

Minutes and proceedings of the meeting of the Town Council of the Town of Hope, Indiana.

Be it remembered that the Town Council of the Town of Hope, Indiana held called meeting at the Hope Town Hall in said town at 5:30 p.m. on January 5, 2015.

A quorum was declared present based on the presence of the following council members: Paula Pollitt (President), Jonathan Titus (Vice-President), Clyde Compton, Jerry Bragg and Greg Sims. Clerk Treasurer, Diane Burton was also present.

Purpose of meeting: Working Session

The meeting was called to order by Paula Pollitt.

Meeting rules:

Paula indicated that she would like to share the meeting rules before the meeting begins. Cell phones are to be off or silenced. No side conversations. If you are speaking from the audience, give us your name before you speak so that we will know who you are. Only one person speak at a time.

SWEARING IN CEREMONY FOR CLYDE COMPTON – Diane Burton performed the swearing in ceremony. "Do you, Clyde Compton, solemnly swear that you will support the constitution of the United States and the constitution of the State of Indiana and that you will faithfully, impartially and diligently discharge the duties of the office of Hope Town Council At Large of the county of Bartholomew, Indiana, according to law and to the best of your ability." Clyde: "I do."

ELECTION OF OFFICERS/APPOINTMENTS

President: Jonathan made a motion for Paula to be president. Greg seconded. Motion carries 5/0.

Vice President: Greg made motion that Jonathan be Vice President. Jerry seconded. Motion carries 5/0.

Utilities Supervisor: Jonathan made a motion that David Clouse be Utilities Supervisor for 2015. Greg seconded. Motion carries 5/0.

Greg made a motion to appoint Matt Tallent as Town Marshal and not interim Town Marshall. I think Matt has proven that he can do the job. For 15-16 months into our ordeal, it's time to move on. Clyde seconded. Paula said she discussed that with Cindy a while back and she said until the situation is solved, we can't do that. Greg asked why. It's our appointment. He is a town employee and will remain a town employee but it's our appointment for that position and if and when the matter is resolved we will deal with it at that time and he can come back in a different capacity. Mel indicated that she would confirm what Paula said. I had mentioned that to Cindy too and she said because of the legal aspects of it, we couldn't do that. She is in Florida and traveling back right now. Greg stated that he does not agree with our legal counsel. Paula indicated that she thought the same thing but she wanted to make sure if we did that that we could do it legally and she said at this point we couldn't. He can still be interim. Jerry reiterated that it's time to move on. Paula stated again that she understands what he's saying, she just wants to be legal about it and do the right thing. Jonathan stated that when we first did this, I was Council President, Cindy pulled out I guess by state statue or something and by that state statute until the legal proceedings are concluded, we can't move forward. That's what she informed me at the time. Paula said it's because he's on administrative leave. Jonathan stated that he does agree with his motion on the surface. I wish legal proceedings would go quicker. Paula agreed. Clyde indicated that he noticed on the insurance that you guys passed last time that we are still paying him insurance. You are withholding his salary, so why are we paying him insurance? Jonathan indicated that it goes back to the same thing. Clyde asked that we could withhold his salary

but not his insurance? Paula stated that the town pays its portion of the insurance. He pays his portion. Matt indicated that he has been reading about this the last few days. It says even when you are on administrative leave without pay, the town still pays for your insurance. It's a policy issue. David Clouse asked if there was something in there about one year. Matt said he didn't see anything in there about one year. Matt indicated he would go check it real quick. Tim Shoaf indicated that you might want to bear in mind that if you discontinue insurance on an employee and they were found to have a major medical issue and later on it was found that you were supposed to have them insured at the time, that would come out of the town pocket instead of out of the insurance. So you are putting yourself at risk by not having coverage for someone that is actually an employee of the town. Paula reiterated that he is paying his portion and the Town is pay its portion. Greg indicated he would like for Cindy to research that.

Greg rescinded his motion to appoint Matt as Town Marshal.

Greg made motion that Matt continue as interim Marshal. Jerry seconded. Motion carries 5/0.

Building and Zoning: Jonathan made a motion that Matt Galbraith continue in that roll. Clyde seconded. Motion carries 4/1. Matt Galbraith accepted.

Attorney: Jonathan made a motion for Cindy Boll to be our attorney for 2015. Jerry seconded. Motion carries 5/0.

Fire Chief: The Council confirmed Bruce Neal as Fire Chief. Motion carries 5/0.

Animal Control: The Council confirmed Jenny Hadley. Motion carries 5/0.

Paula moved on to Committees:

Plan Commission – Paula talked to everyone except for Jeff Janes. All said they would continue on the committee. I am not sure how to get a hold of Jeff Janes. Anyone have any ideas on how to get a hold of him? Bruce Neal indicated that he was an EMT mostly, but he is on the fire department. Paula asked him if he would contact him and find out. He agreed. Committee members are: Randy Sims, Earl Mayes, Matt Galbraith, Bruce Neal, Paula Pollitt, Greg Sims and Jeff Janes (pending).

Wellhead Protection Committee – Tim Shoaf will be coming off of the committee. Jonathan Titus volunteered to be on the committee. Committee members are: Jonathan Titus, Matt Galbraith, David Clouse, Steve Robertson (representative of Engineering Firm).

Personnel Committee (formerly Retirement Committee) – Committee members: Paula Pollitt, Matt Tallent, David Clouse, Brenda Tallent, Diane, Burton, Mel Fox (ex-officio).

Edit Committee – Mel would like to expand the number of committee members to five due to people being on vacation or sick and possibly not being able to meet. Mel recommended Vicki Tedder. Paula asked her if she would ask Vicki Tedder if she is willing to serve on the committee. Mel agreed. Committee members: Jerry Bragg, Clyde Compton, Tim Shoaf, David Miller, and Vicki Tedder (pending).

Stormwater Board – All current members agreed to continue on the committee. Committee members: Greg Sims, Jonathan Titus, Dwight Carter, Trena Carter (ex-officio) and Cindy Boll (ex-officio).

Board of Zoning Appeals – Paula will ask Pete Law if he is still willing to serve on the committee. All others agreed to continue to serve. Committee members: Nellie Meek, Pete Law (pending), Randy Sims, Matt Galbraith, Greg Sims, Cindy Boll.

Emergency Warning Committee – Committee members: Paula Pollitt, Matt Tallent, Brenda Tallent, David Clouse.

Community Boards – Endowment Board – Shirley Robertson through 2015.

Town Hall Building Committee – Jonathan wanted to discuss this committee. Mel asked if we could wait until next meeting to decide on who will be on that committee. She is working with Trena to fine tune what that will involve so who we choose could be crucial. Everyone agreed to wait until the next meeting to discuss.

CHANGE OF TIME FOR TOWN COUNCIL MEETINGS

Clyde made motion to change the meeting time to 5:30 p.m. Greg seconded. Motion carries 5/0.

The next council meeting is January 19 and it will start at 5:30 p.m. The working Sessions will continue to be at 5:30 p.m. Council Meeting is 3rd Monday of the month. Working Session is 1st Monday of the month.

UPDATING PHONE SYSTEM

Mel Fox stated we desperately need an updated phone service. Chris Chandler indicated that the last time he was here was seven years ago. He indicated that we are currently paying about \$1,000/month. This service will be around \$450 and includes all equipment with no cash out of pocket. The service comes with a lifetime warranty on the handsets. If anything goes wrong, the calls will be automatically forwarded to the Sheriff's Department. We wouldn't have to do anything. We will also have mobile access if you have a smart phone. Works off of network. He showed everyone what the phone looks like. There were two options. \$505.64 with no money out of pocket. Smaller phone is \$395.64. No price out of pocket. Last thing he presented was a quote that shows you what you would be saving. David Clouse asked if the carrier was AT&T. Chris indicated that it was not. It took me three months to get a response to even look at your account. It's horrible. I'm literally working with DSI. We are saving them \$2,000/month and it has taken us 5 months to get their stuff going. The City of Bedford we are saving about \$5,000/month. Right now this comes straight from the carrier to here. If you want to go home for the weekend you can take your phone off your desk and plug it in at home and it works. You are basically a user on the system. That's what's nice about it. With the festivals going on, you can have access to it wherever it's at. No limitations. If something goes down here your calls will be automatically re-routed to cell phones, the Sheriff's Department or wherever you need them to be. You don't have to worry about power here or anything. It's all remotely done. No equipment to break. It has a lifetime warranty. As long as you have the service, you have a phone with it. It's kind of hard to beat when you don't have any money out of pocket. They include the equipment with it. The reason I gave you that last information is, very few people are buying it, but I wanted you to see how much it would cost to replace like you did seven years ago. This wasn't available then. I wanted to compare what you were paying to what you could be paying. You are saving 50% per month. Diane Jekel asked who the carrier is. Chris answered it is considered SIP-contracting. You keep your Comcast lines and it comes through the network. That's what everything is going to. Even AT&T's new service – if you get their service they just drop off a box and the dial tone comes off of it. It is to save money. Everything is SIP anymore. Three years from now we won't even be having a discussion about dial tones coming in except for residential and that is even trying to be sold off. That is why you are hearing about Vonage now. Everyone has cell phones. Discussion. Chris stated 60% going with cloud service compared to 40% buying equipment. There are about 600,000 users. Jonathan make a recommendation that we let Mel, Diane, David and Matt look at this and tell us which they think. A recommendation will be made at the February Council Meeting. Diane added I am not happy with AT&T at all. The service has been terrible. We do have a contract with AT&T though until 2016. We will have to terminate that contract. There will be a termination fee.

Chris stated since we are having issues we can break it. Plus it is \$500 cheaper a month which will quickly offset the fees otherwise. He will work with AT&T.

ORDINANCE FOR GOLF/UTV FUNDS

Diane stated we will probably want to wait for Cindy on a lot of that. When I started getting in permit fees, I realized we didn't discuss where to put them. We will need to amend the ordinance. Diane recommended Local Law Enforcement Continued Education Fund. That fund goes toward education and equipment as well. The council agreed.

TRANSFER OWNERSHIP OF FILE CABINETS

Diane stated Ken Patton was so kind to give me two more file cabinets. I would like to request that we give the two that I was previously using to the Trustees Office. The Council agreed.

UPDATE ABOUT THE HVFD

Mel Fox stated on Dec 20th the Fire Department held a meeting at the Fire Station. The Fire Advisory Board attended; Rick Everroad, Georgia McCarty, Jimmy Teddar and then Diane and I also attended. One of the main purposes of that meeting was to determine facts of what is going on with the fire department with the continuation of the new building. I want facts for all of you to have. Currently there is a \$600,000 loan with Jackson County on the new building, \$189,000 lien. Tim Ross, the contractor, filed a law suit against the fire department and Jackson County Bank. There still has not been any financial records turned over to have an independent financial audit. One of the places we are at is renewing the contract. One of the options from that meeting with the very volatile situation now with the Hope Volunteer Fire Department is that the town of Hope just start their own Fire Department. On Dec 31st the contract did expire. It is up to the council what you want to do. Greg asked do we still have fire protection. Bruce confirmed. Paula stated the Township also pays for the town to have protection. Discussion. Mel stated the building does not appear to be completed and now legal fees. Are the funds going to be used for fire protection or is it going to go toward paying legal fees, interest, the loan. Clyde stated most of this is an internal problem. It has nothing to do with us except for the money. As far as I'm concerned as long as we are protected for fire right now, they need to solve their own problems. Paula stated we don't have a contract for 2015. Clyde asked about contacting Hartsville or Clifford for temporary service. Discussion. Greg stated the fire department has kept us in the dark since the building. Diane stated the first payment isn't normally paid until March. Mel stated the Advisory Board is very forward thinking, a good group. A lot of diversity and good input. It was determined we are waiting on their financial report to show their solvency. Jim Rudicel asked who made the go ahead to build the fire house. Bruce stated we put out bids. We had three bids given. We were told we could build for \$600,000. We went and borrowed that money. The fire department is owned by the fire department. More money was spent than needed to be. They continued to build the building when they were told not to. Now they have a lawsuit against us for that. Greg asked for confirmation that he said it was the contractor's fault. Bruce confirmed. Discussion. Greg questioned the upgrades and the mural. Bruce stated he did not know who authorized it. We had a building committee. There was a lot of unauthorized spending. Bruce doesn't know when they are supposed to go to court. Paula stated we as a town need fire protection. My concern is that we have a fire department that is really financially strapped. Are you going to be solvent? Are you going to be around to provide us protection. If you have a law suit against you. How are you going to pay bills and pay the attorney. Greg said you don't know that they're financially strapped because they won't reveal the books. Paula agreed. Jim asked if the contract could have a clause in that the money has to go toward the firehouse instead of legal fees. Paula stated we don't want the money to go toward the firehouse. We want it to be used for equipment. Jim asked if you can put in the contract for it to go toward the equipment. We need to specify. Paula stated whoever the treasurer is will need to provide us with that information. Jonathan stated we can have Cindy research that. I think we can because the contract comes from us. Greg asked about the monitoring of it. Jonathan stated I want to support them and I want to give them money but they have to fix some of their own issues first. Until we see

movement in that direction, I don't think we enter can into an agreement in January. I would like for Bruce or somebody to come to us and say this is what we have. Here is what we need and then we can negotiate a contract. Greg asked who their treasurer is now. Bruce answered Matt Mathis. Paula asked Ed Stone if he still has the books. Ed stated he does not have the checkbook. Paula asked where are they. Ed answered they are in an office that they can get into anytime they want if they ask for a key. There is no communication between the new treasurer and the old treasurer. The records for 2014 are waiting on December end of the month records. As soon as that is in and when Kenny Chandler gets back, who is a certified public accountant, which I've been led to believe he is not qualified. He has done it for years. We are going to get together and get them audited. As soon as the books are audited, I will turn the 2014 books over to them. I have an annual report that is due end of the month to the state of Indiana. That will be shipped out as soon as we get the December statements. The reports go to the Department of Revenue and Department of Tax Accounting. Discussion. Ed stated you did get a 2012 contract and a 2013 financial statement on the department money that is taxable money. The Department of Revenue stated that's all that I have to report to the town board is the amount of tax money we use. Tim Shoaf asked if the financial reports that we were given, are they inclusive of all the money the fire department has as far as investments and stuff like that. Ed stated no it is not. The Department of Revenue states we don't have to show private money from fish fries or any fundraisers. Paula asked do you have the money to pay the contractor to get out of this big mess. Ed stated no. He was told in April to quit. He kept going until July. We got a certified letter stating that we are being sued. The lawyer says we have 23 days to answer it. He also said not talked about it in public because public opinion always gets one side. Paula answered public opinion is public opinion. There's no way to control public opinion. Mel said we met to establish facts. It is tax payer's money that you are getting and where is it going to go. Ed stated the money you give us is for fire contract service. We can spend that on toilet paper or fire trucks or anything in between. Your job as you said earlier in this meeting you haven't had any complaints on our fire service, so we are doing what the contract says. Ed clarified you guys present us with a contract. Greg asked if he is a member. Ed stated no. Greg stated I'm going to go back to what Clyde said. I have a hard time forking out any money, not knowing where it's going. Their problems are internal. We didn't make a payment last year until April. We know what the contract is. I commend Chad and Bruce. I support the fire department. I think the town supports the fire department. We want to but you've got to fix your issues internally. Bruce stated as Ed said we've got litigation, we've got fees with our attorney. We can take care of the loans for the building with township contract. As Ed stated they were told to stop and they didn't stop. Hopefully our attorney will figure something out for us.

Randy Sims stated I think the citizens of Hope need to know we are covered. I think that will relieve a lot of people regardless of what is going on. Clyde asked what about ambulance. Bruce stated we are short on EMTs. We respond to first responders. We try to make everything in town that we can. We can't assure that somebody's going to be there 24/7. We are doing what we can. Jonathan stated I think when you have given us the stats at the monthly update, that you have made a valid effort. The other thing I would ask is update us as soon as you've got something, anything. I don't want to withhold funds. Bruce confirmed we will get answers for you as we can.

Paula stated the next Town Council Meeting is January 19th at 5:30. The next Working Session is February 2nd at 5:30.

Meeting adjourned at 6:36 p.m.


Attest

Greg Lin
Small
Dyde Byns
Paula Pellott
J. Byns