

January 2, 2009

BE IT REMEMBERED THAT **THE BOARD OF COUNTY COMMISSIONERS** met in session in the Commissioners Courtroom, Henry County Courthouse Friday, January 2, 2009 at 9:00 a.m. in the City of New Castle, IN with the following members present: Kim L. Cronk, Samuel J. Beckenbaugh, William D. Cronk, Linda S. Ratcliff, Auditor; Nancy S. Brown, County Attorney; and Linda C. Winchester, Secretary.

Mr. Kim Cronk opened the meeting with the Pledge of Allegiance followed by a moment of silent prayer.

Each person in attendance was asked to introduce themselves.

First order of business for the New Year was re-organization. A motion was made by Mr. Beckenbaugh and seconded by Mr. William Cronk to elect Kim Cronk as President. Motion carried 2-1.

A motion was made by Mr. Kim Cronk to elect William Cronk as Vice President. The motion was seconded by Mr. Beckenbaugh. Motion carried 3-0

Conflict of interest statements were presented by Sam Beckenbaugh and Kim Cronk. A motion to accept Sam Beckenbaugh's conflict of interest statement was made by Kim Cronk with a second by William Cronk. Motion carried 2-0. A motion to accept Kim Cronk's conflict of interest statement was made by Sam Beckenbaugh and seconded by William Cronk. Motion carried 2-0.

Commissioner meeting schedules were discussed. A schedule was presented by Mr. Kim Cronk. A motion to accept the schedule as presented was made by Mr. Beckenbaugh with the exception of the January 7<sup>th</sup> meeting which would be held at 4:00 p.m. and the January 28<sup>th</sup> meeting which would follow the Henry County Council meeting. Mr. William Cronk was opposed and after discussion the decision was tabled until after the Henry County Council meeting.

An ordinance was presented to allow the payment of claims prior to Commissioner approval as authorized by I.C. 36-2-64.5 Version 6 effective January 1, 2009.

See inserted ordinance:

Ordinance No. 2009-01-01-09 allowing for the establishment of pre-approved or pre-payment procedures was read and approved as follows:

## ORDINANCE

**NO. 2009-01-01-09**

**BOARD OF COMMISSIONERS  
HENRY COUNTY, INDIANA**

**WHEREAS**, the Henry County Board of Commissioners has deemed it necessary to pass a new ordinance for inclusion in the Henry County Code; and

**WHEREAS**, I. C. 36-3-2-64.5 allows establishment of pre-approved or pre-payment procedures allowing money to be disbursed for lawful county purposes; **NOW THEREFORE**,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA:**

**That the following categories are designated for pre-approved or pre-payment procedures as authorized by I. C. 36-2-64.5 Version 6 effective January 1, 2009:**

- 1) Property or services purchased or leased from the US Government it's Agencies or its Political Subdivisions**
- 2) License or permit fees**
- 3) Insurance Claims**
- 4) Utility Payments or utility connection charges**
- 5) General grant programs where advance funding is prohibited**
- 6) Grants or state funds authorized by statute**
- 7) Maintenance or service agreements**
- 8) Lease or rental payments**
- 9) Bond or coupon payments**
- 10) Payroll**
- 11) State or Federal taxes**
- 12) Expenses paid for emergency services**
- 13) Collect freight deliveries**
- 14) Conference registrations approved by the Board of Commissioners**
- 15) Reimbursement for conference expenses incurred while attending approved conferences**
- 16) Credit card or charge card expenses incurred by Henry County Government Office for lawful purposes**
- 17) Postage**
- 18) Purchase of Emergency Vehicles**
- 19) Return of Fugitives**
- 20) Drug Task Force Drug Buy Money**
- 21) Emergency Repairs or Replacements**

**Pursuant to Indiana Code, each payment must be fully itemized and cash invoice or bill certified by the County Auditor. The pre-approved or pre-paid claim must be advertised and approved at the next scheduled meeting of the Henry County Board**

**of Commissioners. A payment of expenses under this section must be published in the manner provided under section 3 of IC 36-26-4.5.**

**Adopted by the Board of Commissioners of Henry County, Indiana, this**  
\_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_.

**BOARD OF COMMISSIONERS OF  
HENRY COUNTY, INDIANA**

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**William Cronk**

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**Sam Beckenbaugh**

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**Kim L. Cronk**

**ATTEST:**

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**Linda Ratcliff, Auditor**

Mr. Beckenbaugh made a motion to pass the ordinance as presented. Mr. Kim Cronk seconded the motion. Motion carried 2-1. Mr. William Cronk was opposed and stated that he did not feel there was any way that the Commissioners business could be conducted with only two meetings per month.

Mr. William Cronk made a motion to schedule meetings at 7:00 p.m. with the exception of the January 7, 2009 meeting which has already been advertised. Motion died for a lack of a second.

Mr. Beckenbaugh made a motion to meet the 2<sup>nd</sup> Wednesday of the month at 7:00 p.m. and the 4<sup>th</sup> Wednesday of the month following the Henry County Council meeting. Mr. Kim Cronk seconded the motion, motion passed 2-0 with Mr. William Cronk abstaining.

Mr. Kim Cronk recognized Mr. Jim Small, Mayor of the City of New Castle. Mr. Small congratulated the Commissioners on their elections and stated that in spite of difficult economic times and limited budgets, he was hopeful and looked forward to working with the County Council and the Commissioners. He was anticipating a strong alliance. Mayor Small was thanked by Mr. Kim Cronk.

A proposed Holiday schedule was presented by Mr. Kim Cronk. Mr. William Cronk questioned what had happened to the previous schedule that had been adopted. Mr. William Cronk made a motion to adopt the 2009 Holiday schedule as presented previously. Motion died for lack of second.

Mr. Kim Cronk again presented the proposed new Holiday Schedule. Mr. William Cronk questioned the date chosen for the Martin Luther King Holiday and questioned why Veteran's Day was not being observed. Mr. Beckenbaugh stated the Martin Luther King Day was the State scheduled holiday and Mr. Kim Cronk stated that if someone wanted Veteran's Day off they could use one of their floating holidays for that observance. Motion passed 2-1 with Mr. William Cronk opposing. The following Holiday Schedule was adopted:

#### 2009 Holiday Schedule

New Years Day	January 1, 2009
Martin Luther King Day	January 19, 2009
Memorial Day	May 22, 2009 May 25, 2009
Independence Day	July 3, 2009 July 6, 2009
Labor Day	September 7, 2009
Thanksgiving	November 26, 2009 November 27, 2009
Christmas	December 24, 2009 December 25, 2009
New Year's Eve	December 31, 2009

#### ***COUNTY APPOINTMENTS WERE MADE AS FOLLOWS:***

Veterans Service Officer: Larry Hightchew motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Highway Superintendent: Joe Wiley motion by Mr. Beckenbaugh second by Mr. William Cronk. Motion carried 3-0

Highway Clerk: Debbie Sexton motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Highway Engineer: Richard Byers motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Drainage Board Member: William Cronk motion by Mr. William Cronk second by Mr. Kim Cronk. Motion carried 3-0

Drainage Board Secretary: Donna McLaughlin motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

ICAP Board Member: Olene Veach motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Job Training EIDD Member: Kim Cronk motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

EDC Board: Kim Cronk motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Soil & Water Secretary: Kelly Harding motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Maintenance Department: Ken Johnson Head Maintenance, Greg Brown Assistant Maintenance motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Planning Commission: Terri Roberts motion by Mr. Beckenbaugh second by Mr. William Cronk. Motion carried 3-0

Building Inspector: Larry Toy motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Weights and Measures: Gilbert Hoover motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Public Defender Board: Jim Cole motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Memorial Park Superintendent: Lori Davis motion by Mr. Beckenbaugh second by Mr. William Cronk. Motion carried 3-0

REDC Board: Wayne Jacobs non-voting member motion by Mr. William Cronk second by Mr. Beckinbaugh. Motion carried 3-0

Hospital Board: Sheldon Dynes motion by Mr. William Cronk second by Mr. Beckenbaugh. Motion carried 3-0

Memorial Park Board: Rick Bogue had been appointed.

Mr. Kim Cronk asked Nancy Brown County Attorney to check the statutes and see if the Commissioners could also make another appointment. Nancy will check the statutes and notify the Commissioners. Mr. William Cronk's motion died for lack of second.

A salary ordinance was presented for the EDC County Director/Grant Administrator. Salary will be \$39,957.00. A motion to accept the salary ordinance as presented was made by Mr. Beckenbaugh and seconded by Mr. Kim Cronk. Motion carried 3-0.

A motion was made to transfer \$10,000 from the Commissioners salaries into a line item for the EDC County Director/Grant Administrator until budgets are finalized at which time other transfers can occur. Motion made by Mr. William Cronk and seconded by Mr. Beckenbaugh. Motion passed 3-0.

A motion was made by Mr. Beckenbaugh to drop the litigation concerning Memorial Park. Nancy Brown advised that no action could be taken on that subject at this time. The issue will be discussed at the January 7, 2009 meeting.

A motion was made by Mr. Beckenbaugh to eliminate the part time person in the Commissioners budget. Mr. Beckenbaugh stated that he did not want persons who had been convicted working for the county. Motion seconded by Mr. Kim Cronk. Motion carried 2-1 with Mr. William Cronk opposed.

The animal control contract was brought up. An ordinance had been signed recently and the Commissioners wanted clarification on the ordinance. Linda Winchester, secretary was asked to hold advertising of the ordinance until further discussion and clarification could be had.

The Cleaning Contract was discussed. Ms. Brown informed the Commissioners that any official action on that contract should take place at a later meeting. Mr. Kim Cronk stated that he wanted to re-negotiate the contract with Gilliam Janitorial in order to save the County money. Perhaps they would use inmates for maintenance of facilities. Further discussion was postponed until later.

Mr. Kim Cronk stated that the Commissioners wanted to eliminate the position of County Attorney in the Commissioners budget and have a combined attorney with the County Council. This revised position would represent Commissioners, Council and Elected Officials. A motion was made by Mr. Beckenbaugh to eliminate the current contract for the County Attorney and notify the attorney that the current contract would end on February 15, 2009. Mr. Kim Cronk seconded the motion and asked for discussion.

Before the vote was taken, Anna Goodwin stated that she thought the Commissioners should reconsider that decision because the years of experience mattered in this position.

Martin Shields local attorney stated and cautioned that the Commissioners should be very aware of the Hatch Act. Motion carried 2-0 with Mr. William Cronk voting no. A copy of the letter to the County Attorney is below:

A vote was taken on the motion by Mr. Kim Cronk and seconded by Mr. Beckenbaugh to eliminate the position of County Attorney. Motion carried 2-1 with Mr. William Cronk voting no.

## **HENRY COUNTY COMMISSIONERS**

Henry County Courthouse  
101 South Main Street New Castle, In 47362  
Phone 765-529-4705 – FAX 765-521-7037

**William Cronk  
Sam Beckenbaugh  
Kim L. Cronk**

January 2, 2009

Ms. Nancy Brown  
Attorney at Law  
116 North Main Street  
New Castle, In 47362

Re: Attorney Contract

Dear Nancy:

This letter is to inform you that the Henry County Commissioners are eliminating the position of Commissioners Attorney. Our plan is to consolidate the position of County Council Attorney and County Commissioners Attorney. Your contract for the position of County Commissioners Attorney will terminate on February 15, 2009.

If you have any questions, do not hesitate to contact the Commissioners Office.

**BOARD OF COMMISSIONERS OF  
HENRY COUNTY, INDIANA**

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**William Cronk**

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**Sam Beckenbaugh**

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**Kim L. Cronk**

Proposals for the position of County Attorney are due to the Commissioners by the end of January.

A motion was made by Mr. Kim Cronk and seconded by Mr. Beckenbaugh to adjourn until Wednesday, January 7<sup>th</sup> at 4:00 p.m. Motion carried 3-0

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Samuel J. Beckenbaugh

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William D. Cronk

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Kim L. Cronk

ATTEST:

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LINDA S. RATCLIFF, AUDITOR