

**Town of Sellersburg**  
**Town Council Meeting Minutes**  
(These minutes are not intended to be verbatim)

**DATE:** AUGUST 3, 2017

**CALLED TO ORDER:**

President Paul J. Rhodes called the meeting to order at 5:00 p.m. at the Sellersburg Town Hall, 316 E. Utica Street, Sellersburg, Indiana.

**ROLL CALL:**

President Paul J. Rhodes, Vice President Brad J. Amos, 2<sup>nd</sup> Vice President Martina P. Webster, Council Member James H. LaMaster, Council Member William J. Conlin, Town Council Attorney Jacob C. Elder and Clerk Treasurer Michelle D. Miller.

**PRAYER:** Martina P. Webster

**PLEDGE OF ALLEGIANCE:** By all present

**MOTION TO ADOPT THE AGENDA AS PRESENTED:**

Motion: Martina P. Webster    Second: James H. LaMaster    Vote: 5-aye, 0-nay, motion approved.

**COMMENTS FROM PUBLIC ON AGENDA ITEMS:**

President Paul J. Rhodes advises that the only items that will be discussed are the agenda items only.

**NEW BUSINESS:**

**Council Response to July 24<sup>th</sup> Town Council Meeting:**

President Paul J. Rhodes reads Council Response to the July 24, 2017 Sellersburg Town Council Meeting (copy attached).

President Paul J. Rhodes reads letter from Gary Maloney, President/Owner of NuYale (copy attached).

President Paul J. Rhodes reads letter from Jerry Rauck of ISU Insurance and Investment Group (copy attached).

Martina P. Webster makes a motion to censure Council Member William J. Conlin and a Resolution will be prepared for the next meeting formalizing the censure:

Motion: Martina P. Webster    Second: Paul J. Rhodes    Vote: 4-aye, 1-nay by William J. Conlin.

William J. Conlin calls for a roll call vote:

LaMaster-aye, Webster-aye, Rhodes-aye, Amos-aye, Conlin-nay,

**2018 Budget Consultant:**

Martina recommends the Council hire Steven Brock as the 2018 Budget Consultant for \$175.00 per hour.

Motion: Martina P. Webster    Second: James H. LaMaster    Vote: 4-aye, 1-nay by William J. Conlin, motion approved.

Sellersburg Town Council Meeting  
August 3, 2017

**COMMENTS FROM COUNCIL MEMBERSHIP:**

**Brad J. Amos:**

Makes a motion that he be able to go to Planning and Zoning and make a recommendation that the property adjacent to the Police Department where the Farmer's Market is held be rezoned from R1 to Open Public Space.

Motion: Brad J. Amos                      Second: William H. Conlin                      Vote: 5-aye, 0-nay, motion approved.

**ADJOURN:**

Motion: James H. LaMaster                      Second: Martina P. Webster                      Vote: 5-aye, 0-nay, motion approved  
and meeting adjourned at 5:28 p.m.

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Paul J. Rhodes, President

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James H. LaMaster, Council Member

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Brad J. Amos, Vice President

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William J. Conlin, Council Member

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Martina P. Webster, 2<sup>nd</sup> Vice President

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Attest: Michelle D. Miller, Clerk Treasurer

**Attachments(s):**

Council Response to the July 24<sup>th</sup> 2017 Sellersburg Town Council Meeting (5 pages)

Letter from Gary Maloney, President/Owner, NuYale (1 page)

Letter from Jerry Rauck, ISU Insurance and Investment Group (1 page)

**COUNCIL RESPONSE TO THE JULY 24<sup>TH</sup> 2017  
SELLERSBURG TOWN COUNCIL MEETING**

3 August 2017

For much of last year this council has tolerated inappropriate etiquette and behavior from one of our council members, Mr. Bill Conlin. His statements and actions at the July 24<sup>th</sup> meeting has made this meeting necessary.

Since the July 24<sup>th</sup> meeting the council has learned that Mr. Conlin has lied to the public in attempt to incite fear regarding our water plant and the water produced. This is outright appalling.

Each council member brings his or her opinions to this council, sometimes in agreement and sometimes in opposition, but hopefully we do so for the best interest of the Town of Sellersburg and always speak truthfully. We do not believe Mr. Conlin has the Town of Sellersburg's best interests at heart. His behavior and statements at our July 24<sup>th</sup>, 2017 meeting are wholly unacceptable and may subject our town to unnecessary lawsuits.

At that meeting Mr. Conlin addressed several different unrelated issues inappropriately:

1. Mr. Conlin made the following statement in the 24 July meeting speaking to those present: *"Let me make one point...Ok. I went and got dry cleaning today...Ok. Nu-Yale..Ok. Sir here is your free bottle of water...So why are you giving a free bottle of water, said because we don't think the water is safe..Ok. You know the businesses in Sellersburg are buying bottled water? What can we do to let them know it is safe if it is safe? I'm giving my dog bottled water..I'm sick of buying bottled water"*. [THIS STATEMENT CAN BE VERIFIED WITH THE AUDIO]. This was a lie. Mr. Conlin's statement was dishonest and unprofessional designed to intentionally deceive and incite the citizens of our community. I and councilman Mr. Brad Amos personally spoke to the employee who waited on Mr. Conlin and she informed us both that she never made such a statement. In addition to speaking with the employee, we contacted the owner of Nu-Yale who wrote a letter explaining that they leave water bottles out at all of their locations for their customers and have done so for years as part of their marketing. "In no way is this related to any water company

quality of water". [MOVE TO ADMIT NUYALE LETTER INTO THE RECORD].

2. Mr. Conlin also spoke to the audience about information regarding a former employee that was discussed in an executive meeting. Executive meetings are meant to be confidential in nature so that certain matters may be discussed by a quorum, which may have adverse legal consequences if they were discussed in the open public. His actions gave our insurance agent of record, who was at the meeting, such grave concern about a potential lawsuit that he penned a letter to this Council warning this Council about Mr. Conlin's behavior and that his actions "are avoidable and the Town Council needs to address" it.
3. Mr. Conlin slandered Mrs. Webster asserting that she kicks him under the table. At no time prior to his outburst, had Mr. Conlin ever mentioned anything of the sort. These types of continued lies and grandstanding will not be tolerated.

These statements put the town at risk of lawsuits and this board finds it necessary to remind Mr. Conlin, that should his actions and behavior result in law suits, it is the citizens of this town and their tax money who would be paying for his irresponsible behavior and lie. Therefore I believe this board should officially reprimand Councilman Conlin for his actions that have put the town at risk, for publicly lying regarding Nu-Yale's marketing policy of providing free water to their customers and publicly slandering and violating the confidentiality of executive sessions.

This council in no way condones or supports Councilman Conlin's statements or behavior. I am asking the Town Council to penalize Mr. Conlin for his actions and statements.

  
Paul Rhodes

President Sellersburg Town Council



[http://www.newsandtribune.com/news/sellersburg-councilwoman-outraged-at-colleague-s-accusation-at-meeting-that/article\\_b458354e-717e-11e7-8865-5fe9f9a62776.html](http://www.newsandtribune.com/news/sellersburg-councilwoman-outraged-at-colleague-s-accusation-at-meeting-that/article_b458354e-717e-11e7-8865-5fe9f9a62776.html)

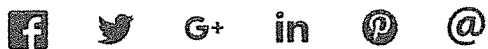
FEATURED

## Sellersburg councilwoman 'outraged' at colleague's accusation at meeting that she kicked him, exploring ways to correct claim

Councilman Bill Conlin maintains his claim despite denial

By ELIZABETH BEILMAN Jul 25, 2017

Martina Webster



SELLERSBURG — A Sellersburg Town Council member is exploring ways to remedy an accusation made against her by a fellow board member that she says is an "outrageous" lie.

Councilman Bill Conlin told a packed room during Monday night's council meeting that Councilwoman Martina Webster, who sits beside him, has kicked him under the table at meetings.

"I have never kicked Bill Conlin, and I am outraged that he would make such an accusation," Webster, who represents the first district, said Tuesday.

The councilman made the accusation toward the end of heated discussion over recent town water testing violations. Webster immediately denied it, to which Conlin asked if she'd like to see the bruises.

"He held up his right leg to show bruises," she said. "I'm on his left. The [police] chief is on his right. And the last time we met was four weeks ago ... that's how ridiculous this claim is."

Conlin said Tuesday he didn't understand "what the big deal is."

"Left, right, what does it make any difference?" he said.

Webster appeared to interpret Conlin's claim as a serious accusation. She switched spots with another council member after the exchange, conducting the meeting from the opposite end of the table.

Conlin maintained after the meeting and again Tuesday that Webster has indeed kicked him.

"I'm not saying she's trying to do anything to me ..." he said. "It's a signal is what it is."

After the meeting Monday, Webster told the News and Tribune she would explore her legal options. The next day, she said she isn't sure which direction she will take in order to correct the claim.

Sellersburg Police Chief Russ Whelan said he has not witnessed any kicking, but clarified he has only sat at the council table the previous two meetings. He added Conlin has not approached him with accusations of battery or assault.

Council President Paul Rhodes, who sits on the other side of Webster, said he has "never seen anything like this going on."

"I was astonished at the claim," Rhodes said.

At the end of the meeting, Conlin announced he probably won't finish his term as councilman. On Tuesday, he said he hopes he can.

"I'm just not getting much accomplished," he said. "I'm just getting real disappointed with our council."

He praised recent renovations to the town's pool, but expressed doubt that it would have happened without significant community pressure.

"The only way anything happens is if a big crowd comes," he said.

Conlin, who served on the Jeffersonville City Council under Mayor Richard Vissing, said he thought he could get more accomplished as a councilman in a town with no mayor.

"It's just frustrating," he said. "If I can't get something done, maybe somebody else could."

Conlin, a Republican, represents Sellersburg's Fourth District. He was elected to the town council in the 2015 municipal election. His term ends December 2019.

Webster is also a Republican who was elected in 2015. She announced in a Facebook post on her personal page that she intends to run for Clark County Assessor in next year's election.

A video of the meeting containing Conlin's comments, and the exchange with Webster, was recorded by Clerk-Treasurer Michelle Miller. Her office indicated it will be uploaded to the Sellersburg Clerk Facebook page soon.

**5 comments**

**Sign in**

**2 people listening**



Paul

I would like to explain Nu-Yale marketing in relationship to our bottle water. Nu-Yale has private bottle water labeled with our Nu-Yale logo. We offer free bottle water to our clients at most all of our stores as a curtesy and our way to say thank you. With the logo on the bottle this also gives us marketing exposure to the general public.

We have 13 location and we are on many different water system over the years. Indian Cities, River Ridge, Sellersburg, Louisville, Madison, and Oldham County. We have no quality issues with any water company servicing our many locations. The bottle water we offer is solo part of our marketing and no way related to any water company quality of water.

Nu-Yale has been offering bottle water for many years. Our estimate is we hand out around 20,000 bottles of water per year. I hope this answers any question of how and why we offer bottle water in our stores.

Sincerely

*Gary Maloney*

Gary Maloney

President / Owner



July 25, 2017

Town Of Sellersburg Town Council Members  
316 East Utica Street  
Sellersburg, IN 47172

Members of the Town Council,

I am writing in response to the July 24<sup>th</sup> Council meeting that I attended to present the insurance renewal. I feel I have a duty to disclose some real concerns I have from the meeting last night. When Councilman Conlin discusses personnel issues that should be limited to Executive meetings, it is opening the door for Employment Practices Liability claims. He mentions a terminated employee by name and makes the statement that he was "thrown under the bus" by the town manager, I not only feel that gives rise to a wrongful termination suit but basically makes it impossible for the insurance company to defend when communicated in front of a packed meeting room, not to mention media outlets. He also mentioned in the same ordinance a job description change for a current employee, I can only hope that employee was aware prior to the meeting that this was being discussed. I would like to believe this is isolated, unfortunately at the August 8, 2016 meeting I attended Councilman Conlin exhibited the same behavior, as I recall the discussion was regarding the hiring of an Executive Secretary, he discussed not only current employees but prospective employees that were in attendance and his thoughts on what did or did not qualify them for the position.

Several factors play a part in the insurance rate for a particular risk, claims are always a big part of that, additionally exposures change and values increase. Employment Practices claims have been on the rise, regardless of the outcome, the defense cost are extreme for these type of claims. Not all claims are avoidable, that is why we write insurance, however the cases above are avoidable and I believe the Town Council needs to address this.

It is a privilege for our agency to continue to represent the Town of Sellersburg, as mentioned above I feel it is part of my job as your insurance agent to bring my concerns to your attention.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jerry Rauck', is written over a horizontal line.

Jerry Rauck

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