

New Carlisle Town Council
124 E. Michigan Street, New Carlisle, Indiana
Special Meeting October 30, 2008, 3:00 p.m.

The Special Meeting of the Town Council, acting as the Safety Board, was called to order by President Higgins. Present were Vice-President Colpitts, Council Member Mell, Council Member Groves, Council Member Gelow and Clerk-Treasurer Sue Moffitt. Also in attendance were Bill Herrbach, Candie Drake, Ken Davis and Brian Thompson.

Bill stated that the Council had previously put an employee on administrative leave pending investigation. That employee was charged with a misdemeanor of leaving the scene of a property damage accident on October 28, 2008, punishable with up to 60 days in jail.

Because a charge is pending the Council now has choices. Both the previous and current SOP adopt IC 36-8-3-4 as the procedure to be utilized in disciplinary action. Provision N states that if the member is subject to criminal charges, the board may place the member on administrative leave until the disposition of the criminal charges in the trial court.

Any other action by the board is stayed until the disposition of the criminal charges in the trial court. An administrative leave under this subsection may be with or without pay, as determined by the board. If the member is placed on leave without pay, the board, in its discretion, may award back pay if the member is exonerated in the criminal matter.

The court date set is November 14 and it should be disposed of that day.

Vice President Colpitts moved that, upon being informed that Lawrence Brown is pending a misdemeanor criminal charge of leaving the scene of a property damage accident, he be placed on Administrative Leave without pay and that any further matters regarding disciplinary actions be tabled until the criminal matter is resolved.

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Council Member Mell seconded the motion and a voice vote was conducted by President Higgins with each council member voting aye. Motion passed unanimously.

Council Member Mell motioned to adjourn the meeting. Seconded by Council Member Groves and passed unanimously, the meeting was adjourned.

Carolyn Higgins, Council President

Attest:

Susan I. Moffitt, Clerk-Treasurer