

Owen County Council
Minutes-January 10, 2022

Meeting was called to order at 7pm.

Pledge of Allegiance was said, and Opening Prayer was given by Chuck Hess.

All members were present and the public sign in sheet attached for permanent record. Auditor Reeves was also present, and Attorney Jim Bryan was absent.

Election of Officers:

Andy Wood related that he did not wish to continue as President.

A motion was made by Verl Keith to appoint Amy Casebeer as President; seconded by Anton Neff.

Ms. Casebeer declined the appointment due to personal reasons.

A motion to appoint Polly Chesser was made by Nick Robertson; seconded by Chuck Hess. Motion carried 7-0.

A motion to appoint Verl Keith as Vice President was made by Nick Robertson; seconded by Anton Neff.

Motion carried 7-0.

A motion to approve the minutes from December 13, 2021, was made by Chuck Hess; seconded by Anton Neff. Motion carried 6-1abstention/Verl Keith-absent.

Old Business

Mr. Bryan had provided Financial Ledger Reports for review. Ms. Reeves reviewed the negative Funds and current General Fund Balance on 12/31 was \$884,702.79. A copy of that Monthly Financial Report was also provided for review for all funds. Copies of the approved DLGF Budget was also provided for the records.

ARPA Funds review included the new Final Rule Information that takes effect on April 1, 2022, that provides the state and local governments with a broader flexibility to pursue a wide range of uses that will allow counties to focus on the needs for their community. (Letter from the SLFRP was provided) With the changes allowed the Commissioners will be looking at County Roads & Bridges.

Commissioner Burton briefly reviewed the current amounts that had been set aside. Review from Barnes & Thornburg with the new changes will be pursued. Premium pay for employees will still be part of the ARPA Plan and will include qualified employees that were working on 12/06/2021. Mr. Robertson did ask about the date(s) approved for pay. Mr. Burton said that Commissioners/Council/Elected Officials can do salary ordinance adjustments to be included in the pay. Ms. Reeves said that Barnes & Thornburg will review the list that will be prepared for final approval. A motion to have the Attorney draft a Resolution for the February Meeting was made by Anton Neff; seconded by Andy Wood. Motion carried 7-0.

New Business

Public Hearing-Additional Appropriations Ms. Chesser opened the Public Hearing at this time.

Ms. Chesser first noted that she has learned that additional expenses to the County General Fund will now be incurred and asked Mr. Burton to explain. He related that due to the cancellation notice received from our Insurance Company for Workman's Compensation on 03/31/22 we are facing what could be a significant increase. Our agent John Parmley is searching for alternative options/companies and an update will be given at the next meeting. Ms. Chesser added that considering this she is very concerned with the proposed pay raise for the Circuit Court and a that it will set a precedent.

Judge Kelsey Hanlon began with she is not sure why their proposal of \$13000 is most concerning when they came in with \$30000 and have presented a plan that that offers a leaner-meaner office. She also noted that they are \$10000 less than all surrounding counties. Judge Lori Quillen related that they had turned in more money and found a way to do this and absorbed costs for the last few months to create/offer this solution.

Mr. Hess asked why we are going through this again when it had been discussed and approved last month. Ms. Chesser related that she felt that this was going to be setting a precedent and the fact of the funds coming from county general. Also noted was that 911 was approved because they had their own funds for raises. Judge Quillen again reviewed the funds that they have cut, incurred and adjustments to offer this proposal and encouraged for any department that are able to do it. Mr. Burton added that he wasn't here to pick on them, but the other requests tonight was from other fund sources that are not affecting the general fund. Mr. Keith was concerned if this was affordable. He asked Ms. Reeves who related that the one thing to keep in mind is that these raises would have to be sustained in their 2023 budgets and so on, but there is a positive balance in the general fund at this time. Also, to keep in mind that others will possibly be making additional requests and the need to be considered and supported and unknown settlement amounts. Mr. Wood offered that while he appreciated both Judges, the budget proposal they had put together he was against it due to across the board everyone was told no due to the negative county general fund balance and taxes had just been increased to the public and other jobs had been cut. As far as merit and their staff they are a stand-up group. He also reminded them that when the Attorney was asked about raises and where we're at financially—he related No. Mr. Wood acknowledged that when this whole situation started that they were the first to step up and make cuts.

At this time a motion was made to approve all three requests by Chuck Hess; seconded by Nick Robertson.

Ms. Chesser asked if they wanted to put that motion all in one or each one separately.

Mr. Neff then made a motion to amend and separate out the EMS Request to consider by itself; seconded by Ms. Casebeer. Motion carried on the amendment 5-2/against-Mr. Hess and Mr. Robertson.

EMS Request-A final vote to approve the additional appropriation in the amount of \$50000 for the purchase of a new Chevrolet Tahoe was approved 7-0.

Another motion to approve the other two requests was made by Mr. Hess; seconded by Mr. Robertson.

Ms. Chesser asked for clarification on the 911 amount; Ms. Reeves explained that those totals were what had been finalized by Ms. Lamb and Mr. Neff for total costs in wages/fica/perf with the pay raises-\$30797.

The amount will be transferred to the appropriate line-items.

Discussion-Mr. Robertson related that when they had approved the raises for the judges last month he wants everyone to understand that he gave his word and will not go back on it. Ms. Casebeer also agreed. The Judges also added that they took them at their word and have absorbed the changes for the last several weeks awaiting this process tonight. Mr. Wood feels they will have to put things back on the table because they do not have the resources needed at this time. Mr. Burton feels there is not enough monies to make it to settlement. Judge Quillen disagrees that settlement isn't the only possible monies available. She reiterated that she writes/obtains grants and has for years to help and can be used to help absorb raises. She again feels that she has given \$30000 back to the county and that the \$13000 is all they are asking for and it very unfair to her and her staff to keep bearing the workload and to keep making the sacrifices. Mr. Neff added that the county has other revenue sources than just settlement. He feels income tax will be adding to the cash balance. Ms. Sheese commented that she will be coming with a proposal for her staff, Judge Quillen offered to help her with a proposal. Mr. White added that we do need raises but we've got to stop the bleeding first.

Following discussion-Mr. Robertson made a motion to amend and separate Courts and PSAP out for individual votes; seconded by Mr. Neff. Motion to approve the amendment carried 5-1/opposed/1-abstention-Keith.

The motion left on the table now was for Circuit Court-\$13000. Mr. Neff offered that he had worked closely with the Judges to prepare the proposal however he was not in favor of the raises.

What/How do they handle everybody else on the agenda for further discussion

At this time a vote was taken to approve the request. The motion was 3 in favor: Hess/Robertson/Casebeer and 4-Against Keith/Chesser/Wood/Neff. Motion did not carry.

The next motion was made by Mr. Neff to restore the previous budgeted amount in the 2022 Budget of the \$30000; seconded by Mr. Hess. Ms. Casebeer stated that not too long ago they had a hiring freeze and that's long gone, no raises were given and that she just wants the Council to make the decision and stick to their guns! A decision was made at the last meeting and a snowball effect has now happened. Mr. Hess is very disappointed in the council that they said yes last month, and they agreed to it. It will now be up to each department to come to them. Motion carried 7-0 to restore their original budget. Extreme frustration from the judges with the overall process and being denied because other departments can't. Ms. Edwards offered this is what had happened to the Assessors Office two years in a row and cut two people and left the office with challenges and hopes they appreciate that they took his money and now have an office with three new people. Finding qualified people and retaining staff with the current pay amounts has become extremely challenging and will only get worse. This is Personal!

At this time a motion to approve the PSAP pay raises request for \$30797 was made by Mr. Hess; seconded by Mr. Robertson. Ms. Chesser reminded them that this would be supported by their own cash balances and that is why she is in favor of this. Motion carried 4-2-opposed- /1 abstention-Keith.

Ms. Reeves offered those others will be coming in and asking with their available monies to present like requests. She feels that if anyone else asks that they will put the Courts first and that Council needs to get a handle on the general fund balances and revenue streams to move forward. Ms. Stutsman related once again that it is going to be extremely difficult during Spring Settlement with only two people as she has lost half her staff and meeting Internal Control standards. She reviewed the amounts of monies that were taken in 2021 and that process does not include the daily job duties required. She related that the County will possibly not get their money on time and had even checked with the State to see what would happen if they didn't get it done. Re-emphasized that they need to fund their departments. Ms. Reeves added that today was an example of concern for the office as she had to let one of her employees help over there today as her employee was out sick, but that also short staff's her office.

Public Hearing was closed at 8:10pm.

911 Kathleen Lamb related that she had hired back an employee but was still two employees down. She does have a newly hired employee that has been called for active duty and they will make it work until his return. The J&K Radio Project and 100% of her equipment is in and are awaiting the next step. She requested transfers to finalize the pay raises for the FICA Line-item. Motion to approve was made by Andy Wood; seconded by Chuck Hess. Carried 7-0.

Highway Greg Melton started with saying his staff was cut to the bare minimum with eight employees out right now with Covid. He then explained that the county could get additional monies with the Community Crossing Grant in the amount of \$1,333,333 but it would require an additional appropriation of \$83333. The original appropriation is in the amount of \$250000. Mr. Neff agreed that they shouldn't pass up an opportunity for additional money and not to leave money on the table. The Grant is due by January 28th. Mr. Neff made a motion to commit to the full amount to be paid from the LIT Edit Fund; seconded by Mr. Hess. Motion carried 7-0. Advertisement for a Public Hearing at the next meeting will be done by the Auditor. Mr. Burton added that there is a possibility that ARPA monies could be used also. Ms. Reeves added that a copy of the new Highway Budget was provided with the cut that had been made per the DLGF cuts that had been made.

Sheriff Hobbs presented a request to transfer funds from his Jail Housing-#4906 in the amount of \$80000 for vehicle rotation to the #1170 Fund for the purchase of vehicles. It would be an Internal Loan for cash flow purposes and must be paid back by 12/31/2022. Mr. Hess made a motion to approve the Internal Loan from

Jail Housing to Jail Lit in the amount of \$80000; seconded by Mr. Robertson with the amendment of pay back by 12/31/2022 with the approval of Resolution 2022-002. Judge Quillen asked for verification that this was for vehicles, and why it couldn't wait. Mr. Hess related that the rotation for vehicles became a necessary process due to emergency situations and Mr. Neff added that a couple of years had been skipped. Motion carried 7-0. Next Mr. Hobbs had Deputies present to ask about Holiday Pay and a letter that had been received that some were required to pay back monies due to over payment. Sgt. Browning related that he had never received a copy of the County Ordinance and that they also work ten-hour days and are having to use two hours of their time for the differences. He emphasized that the County Personnel Policy says that any changes to policies that they were to receive copies and he had not. Sheriff Hobbs accepted responsibility (Ms. Reeves noted that it has always been practice that the Elected Official was to inform staff) of not informing his staff and asked that they be given the holiday pay in full. It was agreed that the Personnel Policy Manual needed to be updated with multiple concerns/issues by Mr. Burton. Sheriff Hobbs stated life is not fair and there are big hurdles facing them all and if they can find a way/avenue to do this please do so. It is not fair to keep punishing departments and employees and changes are necessary. Everyone is going to have to come together, put God first and pray about it and forgive each other—and move on and forward.

A motion to *Not* take back the monies from the twelve employees through January 17th and pay them their ten hours for the third quarter due to the Sheriff taking responsibility of not making policy notification was made by Mr. Hess; seconded by Mr. Robertson. Motion carried 6-1 opposed/Neff. Mr. Neff feels they should have further input from the Attorney/Commissioners, put pause on it until can be revisited. Further review due to the difference of hours in the policy versus the number of hours they work will be discussed. It was noted that the current policy was approved in January 2021.

EMS Cris Lunsford thanked members for the appropriation for his new vehicle. He provided total run numbers for 2020-3013, 2021-3504. He has three employees out with Covid, so he has been working several overtime hours to keep ambulances on the road. He wanted to add that Pandoras box had been open long before Kathleen, she had just gotten there first. He referenced fast food salary rates were even more than his EMT's are making at \$12.19/hr.

The Asset Management Plan was tabled.

A motion to allow President Polly Chesser to sign the Salary Confirmation Summaries for current changes 2021, and for all 2022 full-time and part-time employees was made by Mr. Wood; seconded by Mr. Hess. Motion carried 7-0. Mr. Neff related that some of them due to the previous decision of changes with the courts and will be corrected for signatures.

Mr. Neff had spoke with Mr. Bryan and a new Ordinance 2022-004 has been prepared to connect all the Wages, Job Descriptions, and Policies due to some confusion at the December Meeting even though Council had adopted the job descriptions that were part of the job classification study. Mr. Neff read the Ordinance in its entirety. He then made a motion to enter it into record and take action on it; seconded by Mr. Robertson asked if this addressed Mr. White's concern, saying that the new job were handed out prematurely and that this is our structure until council takes further action. Mr. Robertson clarifying that under this structure that Mr. White does not qualify for the education component. Mr. Bryan was to talk with Mr. White directly and would be inappropriate to discuss in this meeting.

Mr. White said he had talked with Mr. Bryan earlier but there was no discussion about this issue. Mr. Hess does not want to vote on this until Mr. Bryan had offered legal opinion. Mr. Neff says this does not apply to his concern. Mr. Hess says this does not confirm; he needs Jim's opinion. Mr. Wood-Would this hurt in delaying a vote. Mr. Neff says this will delay the process until March. Mr. Neff had other reports to present with this.

Ms. Chesser tried calling Mr. Bryan-no answer. She asked if the 2016-001 Ordinance connecting the Job Descriptions, Compensation Structure and Wage Study.

Mr. White feels there are no ties with the 2016-001 Ordinance to the 2018 Job Descriptions and it keeps certain employees from getting the components. This Ordinance would connect and solidify the spreadsheet and no changes with anything. He feels Mr. Neff and the Attorney were the only two working on this and why does the Council continue to let this happen? Mr. Wood stated that it was read aloud and exactly what is he asking. Mr. White asked if any of the other six members had worked with Mr. Neff on this. Mr. Wood stated he works with Mr. Bryan every week. Mr. White again asked if he worked with Mr. Neff. Mr. Neff related that Ms. Reeves had also been part of the meeting. Mr. Bryan had related to Mr. White that he was working with Mr. Neff on this. Mr. Wood asked for Mr. Neff to go on record right now was this published by Mr. Bryan. Mr. Neff stated that Mr. Bryan wrote the Ordinance. Mr. White feels that it still has no threads tying it to the new descriptions. Mr. Neff said he was sorry that Mr. White felt it was some kind of conspiracy and that he does not play those games-get the personal out of it and he professional. The technical concern, Jim has all the answers that he is asking about. Council voted 6-0 in December to proceed with that Plan and have it drafted. This is not a conspiracy and very unprofessional to bring him in to it. He has nothing against Mr. White and does an outstanding job in his position and this needs to be resolved separately. Mr. Hess says the piece of information he needs to make an informed vote is missing. The motion on the floor had been made by Mr. Neff and seconded by Mr. Hess.

Mr. Hess asked if Mr. Neff would make a friendly amendment to have Mr. Bryan come back to them and explain the issues at hand. All members agreed and the motion carried 7-0.

Mr. Neff also added that in their packets was outlined policies, dates, challenges they face and action items. He referred to page three for proposed action items giving categories and the next step of building a new system/framework. Copies of all Attachments include original documents for comparisons. All members gave a general consensus to move forward with preparing documents for the February Meeting.

Elected Officials-

Donna McElroy just wanted to support the Judges in their requests. It is very unfair that some departments are out of the general fund and can't support increases. Proposals were requested and please listen to them.

Mr. White asked who was over the Job Descriptions. Mr. Neff related as he was under the Commissioners as an appointment, they would have some developmental stuff and what the position would be. The final configuration would then be adopted by the Council. He came to this group last month with a job description and has been following it for over a year. Mr. Neff said it was not the right one. The next morning, he got a copy of the meeting minutes from November 2020 where in fact the Council had voted to adopt the new job descriptions. What one is he supposed to be operating under. Mr. Neff stated that the new ones were what was to be following. They were unaware that the descriptions were distributed in the prior year. Which is why one of the steps tonight was to confirm them. He feels that the intent in that meeting was to accept those as a report/product from the consultant, not approved descriptions.

Public-

Barron Barnett just wanted to state that the Readi-Initiative Monies connected to the Comprehensive Plan was a way to get into Regionalism.

Lastly, Council reviewed the 2022 Liaison Appointments. It was noted that the IT position could be taken out. Mr. Neff made a motion to keep the appointment's the same; seconded by Mr. Keith. Motion carried 7-0.

A motion to adjourn was made by Mr. Hess.