

Randolph County Commissioners

June 17, 2013

The Randolph County Commissioners met at their regular meeting at 9:00AM in the Commissioners and Council Room in the Courthouse with the following members present: Board President William Terrell, Michael Wickersham and Gary Girtton. Also present was Randolph County Auditor Mary Ann Lenkendorf, Sheriff Ken Hendrickson and County Attorney Meeks Cockerill. Max Holaday attended for the Council representative.

Pledge of Allegiance was led by the Commissioners.

William Terrell, President presided over the meeting.

Comp time discussion- joint meeting with County Council

Commissioners started their meeting jointly with County Council to discuss comp time issues. Those present from County Council were Rick Brown, David Lenkendorf, Max Holaday, Gary Friend, Bob McCoy, Tom Kerns and Jay Harris. Paula Albin was present from the Auditor's office.

Paula Albin stated that she provided sheet of individuals for payout of 220 or 440 hours. The amount of hours selected is due to individuals still accruing time and being able to process and advertise the amount paid for the next pay period. Gary Friend stated he was in favor of paying down to the 220 hours. Bob McCoy asked what departments could take that hit to their budgets other than the highway. Albin replied none could according to the best of her knowledge. Gary Friend stated the highway could pay their amount from their budget. Meeks Cockerill stated there had been the discussion to pay the rest from rainy day or excess cash in county general. Gary Friend stated we just need to pay it and let Commissioners set the policies for everyone to follow. Max Holaday asked what are we going to do to keep this from continuing on. Michael Wickersham stated there needs to be a trail and mechanism if comp time is necessary. Then it needs to be approved and signed off. The concern I have is some of this comp time is coming from departments that Commissioners have supervision over since there is no elected officer. There needs to be a policy drafted when they can take overtime and we know why. It needs to be approved by one of us. The discussion led to what would be in the new handbook. David Lenkendorf asked are we going to ask all the departments to start taking their time off. Right now the county can't afford the amount. Maybe that needs to be part of the policy going forward to have checks and balances. Gary Friend stated that next year there needs to be a plan so that everyone one has used their comp time within a ninety day period. He has seen that comp time has gone down. William Terrell stated the sheriff's department comp is quite high but if they are on an accident at 4 PM they may not get away before 8 or 9 PM. Ken Hendrickson stated the officers have to take mandatory time off if they get to a certain point. Jay Harris stated that EMS is trying to keep under the maximum hours by having three part time people go to full time. Michael Wickersham stated that once the job descriptions have been evaluated some individuals could become exempt. Comp time or overtime would not be available to them anymore. That doesn't answer the question how they will use up the time they have. If we don't have the money then employees are going to have to take the time off so that it is done in an organized manner not to disrupt the services of the county. We will just have to work through this. Gary Friend stated that this issue is not a gray area anymore and we shouldn't be having this problem again for a long time. Gary Girtton stated they will need to continue to report comp time from month to month. They will be tracking the month to month for increases and decreases. Resolving the issue will be something else but this should help in resolving the issue. Discussing where to pay the excess comp time from, Gary Friend felt it should be paid from the rainy day fund. Mike Wickersham also agreed it should be paid from the rainy day fund. Bob McCoy felt that in the future any overage should come from the department's budget and that will make them more responsible to make sure it doesn't happen. Paula Albin stated there needs to be clear understanding to the department heads and elected officials so they are aware of the situation. It cannot continue to happen and they need to be making plans to reverse what has been done. Meeks Cockerill stated the Commissioners should have a meeting with all of them. County Council President Max Holaday called for a motion to approve paying the comp time. Bob McCoy made a motion to pay individuals back to 220/440 hours with the money being taken from the rainy day fund. Gary Friend seconded. 7 aye votes cast. Motion carried.

Paula Albin stated that the individuals on the list would be paid on the next payroll cycle. Mike Wickersham wanted to make the statement at least with the departments Commissioners are responsible for that we do not want more overtime until we have policies and procedures in place. He wants to keep track and know where we stand whether it is every two weeks or monthly. According to the report it has helped by the overall totals going down. Paula Albin stated that is true in most cases but there are individuals that still accrue more time. Gary Friend hoped that Commissioners could talk with those departments. William Terrell wanted to get a memo out to have a meeting with the department heads. Michael Wickersham asked what was going to be stated in the memo. An overtime form was reviewed by the Commissioners. Gary Girtton would like to use the form that would require the employee and

supervisor to sign for the comp time. If using the comp time form Paula Albin wanted the departments to keep the form in their employee files and be made available if there was an audit. Mary Ann Lenkendorf asked Commissioners how they wanted to handle the departments Commissioners are responsible for. Gary Friend asked what kind of mechanism is going to be in place to keep department heads from allowing the employee to go over the maximum. As a governing body, we should know that. Meeks Cockerill stated you need to talk with the department heads so they know what is going on and what will happen. Mike Wickersham stated I think the departments that we are responsible for need to be talk with first. He stated the departments that have an elected official, that elected official should be the one responsible to make sure their employees don't have a comp time problem. Wickersham stated it is not that I am mistrusting anyone but we need to know where we stand and have communication between those departments. Max Holaday stated that all the departments need to understand that in the future if they are running into this problem they will have to find funds within their own budget to fund it. Commissioners set a special meeting time on June 24th at 9:00 AM to meet with all the department heads and elected officials. Meeks stated he would like to start using the form when they meet with the department heads next Monday and also incorporate the form into the handbook. Meeks would like to adopt the policy handbooks in July and if there is a problem then amendments could be done. With no further discussion, Jay Harris made a motion to adjourn the County Council meeting. Rick Brown seconded the motion. All aye votes cast. Motion carried.

Dawn Moland - present overview of her animal shelter

Dawn Moland was present and brought her assistant Penny. Moland stated that she would like to contract with the County for assistance with animal situations. Moland stated our shelter is close to Dishman Meats off of US 27 South. Meeks Cockerill stated this is different than the county's animal shelter that is run by Dr. Dale Hendrickson. Michael Wickersham said to Ms. Moland that after reading your presentation it appears you are called to work with law enforcement. Then there are other times that you do not have that cooperation. Dawn Moland stated there are conflicts when dispatch calls her to pick up an animal that is abandoned. Then an officer shows up and questions her about what authority she has to be there. Moland stated she has five acres at her property and rescues all types of animals. She has people who will house the larger animals. Michael Wickersham stated that it appears you need to develop a relationship with the Sheriff's department and Commissioners would not be needed right now. Moland stated she hears conflicting reports coming from the sheriff's department. People will call dispatch and someone there says they don't use her any more. Then later someone from dispatch will call her to go pick up an animal. Ken Hendrickson stated the sheriff's department does not go out to pick up stray dogs. Someone may call her from dispatch. Hendrickson stated the incident she may be speaking of, was when a citizen called her to pick up an animal and the landowner was there on the property. Moland has no rights to go onto the property and take the animal. It all depend if there is a signed surrender form. Moland stated we do have the person sign the surrender form. Moland stated we keep the animals indefinitely and try to find them homes. We will get the animal spayed and get their shots up to date. There is an adoption fee to help pay for the animal expenses. William Terrell stated I am not sure exactly what is needed from the Commissioners because I am not sure how we can do anymore. Ken Hendrickson stated that Ms. Moland could be one of two people to be called to get stray animals. Moland stated she would like for everyone in the Sheriff's department to know that she is available to pick up the stray animals. Meeks Cockerill stated that if the Sheriff's department does not want to use you for whatever reason then we can't help you with that. Moland stated that she gets passionate about animals and sometimes forgets about what is allowed by the law. William Terrell thinks she needs to talk with the sheriff's department and workout whether they can use your services. The county does not see the need at this point to enter to any contract. Meeks Cockerill stated that he would like William Terrell to talk with Dr. Hendrickson about the animal shelter contract since it has expired.

Eric Livingston, Airport and Jason Clearwater, Butler Fairman-Edit additional monies

Eric Livingston stated since April 3rd we have gotten approval from the drainage board for the project and opened bids on June 3. He provided handouts showing a map of the airport parking apron. The numbers on the spreadsheet showed the apron area will be doubled in size and the taxiways between the "r" areas need redone. The total project is \$1,298,200. This amount was submitted for the FAA grant. The breakdown of the project is \$1,168,380 federal share, \$32,455 State share and \$97,365 is the county share. In June, 2012 \$80,000 was approved from edit funds and since the scope of the project changed somewhat that will leave us short of the matching funds. We are asking for an additional \$18,000 to cover the local match. Meeks stated if you want to fund the additional from edit then the edit plan would have to be amended. Eric stated we would not need the money until the bills started to come in which might be late summer. Michael Wickersham made a motion to amend the edit plan to allow for the \$18,000 for apron rehabilitation and expansion of the taxiway project for a total cost of \$1,298,200. Gary Gitron seconded the motion. All aye votes cast. Motion carried. Meeks stated he will be amending the plan. Eric stated the FlyIn breakfast turned out well with around 40 aircraft and serving 500 people at breakfast.

Nick Poling- KISS TV- proposal

Nick Poling, Director of KISS TV stated he wanted to give a proposal on installing the camera equipment and broadcasting the meetings on a regular basis from KISS TV and have it available to the public on the website. He heard there are concerns and nothing has been purchased at this point. He wanted to answer the questions that Commissioners might have. William Terrell stated he was totally against mounting a camera on the ceiling unless the taping is done on a tripod in the room. Michael Wickersham stated they

are not the only ones using this room and if the room was only for them then he wouldn't be concerned. Poling stated if it is a matter of control we could give Commissioners the controls. Wickersham stated it goes back to the use of the room. Other people that use this room have concerns about the camera being here. Attorney's and clients use this room and there are a lot of uses for the room. I am getting push back from departments and individuals. Poling stated part of the reason to do this is to make the meetings available to everyone. Sending students over to the Courthouse takes away from classroom time due to the length of your meetings and the traveling. Poling wanted to see if there was anything he could do to get the project going. Meeks asked who would own the equipment. Poling stated the school would own the equipment. William Terrell asked who was purchasing the equipment. Poling stated the city is providing franchise fees to the school for the equipment. Time Warner Cable fees are paid to the city for however the city wants to want to use them. When I worked in Richmond the fees were split between the city and public access television. Meeks Cockerill stated his problem with this is why you would want another entity to pay to put something in your building. If you wanted to provide access why not pay for it yourselves and the county would own the equipment and you could give them access if you choose. This would be in the case of something happening to the equipment. Mary Ann Lenkensdoffer stated we can do it now with the system we currently have. Our systems allows you to do audio or audio and video. I have a quote for the audio from BIS. Meeks stated the City of Winchester does audio now. Poling stated he could give guidance in a system that could be your own to have control over. He stated that maybe it would be something that we could share the access. Gary Girtton stated he would like all our meetings made public so it could be viewed at a different time. He is also concerned about the control of the cameras. He thought it is something we could pursue on our own. Poling stated CDO is a company that he could have the county look at since this group would do all the installation. Terrell stated he thinks we need to purchase the equipment ourselves if we decide to do it. I am not sure that we should even go that way. William Terrell stated I would like to have more discussion before doing this. Wickersham asked if we would decide to do a live broadcast through our website then is that something that you would want to tag into. Nick Poling stated he would like broadcast this over their cable system as well since not everyone would want to watch it on the web. Michael Wickersham stated that maybe the word needs to get out to departments and others to get a feed back before making a decision.

Barbara Sha Cox- questions concerning wind farm projects

Barbara Sha Cox stated she does not live in Randolph county but owns ground on County roads 300 South and 200 East. As a taxpayer I have a list of questions concerning the wind farm. I have searched around and could not find the answers. If you can't answer these today I would like them sent to me and also made a part of the record. It is noted that her comments of page numbers and questions came from the road use agreement used for wind farms.

1. On page 13 & 14 of the wind ordinance, the company has 180 days to reach an agreement for interference of TV and cell phones. There are several people in the county that transcribe for a living and many do not have land line phones. I have read in the Kokomo Tribune on 6/5/13 there have been 23 complaints in five month about cell phones and TV reception. What are the specific guidelines that the company must follow during this 180 days? Six months would be way too long. Who will oversee to make sure the company is addressing the complaint? I noted 30 days after the Executive director of APC shall investigate. What type of technical things will they be identifying and what training will be needed to do this investigation? Who will pay for this training? The taxpayers or the wind farms? If there is no seminar for them to go to will we need to contract with an outside person that has this knowledge? Will that be on the tax payer or the wind company expense?

2. On page 15 & 16 of the wind ordinance - Liability insurance-I noted there is a bond for roads. However, I do not see any bonds for liability for citizens. How will it be confirmed that policy is in good standing at all times? What provisions are included if the company is in bankruptcy? Do we have a penalty for the company if there is a lapse in policy? How many days can they be out of compliance? The policy must be in dollar amounts satisfactory to the Board of Commissioners. What criteria will be used to determine this amount? Will the number of homes or citizens in the area be considered? It is common knowledge the turbines throw ice which with our county's history of ice storms it would seem this should be part of the criteria. If the citizens are not going to be protected by the bond, what amount are you going to put on the citizens of the area?

3. Due to the breaking systems, we know that turbines can catch fire. Does our fire departments have the proper equipment and training? If not and it is needed, will the taxpayers pay for the equipment and training or will the company be responsible for the cost to be prepared? As a taxpayer we pay a lot of taxes and it is important that the tax payers are protected.

4. We are hearing about the site maps but when will the site maps be available to the citizens of the County? I understand confidentiality of business agreements but from all I have read that must be done. It would seem reasonable that these sites should be made public as soon as possible.

William Terrell stated site maps should be available this fall. Meeks Cockerill stated the contracts haven't been finalized yet so construction is to take place later this year. Most contracts state that maps are available 60-90 days prior to construction. Meeks asked if he could have a copy of her questions. She thank Commissioners for her time. Michael Wickersham asked if the answers could be made at their next meeting. Mrs. Cox stated as long as are made public. There is too much secrecy in all of this. William Terrell stated they would be made part of the record and Bill Richmond would most likely publish the answers in the paper. Terrell stated that when they visited White County the gentleman that was with them talked on his cell phone and we were 400 feet away from a turbine and he didn't have any problems.

Cynthia Acree-E911 ERS contract

Cynthia stated she needs an okay on a maintenance contract. The contract expired on April 1 and she didn't receive it until April 9th from ERS. There is a thirty day notice in order to drop the contract but she didn't receive in time. She thought of dropping the maintenance and they could pay ERS a trip charge as they go but there are a lot of projects going on right now. Acree wants to go ahead and pay this invoice and drop it for next year due to the budget. The amount has gone up to \$10,530. She wants to keep track how many times they are in the building. Gary Girtton asked what are you going to do if you go over the \$10,000. Acree stated she still pays for parts so it does not cover everything. Michael Wickersham asked how old the equipment was. Acree stated they just replaced equipment in 2009 so she is hoping for more years with the current equipment. She is currently updating equipment annually. Acree stated she talked with the company and they had been to the county three times in 2012. The trip charges are \$180 per trip so she feels that she could get a lot of trip charges for \$10,000. Gary Girtton made a motion to allow the President to sign the maintenance agreement with ERS. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Cynthia wanted to make Commissioners aware of changing to Comcast cable from a 56K line. The 56K line will be phased out by the end of the year. Acree stated she should be saving around \$50.00 per month by doing this. She uses the Indiana Department of Technology who is using Comcast and Fred Hoffman thought it would be better to switch to Comcast also.

Michael Wickersham asked about the Text to 911 which is a voluntary project. Wickersham read an e-mail that said you have the option to participate and it would be available to the PSAP. Acree wondered how new the equipment had to be in order to handle this. She had talked to Barry Ritter previously about another program that our current PSAP could not accommodate. It comes back to money in order to update.

Wickersham asked since budget time is getting close has a meeting had been set up with the operation committee. Wickersham stated the parties need to come to the table and work out a plan. William Terrell stated he had asked the Union City Mayor about setting up a time for a meeting but had not heard anything. Wickersham stated that he hopes the six people on the committee can come to an agreement to move this forward. It won't move forward until everyone meets. Acree stated in talking with Jessica in the Auditor's office by the end of the year she would only have \$24,000 to start next year. The phone bill alone is \$80,000 per year and I have enough money to pay it this year. She stated benefits are \$110,000 out of her budget. William Terrell stated he is willing to sit down anytime and work out things.

Wickersham stated Bill you just need to call the meeting and if someone doesn't want to show up then what ever the plan becomes that is what you go with. William Terrell set the meeting for the operations executive committee at 10:00 AM on June 24th. It should be noted that after the Commissioners meeting the time was changed to 11:00 AM on June 24th.

Ed Thornburg- update on phone situation

Ed stated he talked with a representative from Telecom who takes care of the county office phones at the RCFO building. Their services will cover the three offices with the exception of the health department since that department has their own system. We do not have a contract with Telecom. Phil Silvers is the official contact person for the building. Telecom told Thornburg that when they come to open the port for our office that will open the ports for the other offices. If we drop or remove an enhancement Telecom does not have to do anything. One call will take care of everything on the list and will apply to the other three offices. The cost will be approximately \$300. Michael Wickersham made a motion to approve the request from the Surveyor for the phone system change. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Regular Claims \$295,830.74 and Payroll Claims \$196,297.05

Michael Wickersham made the motion to approve regular claims of \$295,830.74 and payroll claims of \$196,297.05. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Minutes of May 6, 2013, June 3, 2013 executive meeting

Michael Wickersham made the motion to approve the minutes of May 6, 2013 and June 3, 2013 executive meeting. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Clerk's monthly report

Michael Wickersham made the motion to approve the Clerk's monthly report. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Treasurer's monthly report

Michael Wickersham made a motion to approve the Treasurer's monthly report. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Edit monthly report

Mary Ann Lenkendorf stated that Camp Yale made another payment today. William Terrell stated that still makes him three months behind. He would still like Curt Gram to come before the board. Michael Wickersham stated we have the report but it would have been nice if Curt would have explained a few things on the report. Mary Ann Lenkendorf stated that when she had talked with Curt Gram he could not attend your meetings. I told him I would take the report and would let him know if Commissioners wanted anything additional. Mary Ann stated that she would contact him again to see if he was available to attend the first meeting in July. Wickersham stated if he can't make that meeting then have him call Bill Terrell.

Gary Girtton made a motion to approve the edit monthly report. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Edit Claims- Town of Saratoga 10,000; Town of Lonsantville \$10,000; Town of Modoc \$10,000; City of Union City \$10,000; Town of Ridgeville \$10,000; Town of Parker City \$10,000; City of Winchester \$10,000; Town of Farmland \$10,000. RC Economic development \$15,833.33

Gary Girton made a motion to approve all the edit claims as presented. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Renovation Claim -- ASI Modulex \$403.70 informational signage

Mary Ann stated this invoice was for several signs that were needed as direction in the courthouse and would like to pay this from the renovation funds.

Gary Girton made a motion to approve the renovation claim to ASI Modulex (signage) for \$403.70.

Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Discussion of cement extensions for courthouse benches

Michael Wickersham stated that he had talked with Terry Hunsucker who had been instrumental in putting the benches around the outside of the square. He is ready to proceed to phase two of the benches. Hunsucker would like to put nine benches on the inside of the square on the existing pads. He would like six foot benches but the existing pads are five foot. Hunsucker indicated that he would pay for the material and labor to expand the pads. This would be an extra heavy pour with rebar attached to the existing pads so that it would be less likely that the extension would break. Hunsucker would sell the benches for the inside of the square. We have had the discussion before with Winchester Main Street that the original benches were purchased by other people. Main Street wants that recognition to remain with the new benches. There is a commitment from Terry Hunsucker to work with Winchester Main Street to make sure that happens. The thought is there could be multiple plaques on the benches. Wickersham didn't know if Main Street has the funds to handle the plaques and the benches. Wickersham stated he would like to tell Hunsucker to have the contractor get with Jake and review the nine pads around the square. Prior to that time there needs to be a meeting of Terry Hunsucker's group and Main Street to talk about proceeding with a six foot bench and everyone be in agreement. Wickersham stated Jack Hiny is going to be the contractor to expand the pad. Gary Girton made a motion to allow Terry Hunsucker to expand the concrete slabs with the provision that Hunsucker work out the issues with Winchester Main Street. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

WorkOne-Alliance for Strategic Growth Lease

Meeks Cockerill stated he had the contract ready for Commissioners to sign the lease with Alliance for Strategic Growth (WorkOne) and the contract has already been approved but not signed. He also needed to know what Commissioners wanted to do with Youth Services Bureau contract. Wickersham stated that he felt Youth Services Bureau could pay the new rate of \$9.50 per square foot. There had been good reason why Youth Services Bureau did not pay the higher rate for the basement room. He thought if they could satisfy the problem with the heat and cooling in that room then the higher rate could be charged. Wickersham stated that Youth Services Bureau is not complaining about the heat or cooling but we did provide heat for the additional GRIC space in the basement. Wickersham would like to see a baseboard heater put into the room for the Youth Services Bureau.

Citizen Comments

Jim Wallace, Winchester commented about the cameras in the ceiling and videotaping the in future. He asked shouldn't the citizens have some input of whether to do this or not. William Terrell stated that Mike had already said that we should hold up until we get some input from the public. Terrell agreed that the public should come to the Commissioner's meetings if they can. Wallace stated some people would object to being on camera. Wickersham stated he has heard a lot of objection to putting the camera in here from people using this room. Wallace thought maybe a survey should be done. Wickersham stated there are many ways to reach a Commissioner and thought a survey would duplicate the issue. John Reese, Lynn wanted to thank Barbara Sha Cox for her questions and he would like answers to those questions also.

Bill Richmond, Winchester questioned when KISS TV was told that Commissioners might buy the equipment and KISS would buy the rights for their station. Was that part of the discussion? Meeks Cockerill stated they would not be using our equipment but would have a feed back to the station. Richmond stated he wasn't sure of KISS TV status but thought they sold advertising. The paper would see them as competition. The paper would not be satisfied with someone using taxpayer money to sell business advertising. The newspaper would see that as competition. Wickersham stated we will not be buying anymore equipment unless we go with video. The Commissioners agreed the News Gazette could do an audio feed from the website along with KISS TV if they decide to do this.

Adjournment

Michael Wickersham made a motion to adjourn. Gary Girton seconded the vote. All aye votes cast. Motion carried.

Reviewed and signed this 19th day of August, 2013.

RANDOLPH COUNTY COMMISSIONERS

Chelle M. Tandy

Mary Ann Lenkensdofe

John Gordon

ATTEST: Mary Ann Lenkensdofe
Mary Ann Lenkensdofe, Auditor of Randolph County