

November 5, 2018

The Ottawa County Excise Board met in regular Session at 1:15 PM on November 5, 2018 with the following members present: Greg Leonard, Leon Weece and Larry Gatewood. Assistant District Attorney, Rogers Hughes and Kenny Wright, District Attorney, were also in attendance.

Notice of the meeting was posted at 2:09 p.m., October 31, 2018.

Leonard would like to amend the minutes to add that he did say that it is the Commissioners responsibility to police the budget but with the caveat that the DA would educate us where our duties started and ended. Motion by Gatewood, second by Weece, to approve the minutes with the amendment of October 2, 2018. By vote: Gatewood, aye; Weece, aye; Leonard, aye.

Motion by Gatewood, second by Weece, to approve the budget of Ottawa County for the fiscal year 2018-2019 as presented by Bill Turner.

Motion by Gatewood, second by Weece, to approve the following cash fund estimates of need and requests for appropriation:

DFCF	\$129.26
C5-D	\$110.00
TRUST	\$51,731.48
CBRI	\$29,555.86
BOP-D	\$38,961.00
REC-D	\$1,978.00
F5-C	\$400.80
B5-D	\$934.90
COMM	\$11,743.02
FF-AFT	\$2,317.76
FF-COM	\$2,306.29
FF-FAI	\$2,292.60
FF-MIA	\$2,315.24
FF-PAR	\$2,313.62
FF-PEO	\$2,304.43
FF-PIC	\$2,286.69
FF-QUA	\$2,297.13
FF-WYAN	\$2,297.08
92-A-1	\$42,000.00
92-D-1	\$33,881.58
92-A-2	\$40,000.00
92-D-2	\$5,381.57
92-E-2	\$1,000.00
92-G-2	\$2,000.00
92-A-3	\$40,189.66
92-D-3	\$191.91
92-G-3	\$8,000.00
HWY 1	\$34,431.44
HWY 2	\$34,431.45
HWY 3	\$34,431.44
RESALE-A	\$5,679.71
BOND	\$488.01
CCRF	\$5,302.72
C5-D	\$245.00

DCRF	\$308.00
RESALE-D	\$3,486.56
B5-D	\$35,530.58
LAW	\$1,337.93
CARF	\$150.00
COMM	\$8,925.37
92-D-1	\$86,134.90
92-D-3	\$80.00
ACU	\$2,719.54

By vote: Weece, aye; Gatewood, aye; Leonard, aye.

Notice was given for the following transfers of appropriation: BIA Stateline Road Project in the amount of \$16,112.60 to BIA Cayuga Road Project; 1102-6-4100-2005 in the amount of \$1,000.00 to 112-6-4100-1110.

In New Business, Leonard asked the DA where the Excise Board stands after we set a budget as far as policing it following throughout the year. Wright responded "You have the ability to place any restriction to limit the use of funds that you have authorized, so that's pretty broad. Now we've got a budget that's lawful and that the estimates are accurate and needed there's an expected sufficient revenue to be able to support those expenses." A potential tool you have is you would be able to set an amount of appropriation for each month. When that is used, you are out of money. You would start over again on the first of the next month. A special meeting can be called at any point and time to address whatever needs to be addressed. The statutory watchdog over County finances, that's a duty that continues throughout the year. The Excise board has the right to convene a special session and take a look at expenses and say that is not a needed expense. There are a lot of Excise boards within the budgeting process looking at salaries of individual employees of County officials and finding that the proposed salary might be official for one of their employees was not necessary and the Excise Board has the power to say no. This is an example of how you would get involved after passing the budget. Leonard mentioned that at the last board meeting a statute was presented to us about encumbered funds, who decides what is encumbered and is that something we need to look at more? If you have a Lease purchase agreement and things and if those things are already committed to upon approval of the budget, that is the way I understood the statute that is presented to us. Kenny replied that this is something we've been looking at relatively closely recently. What we are running into is some difficulty with accounting purchasing procedures and I think everyone is trying really hard to be compliant. I am the statutory watchdog in reference to that so if someone fails to follow County purchasing procedures, I am the only person under law that is allowed to make exceptions. We are working really hard to ensure we can finish out the fiscal year. I am confident that the Sheriff can do this. He's got a plan that I hope he is going to present on the 12<sup>th</sup>. It will include some hard choices. He has to take care of the inmates and the jail. I Received an email from the Sheriff today that the plumbing is out in one of the Pods and it is going to be expensive to fix. Weece asked why did it fall back to the Excise board to police this rather than the County Commissioners? Wright answered that the County Commissioners don't have the power to do that. The Excise board is the only one that has the power put you. Robyn Mitchell stated that our purchasing agent does follow procedures. She has to monitor everyone and does a fantastic job. Earls then asked Bill Turner to go over the expenditures of the Sheriff's department. Wright said the Sheriff is averaging about \$20,000 per month from the DOC in payments and expects to join a lawsuit along with a number of Sheriff's suing the DOC because of their refusal to pay for certain prisoners. The AG's office has found, recently, that when the DOC refuses to pay for an inmate that the

County is housing, they are forcing the County to pay ad valorem tax dollars on a state function and that is not legal. When we anticipate that reduction in revenue is in relation to where we are in the budget, I think that is going to be our biggest difference barring the jail just going into the sink hole. Earls asked if it was fair to say that even if or when that happens, historically we have found that the state won't pay us, they will just owe us. Wright said that even if we are successful, I wouldn't anticipate getting any money this fiscal year.

Motion to adjourn by Gatewood, second by Weece. By vote: Weece, aye; Gatewood, aye; Leonard, aye

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Chairman

Robyn Mitchell

Ottawa County Clerk