



# TRANSFERS

## COURTHOUSE - JON SMOCK

### TRANSFER

#### GENERAL FUND - 1000

#### Courthouse - 0161

Transfer from:	15000	Part Time	\$	(4,680.00)
11210	Asst Properties Mgr		\$	1,560.00
11312	Secretary/Recept.		\$	3,120.00

## COUNTY ASSESSOR - LARRY DAVIS

### TRANSFER

#### REASSESSMENT FUND - 1224

Transfer from:	22000	Oper. Supp.	\$	(1,000.00)
36000	Repairs & Maint.		\$	1,000.00

# NEW MONEY - MISC. FUNDS

## HIGHWAY - JESSICA BASTIN

### NEW MONEY

#### HIGHWAY FUND - 1176

16500	Uniform Maintenance	\$	2,000.00
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#### COMMUNITY CROSSINGS GRANT FUND - 9129

30035	Paving	\$	1,500,000.00
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## SHERIFF - JOHN BEEMAN

### NEW MONEY

#### SHERIFF VICTIM ADVOCATE FUND - 8171

14904	Victim Advocate 2	\$	29,299.74
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14905	Victim Advocate 3	\$	38,676.61
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16161	FICA	\$	2,958.76
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39000	Other Svcs. & Chgs.	\$	1,410.00
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## PROSECUTOR - RODNEY CUMMINGS

### NEW MONEY

#### ELDER ABUSE PREVENTION GRANT - 8227

32000	Comm. & Trans.	\$	1,500.00
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33000	Printing & Advertising	\$	420.00
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37000	Rentals	\$	10,200.00
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39000	Other Svcs. & Chgs.	\$	16,802.17
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44000	Mach. & Equip.	\$	5,800.00
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# NEW MONEY - GENERAL FUND

COUNTY COUNCIL - BEN GALE

NEW MONEY

GENERAL FUND - 1000

COUNTY COUNCIL - 0061

39000

Other Svcs. & Chgs.

\$

3,382.12

## County Council Meeting Minutes

April 9, 2024

### *Meeting Called to Order by President*

*Prayer*

*Pledge of Allegiance*

*Roll Call: Councilwoman Keller, Councilwoman Norrick, Councilwoman Likens, Councilman Emery, Councilman Steele, Councilman Vaughn and President Gale.*

*Also Present: Auditor Rick Gardner, County Attorney Jeff Graham and Chief Deputy Auditor Todd Culp.*

### *Approval of Minutes for March 12, 2024*

*Motion:* to approve minutes as presented

*Moved:* Anthony Emery

*Seconded:* Rob Steele

*Motion Passed unanimously*


### *Approval of Agenda for meeting*


*Motion:* to approve agenda


*Moved:* Anthony Emery


*Seconded:* Rob Steele


*Motion Passed unanimously*

 Council President Gale indicates he will continue working on budget process.

 Rick Gardner, Auditor, presents Auditor's report to Council.

 Ben Orcutt, President of Parks Board, Jessica Bastin, County Engineer, and Rob Wolfgang, Parks Board member, make presentation concerning the Parks and Trails Master Plan, and indicate a public meeting will be held on Thursday, April 11, 2024, for purposes considering adoption of the Master Plan.

 Jenny Chambers, Director of Central Dispatch, provides overview of the consolidation process of dispatch services and funding thereof.


 Stephenie Mellinger, Director of Health Department, makes request for up to 6 members of the County Hazmat Team to travel out of state to attend the international Hazmat conference.


*Motion:* to approve out of state travel request of Hazmat Team.

*Moved:* Mikeal Vaughn

*Seconded:* Bethany Keller

*Motion Passed unanimously*

 Adam Steuerwald of Barnes and Thornberg makes presentation concerning financing of the new jail project. Attorney Steuerwald presents two proposed Resolutions and two proposed Ordinances in connection with financing of new jail to the Council for their consideration.

 **Motion:** to adopt Resolution 2024-4A, a Resolution Regarding Reimbursement of Certain Preliminary Expenditures from the Bond Proceeds, as presented.

**Moved:** Anthony Emery


**Seconded:** Rob Steele

Roll Call Vote:

Yes – Councilwoman Keller, Councilwoman Norrick, Councilwoman Likens, Councilman Emery, Councilman Steele, Councilman Vaughn and President Gale.

No - None.

**Motion Passed unanimously**

 **Motion:** to adopt Resolution 2024-4B, a Resolution Determining the Need to Enter into a Lease, as presented.

**Moved:** Anthony Emery


**Seconded:** Rob Steele


Roll Call Vote:

Yes – Councilwoman Likens, Councilman Emery, Councilman Steele and President Gale.

No - Councilwoman Keller, Councilwoman Norrick, and Councilman Vaughn.

**Motion Passed**

 President Gale indicates that Ordinance 2024-4C, an Ordinance Appropriating Proceeds of the Sale of Certain Property to the Madison County Building Corporation and Ordinance 2024-4D, an Ordinance Pledging Certain Income Tax Revenues to the Payment of Lease Rentals Under a Lease with the Madison County Building Corporation and Approving Materials Related Thereto, are before the Council for first reading and will come before the Council at their next scheduled meeting.

 President Gale indicates there is a transfer request from Jon Smock, Properties Director, from General Fund and Star Bank Building Fund before the Council for consideration.


**Motion:** to approve transfer request of Courthouse, as presented.

**Moved:** Anthony Emery

**Seconded:** Diana Likens

**Motion Passed unanimously**

<b>COURTHOUSE – JON SMOCK</b>				
<b>TRANSFER</b>				
<b>GENERAL FUND – 1000</b>				
<b>Courthouse – 0161</b>				
	Transfer from:	39000	Other Services & Charges	(\$5,000.00)
	Transfer to:	16500	Uniform Maintenance	\$5,000.00
<b>Star Bank Bldg Fund – 4949</b>				
	Transfer from:	46000	Capital Projects	(\$11,000.00)
	Transfer to:	22000	Operating Supplies	\$5,000.00
		23000	Repair & Maint. Supplies	\$5,000.00
		24000	Other Supplies	\$1,000.00

 President Gale indicates there is a transfer request from Barbara Miller of Central Records, from General Fund before the Council for consideration.


**Motion:** to approve transfer request of Central Records, as presented.

**Moved:** Anthony Emery

**Seconded:** Rob Steele

**Motion Passed unanimously**

<b>CENTRAL RECORDS – BARBARA MILLER</b>				
<b>TRANSFER</b>				
<b>GENERAL FUND – 1000</b>				
<b>Central Records – 96000</b>				
	Transfer from:	44000	Machinery & Equip.	(\$2,852.17)
	Transfer to:	36000	Repair & Maintenance	\$2,852.17

 Stephenie Mellinger, Health Director, presents a transfer request from the Health First Fund – 1161 to the Council for consideration.

**Motion:** to approve transfer request of Health Department, as presented.

**Moved:** Diana Likens

**Seconded:** Rob Steele

**Motion Passed unanimously**

<b>HEALTH DEPT. – STEPHENIE MELLINGER</b>				
<b>TRANSFER</b>				
<b>HEALTH FIRST FUND – 1161</b>				
	Transfer from:	39000	Other Services & Chgs.	(\$864.10)
	Transfer to:	16900	Sick Pay	\$864.10

President Gale indicates there is a transfer request from Traci Lane, Juvenile Probation, from Supplemental Probation Services Juvenile Fund-2150, to the Council for consideration.

**Motion:** to approve transfer request of Juvenile Probation, as presented.

**Moved:** Anthony Emery

**Seconded:** Rob Steele

**Motion Passed unanimously**

<b>JUVENILE PROBATION – TRACI LANE</b>				
<b>TRANSFER</b>				
<b>SUPPL. PROBATION SERVICES-JUVENILE FUND – 2150</b>				
	Transfer from:	39000	Other Services & Chgs.	(\$2,000.00)
	Transfer to	44000	Machinery & Equip.	\$2,000.00

Bryan Williams, Chief Public Defender, requests new money in Rainy Day Fund – 1186.

**Motion:** to approve new money request as presented.

**Moved:** Anthony Emery

**Seconded:** Rob Steele

**Motion Passed unanimously**

<b>NEW MONEY – RAINY DAY FUND</b>				
<b>PUBLIC DEFENDER – 0271</b>				
<b>NEW MONEY</b>				
<b>Public Defender – 0271</b>				
	15000	Part Time		\$20,000.00
			<b>TOTAL REQUEST:</b>	<b>\$20,000.00</b>

President Gale indicates Council had previously approved Resolution 2024-2A Establishing the Approved Uses of the Madison County Jail Commissary Fund, but no written resolution had yet been signed. That written Resolution is being signed at this public meeting to complete the record.

John Beeman, Sheriff, requests new money in Comprehensive Safety Program Fund – 4943.

**Motion:** to approve new money request of Sheriff as presented


**Moved:** Anthony Emery

**Seconded:** Mikeal Vaughn

**Motion Passed unanimously**



<b>NEW MONEY – COMPREHENSIVE SAFETY PROGRAM FUND</b>			
<b>SHERIFF – JOHN BEEMAN</b>			
<b>NEW MONEY</b>			
<b>COMPREHENSIVE SAFETY PROGRAM FUND – 4943</b>			
	16800	Overtime	\$55,000.00

 David Kane, Community Corrections Executive Director, requests new money in JAG Grant 2024 Fund – 8226.


**Motion:** to approve new money request Community Corrections as presented


**Moved:** Anthony Emery

**Seconded:** Mikeal Vaughn

**Motion Passed unanimously**

<b>NEW MONEY – MISC. FUND</b>			
<b>MCCC – DAVID KANE</b>			
<b>NEW MONEY</b>			
<b>JAG GRANT 2024 FUND – 8226</b>			
	44000	Machinery & Equipment	\$9,390.00
		<b>TOTAL REQUEST:</b>	<b>\$9,390.00</b>

 President Gale opens the meeting for public comment. No one appears to make comment.

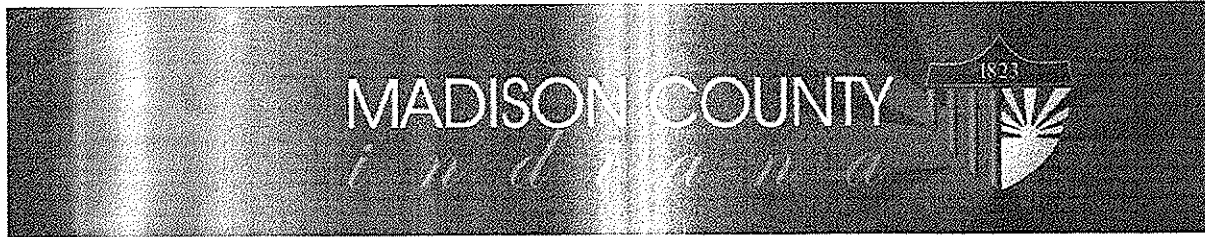
 **Motion:** to adjourn

**Moved:** Anthony Emery

**Seconded:** Rob Steele

**Motion Passed unanimously**

**Next Council Meeting scheduled for May 14, 2024, at 6:00 P.M. in the Council Chambers of the Courthouse. Personnel Committee meeting scheduled for April 30, 2024 at 6:00 P.M. in the Council Chambers.**



## Madison County Information Technology

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16 E 9<sup>th</sup> Street, Room 103, Anderson, IN 46016 PH 765-641-9511 Fax 765-641-7945

Director : Lisa Cannon

May 1, 2014

This is a request for Information Technologies to send two employees, Chris Morris and Derek Eads, to the MS/ISAC annual meeting June 23-26.

Attached is the justification document from the organizations.

The main goal of our attendance centers around network protection and election integrity.

No additional funds will be requested in order for them to attend.

Thank you for your consideration,

Lisa Cannon  
Director



**Collaborate. Educate. Secure.**

## **2024 MS-ISAC® and EI-ISAC® Annual Meeting Event Attendance Justification**

### **Objectives for the 2024 MS- and EI-ISAC Annual Meeting**

The 2024 Annual Meeting for the Multi-State and Elections Infrastructure Information Sharing and Analysis Centers (MS-ISAC® and EI-ISAC®) will take place in Orlando, Florida, from Sunday, June 23, through Wednesday, June 26. This is the 17<sup>th</sup> iteration in a series of annual meetings for U.S. State, Local, Tribal, and Territorial (SLTT) government officials; it aligns all who have a role and interest in government and elections infrastructure information technology operations and security. The Annual Meeting provides attendees with an unparalleled opportunity to connect and collaborate with their peers and relevant subject matter experts on best practices, threat and risk trends, and lessons from their peers that will help attendees increase their security maturity and manage their risks efficiently and effectively. The ISAC Annual Meeting includes an engaging and informative agenda comprised of contemporary sessions developed by your peers to address topics of greatest interest and relevance to you and the security of your organization.

This year's ISAC Annual Meeting incorporates approximately 72 sessions across multiple tracks of relevance to SLTT attendees based on the top threat activity, the top challenges, and the top interests of government officials who are dealing with security and risk management challenges from cyber threats that are increasing in both volume and complexity.

By attending and actively participating in event activities such as breakout discussion sessions, networking discussions, and service reviews and briefings by leaders in government and industry, government officials will return to their jurisdictions and agencies with greater knowledge of state-of-the-art, highly relevant best practices that can jumpstart their organization's cybersecurity maturity. Networking opportunities at the event provide practical ways for leaders to continue collaborating with peer organizations around specific areas of interest. The theme of this year's ISAC Annual Meeting is **Collaborate. Educate. Secure**. The question isn't whether a jurisdiction or agency can afford to have an employee attend; it is whether you can afford to miss out on the invaluable information and resources that your employee will bring back to better your cybersecurity program and your security maturity.

The ISAC Annual Meeting consistently receives positive feedback, with many members rating this event as the highest quality networking in which they participate each year.

### **Who Should Attend the ISAC Annual Meeting?**

Recommended attendees include IT executive decision makers (chief information security officers, chief information officers, chief technology officers); managers and tool implementers; cybersecurity analysts; privacy officers; compliance managers; homeland security advisors; fusion centers; and elections infrastructure program responsible for information security.

### **What Are MS-ISAC and EI-ISAC?**

The MS- and EI-ISACs are non-profit organizational elements of the non-profit Center for Internet Security, Inc. (CIS®). The U.S. Department of Homeland Security (DHS) has identified these ISAC organizations as the focal points for cyber threat prevention, protection, response, and recovery for the nation's SLTT government



## Collaborate. Educate. Secure.

and elections offices. The MS- and EI-ISAC include representatives from all 50 states and U.S. territories, thousands of local governments (including, but not limited to, counties, cities, towns/villages, K-12 schools and districts, law enforcement, public utilities, and healthcare), and tribal governments.

CIS operates a 24x7x365 Security Operations Center (SOC) that provides real-time network monitoring, early cyber threat warnings and advisories, vulnerability identification and mitigation, and incident response for the nation's SLTT governments and election offices. The MS- and EI-ISAC also provide cyber security education and awareness activities, including educational webinars on topics of interest to the community and co-hosting Cyber Security Awareness Month each October. Other services provided by the ISACs to their members include monthly meetings that feature subject matter expert presentations and members-only briefings on cybersecurity issues, access to secure portals for communication and information sharing, as well as participation in Working Groups and the ISAC Annual Meeting. The ISACs provide a range of cybersecurity products, services, and capabilities at no cost to members and offer other enhanced services at a greatly reduced cost through the non-profit organization CIS, which partners with commercial providers on highly effective and cost-effective solutions geared to SLTT organizations.

The MS- and EI-ISAC coordinate closely with the U.S. Department of Homeland Security through the Cybersecurity and Information Security Agency (CISA), providing a vital link between SLTT governments and the federal government.

For 20 years and 13 years, respectively, the MS- and EI-ISAC have developed a highly respected and trusted environment between and among our nation's SLTT governments by providing valuable information and lessons learned on cyber threats, exploits, vulnerabilities, and cyber incidents as well as direct assistance with responding to and recovering from cyber attacks and compromises.

The MS- and EI-ISAC also work closely with other organizations, such as the National Council of ISACs, the National Governors' Association, the National Association of State Chief Information Officers, the National Association of Counties, the National League of Cities, the National Association of Secretaries of State, the National Association of State Election Directors, the Election Center, and other public and private sector entities through our respective trips to further enhance our collective cybersecurity posture, many of whom will be in attendance at the 11th Annual Meeting.

If you desire additional information regarding the MS- and EI-ISAC as an organization or the ISAC Annual Meeting, please reach out via the information below.

**MS- and EI-ISAC Information Sharing and Analysis Center**

**30 Birch Valley Drive, East Greenbush, NY 12061**

**518-880-0699**

[AnnualMeeting@cisecurity.org](mailto:AnnualMeeting@cisecurity.org)

<https://www.cisecurity.org/ms-isac/>

<https://www.cisecurity.org/ei-isac/>

Hi Ben,

We found a candidate for the Economic Development Commission. Joe Noel, who recently retired from Hoosier Park as a Vice President of Non-Gaming Operations, would like to serve. Joe has keen attention to detail and will be an asset on this committee that considers large-scale economic development projects. He is a 1974 graduate of Pendleton Heights, and the former President of Friends of Falls Park, so his commitment to the community is evident, as well. Joe's contact number is: 765.278.5405. If you need anything else from me, please reach out.

Thanks,

Marissa Skaggs

Town of Pendleton

[miskaggs@pendleton.in.gov](mailto:miskaggs@pendleton.in.gov)

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**REQUEST FOR TRANSFER OF FUNDS APPROVAL  
FROM THE MADISON COUNTY COUNCIL**

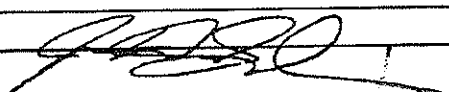


Department: Maintenance	Date: 5/2/24
Fund Name/Number: General / 1000	

Transferring From:		
Budget Line Number	Budget Line Name	Amount
15000	Part-Time	\$ 4,680.00

Transferring To:		
Budget Line Number	Budget Line Name	Amount
11210	Asst Properties Mgr	\$ 1,560.00
11312	Secretary/Receptionist	\$ 3,120.00

<b>Justification:</b>
Pay increases

Department Head: 	Date: 5/2/24
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**REQUEST FOR TRANSFER OF FUNDS APPROVAL  
FROM THE MADISON COUNTY COUNCIL**

<b>Department:</b> ASSESSOR	<b>Date:</b> 4/5/2024
<b>Fund Name/Number:</b> REASSESSMENT/1224	

Transferring From:		
Budget Line Number	Budget Line Name	Amount
22000	OPERATING SUPPLIES	\$ 1,000.00

Transferring To:		
Budget Line Number	Budget Line Name	Amount
36000	REPAIRS/MAINTENANCE	\$1,000.00

**Justification:**  
 Transfer to cover cost of tires for county car  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<b>Department Head:</b> <i>Amy D. Davis</i>	<b>Date:</b> 4/5/2024
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**REQUEST FOR ADDITIONAL APPROPRIATIONS APPROVAL  
FROM THE MADISON COUNTY COUNCIL**



<b>Department:</b> Adult Protective Services	<b>Date:</b> 4/22/2024
<b>Fund Name/Number:</b> Elder Abuse Prevention Grant/8227	

<b>Additional Appropriations:</b>		
<b>Budget Line Number</b>	<b>Budget Line Name</b>	<b>Amount</b>
32000	Comm. & Trans.	\$1,500.00
33000	Printing & Advertising	\$420.00
37000	Rentals	\$10,200.00
39000	Other Svs. & Chgs.	\$16,802.17
44000	Machinery&Equipment	\$5,800.00
		\$34,722.17

<b>Justification:</b>
Appropriating new grant money.

<b>Department Head:</b> Rodney Cummings	<b>Date:</b> 4/22/2024
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# CHESTERFIELD POLICE DEPARTMENT

Joseph J. Cole, Chief of Police  
17 Veterans Blvd., Chesterfield, Indiana 46017  
Ph: (765) 378-3354 Fax: (765) 378-3355

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## Property Disposal Request

**Madison County Auditor's Office**  
**16 East 9th Street**  
**Anderson, IN 46016**

On June 27, 2023, I, Assistant Chief of Police Cody Painter completed an audit of the Chesterfield Police Department property room. During the audit, it was discovered that (13) cases have been closed, either by dismissal or conviction. Within the (13) cases, seized monies were attached as property. Upon further research, found that civil forfeiture was not requested by the State or our agency.

Pursuant to I.C. 35-33-5-5; on June 26, 2023, return letters were sent to each property owner notifying them that they have 90-days to retrieve their property or that it would be disposed of in accordance with state law. Nearly 6-months later, none of the property owners have established contact with our agency in order to schedule an appointment. Again, pursuant to I.C. 35-33-5-5; I am now required to surrender the property to the Madison County General Fund.

Attached to this document is "Appendix A" which displays case information relating to each of case.

Respectfully,

Cody Painter  
Assistant Chief of Police  
Chesterfield Police Department  
(765) 623-9920



# CHESTERFIELD POLICE DEPARTMENT

Joseph J. Cole, Chief of Police  
17 Veterans Blvd., Chesterfield, Indiana 46017  
Ph: (765) 378-3354 Fax: (765) 378-3355

Appendix A

Q. 048423

Case Number	Date	Suspect	Officer	Property Type	Notes
CR-09-0053	March 13, 2009	Zachary L. Wenzel	Ingles	Plastic bag cont. \$33.00 cash	Return Letter Sent (06/26/2023)
CR-11-184	September 16, 2011	Shed Woods	Ingles	Plastic bag cont. \$295.00 cash	Return Letter Sent (06/26/2023)
2012-0056	March 9, 2012	Christopher Dotson	Crum	Plastic bag cont. \$333.00 cash	Return Letter Sent (06/26/2023)
2015-0199	January 26, 2015	Jamaal Huddleston	M. Stephens	Envelope cont. \$94.00 cash	Return Letter Sent (06/26/2023)
2015-1343	June 20, 2015	David Schienker	T. Harneson	Plastic bag cont. \$173.00 cash	Return Letter Sent (06/26/2023)
2015-2701	November 18, 2015	Isaiah Davis	M. Stephens	Plastic bag cont. \$186.85 cash	Return Letter Sent (06/26/2023)
2015-2719	November 20, 2015	Isaiah Davis	M. Stephens	Plastic bag cont. \$41.85 cash	Return Letter Sent (06/26/2023)
2016-2041	July 26, 2016	Byran Evans	Painter	Plastic bag cont. \$320 cash	Return Letter Sent (06/26/2023)
2017-1631	June 22, 2017	Hosea Allen Jr.	M. Stephens	Plastic bag cont. \$66.00	Return Letter Sent (06/26/2023)
2019-0593	March 20, 2019	Jerrold King	Wagner	Plastic bag cont. Cash - \$559	Return Letter Sent (06/26/2023)
2020-0807	March 22, 2020	Spelman Allen	Ingles	Plastic bag cont. Cash - \$1,083	Return Letter Sent (06/26/2023)
2021-0016	January 2, 2021	Shane Hale/ Marsh Haddox	Hoose	Sealed plastic bag cont. \$102.42 cash	Return Letter Sent (06/26/2023)
2021-0600	April 2, 2021	John Rothert	G. Stephens	Plastic bag cont. \$95 cash	Return Letter Sent (06/26/2023)

RECEIPT Office of County Auditor

December 7, 2023

Receipt No: **048423**

Issued To: Chesterfield Police Department

Total: **\$\*\*\*\*\*3,382.12**

**Three Thousand Three Hundred Eighty Two and 12/100 dollars**

On Account Of: Forfeiture Proceeds Cash  
13 Cases.

Payment Types: 3,382.12 Cash  
Comment:

Bank: 006 First Merchants Bank-claims

Project:

Amount	Budget Account Code	Fund Description	Account Description	Notes:
33.00	1000.00800.00000.0000	County General	Misc Rec	
295.00	1000.00800.00000.0000	County General	Misc Rec	
333.00	1000.00800.00000.0000	County General	Misc Rec	
94.00	1000.00800.00000.0000	County General	Misc Rec	
173.00	1000.00800.00000.0000	County General	Misc Rec	
186.85	1000.00800.00000.0000	County General	Misc Rec	
41.85	1000.00800.00000.0000	County General	Misc Rec	
320.00	1000.00800.00000.0000	County General	Misc Rec	
66.00	1000.00800.00000.0000	County General	Misc Rec	
559.00	1000.00800.00000.0000	County General	Misc Rec	
1,083.00	1000.00800.00000.0000	County General	Misc Rec	
102.42	1000.00800.00000.0000	County General	Misc Rec	
95.00	1000.00800.00000.0000	County General	Misc Rec	



County Auditor

Treasurer      Receiptant      File

(here describe the things to be searched for and the offense in relation thereto) are concealed in or about the (here describe the house or place) of C D, situated in the county of \_\_\_\_\_, in said state.

In accordance with Indiana Trial Rule 11, I affirm under the penalties for perjury that the foregoing representations are true.

\_\_\_\_\_  
(Signed) Affiant Date

*As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.177-1984, SEC.1; P.L.161-1990, SEC.1; P.L.1-1991, SEC.190; P.L.2-2005, SEC.117; P.L.170-2014, SEC.17.*

**IC 35-33-5-3 Form**

Sec. 3. A search warrant in substantially the following form shall be sufficient:

STATE OF INDIANA )  
 ) SS:  
COUNTY OF \_\_\_\_\_ ) IN THE \_\_\_\_\_ COURT  
 ) OF

To \_\_\_\_\_ (herein insert the name, department or classification of the law enforcement officer to whom it is addressed)

You are authorized and ordered, in the name of the State of Indiana, with the necessary and proper assistance to enter into or upon \_\_\_\_\_ (here describe the place to be searched), and there diligently search for \_\_\_\_\_ (here describe property which is the subject of the search). You are ordered to seize such property, or any part thereof, found on such search.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_ M.

\_\_\_\_\_  
(Signature of Judge)

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_ M.

\_\_\_\_\_  
(Signature of Law Enforcement Officer)

*As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.2-2005, SEC.118.*

**IC 35-33-5-4 Return; initial disposition of property seized**

Sec. 4. When the warrant is executed by the seizure of property or things described in it or of any other items:

- (1) the officer who executed the warrant shall make a return on it directed to the court or judge, who issued the warrant, and this return must indicate the date and time served and list the items seized; and
- (2) the items so seized shall be securely held by the law enforcement agency whose officer executed the search warrant under the order of the court trying the cause, except as provided in section 5 of this chapter.

*As added by Acts 1981, P.L.298, SEC.2. Amended by P.L.156-2020, SEC.128.*

**IC 35-33-5-5 Disposition of property held as evidence; preservation of evidence of a violent offense that could be subjected to DNA testing; records**

Sec. 5. (a) All items of property seized by any law enforcement agency as a result of an arrest, search warrant, or warrantless search, shall be securely held by the law enforcement agency under the order of the court trying the cause, except as provided in this section.

(b) Evidence that consists of property obtained unlawfully from its owner may be returned by the law enforcement agency to the owner before trial, in accordance with IC 35-43-4-4(h).



(c) Following the final disposition of the cause at trial level or any other final disposition the following shall be done:

(1) Property which may be lawfully possessed shall be returned to its rightful owner, if known. If ownership is unknown, a reasonable attempt shall be made by the law enforcement agency holding the property to ascertain ownership of the property. After ninety (90) days from the time:

(A) the rightful owner has been notified to take possession of the property; or

(B) a reasonable effort has been made to ascertain ownership of the property; the law enforcement agency holding the property shall, at a convenient time, dispose of this property at a public auction. The proceeds of this property shall be paid into the county general fund.

(2) Except as provided in subsection (e), property, the possession of which is unlawful, shall be destroyed by the law enforcement agency holding it sixty (60) days after final disposition of the cause.

(3) A firearm that has been seized from a person who is dangerous (as defined in IC 35-47-14-1) shall be retained, returned, or disposed of in accordance with IC 35-47-14.

(d) Except as provided in subsection (g), if any property described in subsection (c) was admitted into evidence in the cause, the property shall be disposed of in accordance with an order of the court trying the cause.

(e) A law enforcement agency may destroy or cause to be destroyed chemicals, controlled substances, or chemically contaminated equipment (including drug paraphernalia as described in IC 35-48-4-8.5) associated with the illegal manufacture of drugs or controlled substances without a court order if all the following conditions are met:

(1) The law enforcement agency collects and preserves a sufficient quantity of the chemicals, controlled substances, or chemically contaminated equipment to demonstrate that the chemicals, controlled substances, or chemically contaminated equipment was associated with the illegal manufacture of drugs or controlled substances.

(2) The law enforcement agency takes photographs of the illegal drug manufacturing site that accurately depict the presence and quantity of chemicals, controlled substances, and chemically contaminated equipment.

(3) The law enforcement agency completes a chemical inventory report that describes the type and quantities of chemicals, controlled substances, and chemically contaminated equipment present at the illegal manufacturing site.

The photographs and description of the property shall be admissible into evidence in place of the actual physical evidence.

(f) For purposes of preserving the record of any conviction on appeal, a photograph demonstrating the nature of the property, and an adequate description of the property must be obtained before the disposition of the property. In the event of a retrial, the photograph and description of the property shall be admissible into evidence in place of the actual physical evidence. All other rules of law governing the admissibility of evidence shall apply to the photographs.

(g) All evidence for a violent offense (as defined in IC 11-12-3.7-6) in the law enforcement agency's possession or control that could be subjected to DNA testing and analysis shall be preserved by the law enforcement agency for the later of the following:

(1) Twenty (20) years from the date the defendant's conviction becomes final.

(2) The period of the defendant's incarceration.

In cases where an investigation did not result in a conviction, the evidence shall be preserved until the expiration of the statute of limitations for the alleged offense. If the preservation of the evidence is impracticable, the law enforcement agency shall remove portions of the material evidence likely to contain biological evidence related to the offense, in a quantity sufficient to permit future DNA testing before returning or disposing of the physical

SALARY ORDINANCE 2024-5C

AN ORDINANCE ADJUSTING THE SALARY OF THE  
EMPLOYEES FOR THE YEAR 2024

Be it ordained by the Madison County Council that the salary for County Employees in Madison County, Indiana for year 2024 be adjusted in the following manner:

**GENERAL FUND - 1000**

**Courthouse - 0161**

11210	Asst Properties Mgr	\$	47,723.00
11312	Secretary/Recept.	\$	41,600.00

Dated this 14th day of May, 2024

	Aye	Nay	Abstain
_____ Diana Likens	_____	_____	_____
_____ Jodi Norrick	_____	_____	_____
_____ Bethany Keller	_____	_____	_____
_____ Rob Steele	_____	_____	_____
_____ Mikeal Vaughn	_____	_____	_____
_____ Anthony Emery	_____	_____	_____
_____ Ben Gale	_____	_____	_____

\_\_\_\_\_  
Rick Gardner  
Madison County Auditor

SALARY ORDINANCE 2024-5D

AN ORDINANCE ADJUSTING THE SALARY OF THE  
EMPLOYEES FOR THE YEAR 2024

Be it ordained by the Madison County Council that the salary for County Employees in Madison County, Indiana for year 2024 be adjusted in the following manner:

**SHERIFF VICTIM ADVOCATE FUND - 8171**

14904	Victim Advocate 2	\$	29,299.74
14905	Victim Advocate 3	\$	38,676.61
16161	FICA	\$	2,958.76

Dated this 14th day of May, 2024

	Aye	Nay	Abstain
_____ Diana Likens	_____	_____	_____
_____ Jodi Norrick	_____	_____	_____
_____ Bethany Keller	_____	_____	_____
_____ Rob Steele	_____	_____	_____
_____ Mikeal Vaughn	_____	_____	_____
_____ Anthony Emery	_____	_____	_____
_____ Ben Gale	_____	_____	_____

\_\_\_\_\_  
Rick Gardner  
Madison County Auditor