

SPECIAL SESSION
SCOTT COUNTY COUNCIL
May 30, 2023

The Scott County Council met in Special Session on May 30, 2023, at 5:30 p.m. in the Commissioners Room, Suite 128, Courthouse. Those present were Council Members Lyndi Hughbanks, John Collins, Jonathon White, Eric Gillespie, John Miller with JR Ward stuck in traffic and 36 minutes late and Diane Mullins calling in from her cell phone and unable to vote due to this. Also present were Auditor Jennifer Rode Hamelman, Chief Deputy Auditor Deborah Richey and Attorney Heather Archibald Peters.

The meeting was called to order by President Hughbanks, with roll call, followed by the Pledge of Allegiance, and Invocation.

AMENDMENT TO AGENDA

Coroner Lonnie Noble requested through Hughbanks to be removed from agenda. The Council was asked to accept the Agenda without the Coroner. The Council voted five to zero to accept the agenda without the Coroner additional appropriations.

CHRIS OWENS - PROSECUTOR

Prosecutor Owens requested an additional appropriation for a car purchase to be used for training purposes, serving papers, crime scenes, and transport witnesses. He previously had 2 vehicles from the Sheriff Department both have quit working and he fears it will cost more to repair than their book value. He is without a working vehicle at the present time.

Owens obtained quotes for a Dodge Charger at \$38,000 to \$40,000; Durango much more expensive; Buick Encore \$30,000 and a quote for a Chevy Malibu at John Jones for just under \$28,000. Asking for approval of additional appropriation up to \$40,000 to purchase a vehicle on behalf of the Prosecutor's office. Will do a case count for percentage of funds that can come out of Child Support, due to investigator using the car for child support enforcement. The percentage should be about 18%. The rest of the money can come from Pre-Trial Diversion and Infraction Deferral Funds; money which can only be used by the Prosecutor's Office, to pay for the car. No money will come from County General.

MOTION: Collins moved to approve an additional appropriation of \$20,000 to his Pretrial Diversion, Fund 4015 and \$20,000 to Infraction Deferral Fund 4904. Miller provided the second. Motion carried unanimously.

MOTION: Miller moved to create a line item in Prosecutors Account, 42601, for vehicle purchase. Collins provided the second. Motion carried unanimously.

Owens provided an update on the Prosecutor's office. He currently has six total attorneys and will be losing two this coming week. The jobs have been posted and he is finding it difficult to find applicants at this salary range. We are \$13,000 below surrounding counties and they are having trouble filling these positions. He may possibly eliminate positions and use these salaries to help fund the remaining positions.

MISSY APPLGATE - TREASURER

Treasurer Applegate requested an additional appropriation of \$1,139.24, to line 37200 from General Fund to cover the price increase of printing tax statements. Applegate wasn't present due to her schedule at her second job.

MOTION: Collins moved to approve additional appropriation of \$1,139.24, from the County General Fund 1000 to line 37200, to cover the increase of tax statement printing. Miller provided the second. Motion carried unanimously with a vote of five to zero.

KEVIN HALL – HIGHWAY SUPERINTENDENT

Superintendent Hall requested an additional appropriation of \$756,625 from ARPA Funds into a newly created line item, 42000, to purchase Chip and Seal Equipment.

MOTION: Hughbanks moved to approve additional appropriation of \$756,625 and create line item 42000 in ARPA Fund 8906 to purchase Chip and Seal Equipment. Miller provided the second. Motion rejected with a vote of two in favor and three opposed (Collins, White and Gillespie). Mullins wanted it publicly noted she would vote no if present.

Miller questioned whether we would be able to obtain and begin using this equipment this year. Hall stated he thought it would be available this year to be used. Miller also questioned the fact that the Highway Department is understaffed. Hall stated he would stretch his people the best he could as they have in the past. Hall believes they can pave one mile a day even when beginning with chip and seal process. Due to having single axle trucks and hauling from asphalt from other sites 4/10 of a mile is a good day when paving. Hall states we must find money for small structure replacement and believes the only way is to utilize chip and seal. Mullins repeated Millers question about staffing. Hall repeated that he is stretched thin but will make it work as they have when paving roads. He said chip and seal is not as labor intensive as paving. Hall stated the savings between paving and chip and seal will pay the purchase cost of the equipment in just 15 miles of roads.

Mullins repeated the same questions as Miller and stated she was against piecemeal and there were other issues on the priority list that need to be addressed before spending ARPA money such as the Courthouse and Coroner.

Hall asked if the Council was against chip and seal. Collins stated no, just do not want to use ARPA Funds for this and does not want new equipment. Hall explained he would rather the new equipment to have a warranty and not purchase more equipment to repair. Collins stated that new equipment was not a guarantee as EMS had two ambulances down and couldn't get parts. White stated they are only to make financial decisions on what is brought before them: they are not to help find funding.

Commissioner Julian asked to speak but was not allowed. Attorney Peters said Council rules should be followed and not allow public comments during a meeting. Hughbanks said they would entertain comments at the end of the meeting.

Council member Ward joined the meeting.

Hall requested an additional appropriation of \$224,920.00 from ARPA funds into a newly created line item, 42000, to purchase an Energreen Mowing Machine.

MOTION: Hughbanks moved to approve additional appropriation of \$224,920.00 from ARPA funds into a newly created line item, 42000 to purchase an Energreen Mowing Machine. Miller provided the second. Motion rejected with a vote of one in favor and four opposed (Collins, Miller, Ward and White). Mullins again stated she would vote no if present.

Ward recognizes the Highway department does need equipment, but he had made a prior agreement with the board to not spend any ARPA money until the situation with the Judge; that has been pending since 2017, is resolved.

Hall again asked where he is to get equipment or repairs when his budget does not support the needs of the department. He understands the plight of the Courthouse and the Judge, but it doesn't help him in his need for equipment. Ward stated that he would have to dig into the Highway Department budget to see if there is any unexpended money that could be used, but it was not the Council call to decide what equipment to purchase.

Attorney Peters, in a side conversation, asked about Cumulative Cap funds.

Miller asked how long the Highway department has been looking for mowing equipment. Hall replied three years.

Hall requested an additional appropriation of \$35,000.00 from ARPA funds into a newly created line item, 42000, to purchase side mount mower for the Challenger tractor.

MOTION: Collins moved to approve additional appropriations of \$35,000.00 from ARPA funds into a newly created line item, 42000, to purchase a side mount mower for the Challenger tractor. Miller provided the second. Motion carried with four in favor and two opposed (White and Gillespie). Mullins couldn't be reached for comment.

Ward questioned how this mower would work. He stated that he was going to break with his earlier agreement and vote for this to help some of the shortcomings with this mower and improve safety by operators not having to look behind them.

Gillespie asked if Hall and the Commissioners still wanted this piece of equipment.

Hall requested an additional appropriation of \$24,208.00 from fund 1176 into line item 34102 to cover the Liability and Worker Compensation increase that was above the amount he was budgeted.

MOTION: Ward moved to approve the additional appropriation of \$24,208.00 from fund 1176 into line item 34102 to cover the Liability and Worker Compensation increase that was above the amount he was budgeted. Collins provided the second. Motion carried unanimously.

Gillespie requested clarification of additional appropriation.

DENISE VAUGHN – VETERAN'S AFFAIRS

Request to approve Denise Vaughn full-time position.

MOTION: Collins moved to approve Denise Vaughn, Veteran's Affairs, for a full-time position. Miller provided the second. Motion carried unanimously.

Gillespie asked why we were voting for this. Richey explained that she has been doing the job and paid full time with an approved job description, but Council had never voted on it.

PUBLIC COMMENTS

Commissioner Julian commented that the comments made by Ward about making decisions outside of a public meeting were against the "open door" statute. Julian asked Attorney Peters if that were the case, and she replied that she had only been the Council Attorney for a month. Ward stated that he was sure there had been a motion made in a previous meeting covering this decision.

ADJOURNMENT

With no other business, Gillespie moved to adjourn the May 30, 2023, Special Council meeting. Collins provided the second. Motion carried unanimously.

Lyndi Hughbanks, President

John Collins, Member

JR Ward, Vice President

John Miller, Member

Eric Gillespie, Member

Jonathon White, Member

By Phone
Diane Mullins, Member

ATTEST: _____
Jennifer Rode Hamelman, Auditor

