTY COUNCIL MAY PARTICIPATE BY ELECTRONIC MEANS OF
COMMUNICATION**

WHEREAS, Ind. Code 5-14-1.5-3.5 sets forth requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by any electronic means of communication;

WHEREAS, a member of the governing body may participate by any means of communication that:

- Allows all participating members of the governing body to simultaneously communicate with each other.
- Except for a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.

WHEREAS, the statute requires the governing body to adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication; and

WHEREAS, the Pulaski County Council is the fiscal body of Pulaski County, Indiana and a governing board of a political subdivision as set forth in the statute;

NOW, THEREFORE, BE IT RESOLVED that:

Section 1.

- (a) The provisions of the statute, including definitions, apply to this resolution.
- (b) This resolution shall be known as the "Electronic Meetings Policy" of the Pulaski County Council and shall apply to the County Council and any committee appointed directly by the County Council or its presiding officers.

Section 2.

- (a) Subject to Sections 3 and 5 of this Resolution, any member may participate in a meeting by any electronic means of communication that:
 - (i) allows all participating members of the governing body to simultaneously communicate with each other; and allows the public to simultaneously attend and observe the meeting unless said meeting is a qualifying executive session, in which case this provision would not be required.
 - (b) A member who participates by an electronic means of communication:
 - (i) shall be considered present for purposes of establishing a quorum; and
 - (ii) may participate in final action only if the member can be seen and heard.
 - (c) All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

Section 3.

- (a) At least fifty percent (50%) of the members must be physically present at a meeting at which a member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.
- (b) A member may not attend more than fifty percent (50%) of the meetings in a calendar year by an electronic means of communication, unless the member's electronic participation is due to:
 - (1) military service;
 - (2) illness or other medical condition;
 - (3) death of a relative; or
 - (4) an emergency involving actual or threatened injury to persons or property.
- (c) A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:
 - (1) military service;
 - (2) illness or other medical condition;
 - (3) death of a relative; or
 - (4) an emergency involving actual or threatened injury to persons or property.

Section 4. The minutes or memoranda of a meeting at which any member participates by electronic means of communication must:

- (1) identify each member who:
 - a) was physically present at the meeting;
 - b) participated in the meeting by electronic means of communication; and
 - c) was absent; and
- (2) identify the electronic means of communication by which:

- d) members participated in the meeting; and
- e) members of the public attended and observed the meeting if the meeting was not an executive session.

Section 5. No member of the County Council may participate by means of electronic communication in a meeting at which the County Council may take final action to:

- (1) adopt a budget;
- (2) make a reduction in personnel;
- (3) initiate a referendum;
- (4) impose or increase a fee;
- (5) impose or increase a penalty;
- (6) exercise the Council's power of eminent domain; or
- (7) establish, impose, raise or renew a tax.

Section 6.

(a) If an emergency is declared by:

- (1) the governor under IC 10-14-3-12; or
- (2) the Board of County Commissioners under Ind. Code 10-14-3-29;

members are not required to be physically present for a meeting until the emergency is terminated.

(b) Members may participate in a meeting by any means of communication provided

- (1) At least a quorum of the members participate in the meeting by means of electronic communication or in person.

(2) The public may simultaneously attend and observe the meeting unless the meeting is an executive session.

(3) The minutes or memoranda of the meeting must comply with Section 4 of this resolution.

(c) All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

Section 7. This resolution does not require publication before its adoption and shall be effective from and after adoption by this Council as set forth in Ind. Code 36-5-2-10.

Mike Tiede made a motion to approve Resolution No: 2022-11 as presented, Ron DeSabatine seconded and motion carried unanimously.

Pulaski County had 90 cars during Household Hazardous Waste Collection day, taking in 18,859 pounds of hazardous waste. This was the largest of the 6 counties in the district. The cost of the collection was \$10,599.50.

The opioid settlement, from which Pulaski will receive \$437,000.00 discussed briefly. The amount of distribution is based on population. Pulaski County will receive approximately \$70,000.00 of restricted funds this year with the remainder paid out over 18 years.

Council asked to make the wage issues a top priority.

With no other business to discuss, meeting was adjourned at 8:21PM.

Approved and signed this 9th day of January 2023.

KENNETH BOSWELL

ADAM LOEHMER

JEFF RICHWINE

MIKE TIEDE

BRAD BONNELL

JERRY LOCKE

TIM OVERMYER

ATTEST: _____
LAURA WHEELER, AUDITOR, PULASKI COUNTY, IN