

PERRY COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
August 5, 2024

The Perry County Board of Commissioners met at 9:00 a.m., as was duly advertised. Commissioners: President Randy Cole (RC), Rebecca Thorn (RT), and Randy Kleaving (RK) were in attendance. Auditor Kristinia Hammack, Sheriff Alan Malone, and Attorney Andrew Foster were also present. There was no *News Representative* in attendance.

The meeting opened with all present reciting the Pledge of Allegiance.

AGENDA

RK made a motion to approve the agenda, seconded by RT. Motion carried 3-0.

PUBLIC COMMENTS

- a) none

MINUTES

- a) 07.16.2024

RT made a motion to accept as presented, seconded by RK. Motion carried 3-0.

- b) 07.19.2024

RT made a motion to accept as presented, seconded by RK. Motion carried 3-0.

ALAN MALONE, SHERIFF

- a) Vehicle lease and vehicle issues

Sheriff Malone stated that in the last three and one-half years, the County has had a lease for five Dodge Rams, and that lease expires in February 2025.

Malone stated there are two options:

1. These Dodge Rams can be traded in for a value of \$18,000 each. This value would be added to the lease.
2. These five Dodge Rams can be kept and the payout on each vehicle will be \$3,820.20. The total to purchase all five lease vehicles will be \$15,280.80.

Malone stated that looking at the current lease, the County is in good shape. However, these vehicles are out of warranty. He is asking the Commissioners to approve trading in those five trucks as well as three to four other vehicles, and then take this on to the Council. This would put eight to nine brand new vehicles on the road. The cost of eight vehicles is \$60,091 per year for a three-year lease, and \$53,556 per year for a four-year lease. In addition, a four-year lease for nine vehicles would be \$62,855.05 per year. With Dodge, the screen, lights, and console can go from the older vehicle to the new vehicle. In addition, some of the lights and sirens from the old vehicles can be used. Looking at upfits and associated things like this, it would cost approximately \$40,000 to equip the new vehicles, and Malone hopes to pay this amount out of commissary.

If the nine vehicles get approved, this would leave a 2023 as the oldest vehicle in the fleet on the road every day. Malone likes the lease option, putting nine vehicles on the road with full warranty. Warranty is 100,000-mile powertrain. Malone is seeking the Commissioner's approval to get rid of those vehicles and go with the lease for nine vehicles. The older vehicles can be taken out of the fleet and traded in.

RT asked if the five Dodge Rams in the current fleet are all out of warranty, and Malone stated yes. RT asked if Malone can get an extended warranty on the lease, and Malone stated no, it is 100,000-miles on powertrain, and three-year 36,000 miles. RC asked if the vehicles in the current lease are 100,000-mile warranty, and Malone stated yes on the powertrain, which is the same as the new lease.

RC stated that if he understands this correctly, \$15,000 would buy the County five vehicles, and Malone stated yes. RC asked if they have approximately 60,000 miles on them, and Malone stated yes, however these are used everyday in a police capacity. RC stated that they have a warranty to 100,000 miles, and Malone stated on the powertrain only. RC asked either way, the County buys the vehicles in the current lease, and they are traded in, and Malone stated that if the County buys the vehicles in the current lease, they would only be approximately

\$3,000 each. Malone stated that the County can keep them, but he does not feel this is the way to go. The longer they are kept, the lower the trade-in value will be.

RC asked Malone what the plan would be at the end of the new lease, would those vehicles be traded in with 60,000 miles? RC asked if the County would be repeating the same cycle in three to four years? Malone stated he would love to see trading off 60,000-mile vehicles down the road.

RK stated he believes the intent three years ago was to try to keep the new fleet knowing it would be a payment every year, but the County would have new vehicles for Public Safety. Sometimes we say we cannot afford it now, but the County cannot afford not to do this. He supported the lease three years ago, and he supports it again. RK further stated it is more than just vehicles, it is a morale booster for the officers out in the field every day, that the County leadership feels that it is important to keep new vehicles for their safety as well as the public's safety. RK supports either the three or four-year lease.

RC stated that the County would be looking at nine vehicles, and have them all have the same miles, whereas if there was some type of an established program where the County is buying two or three vehicles a year, there could be more planning.

RC stated that one of the reasons the buyouts are so cheap is because under that lease, the vehicles had unlimited mileage, and the vendor calculated that many, many miles would be put on these vehicles. With these vehicles being in the 60,000-mile range, the vendor can sell them easily so they are willing to give \$18,000. The County paid for a higher lease over that period of time because of the unlimited mileage. He asked Malone if he is getting quotes on unlimited mileage, and Malone stated he is not sure. RC stated the County could potentially have a lower lease if the vendor would say the County could have a fixed mileage of 60,000 or 70,000 miles.

RT asked what are the major repairs on the current fleet? Malone stated the County has had no problems with the trucks.

Malone stated these vehicles need to be ready to roll at any time, and some of the older vehicles are breaking down. He does not feel this is fair to his deputies.

RC stated that the Council is paying a large amount of money to Baker Tilley to do the budget. He feels the County needs to wait and see how what they come up with.

RC stated with the Sheriff requesting nine vehicles, and the County has five of them that are relatively new, he would like to see the older vehicles gotten rid of. Malone stated he presented a plan months ago and it never went anywhere, and now this plan. He stated he needs to figure out what to do with these vehicles. RC stated that within a month or two, the Council will see what their budget is. He further stated that those vehicles that are \$3,000 each, the County will buy those and then it can trade them in on a lease or they can be driven. The County is not going to let the vendor have those vehicles at that kind of money. The County has overpaid for a lease for a period of time which brought the value of the vehicle down to a \$3,000 price, and to turn them back into the dealership, they would make \$15,000 on every one of these trucks.

RC stated that with Baker Tilly doing the budget for the Council, plus depending with what is done with taxation, he's hopeful the Council will have more funds available once this is completed.

Malone asked what is the process, if the Council has the funding to do this, does he then come back to the Commissioners? RC responded he would treat this as a budget item, and put his preferred plan in the budget. The Council will have those numbers and determine if the funding is there. RK stated the Commissioners could approve the three or four-year lease, with him supporting the four-year lease, and if the Council has the funding, it happens.

Malone stated another issue he has is that he has waited so long, he is not sure he can get the vehicles. He will try to get the vehicles, and hopefully the dealership can rush it. RC stated that Malone will not be able to commit to get vehicles until he has funding to pay for them. Malone stated that originally, he was going to ask for an additional appropriation now, not next year. RC asked why Malone would ask for it now, and he responded that he has to be able to order them now to get them in. RT asked how long it takes to get these vehicles, and Malone responded from experience it takes months. RT asked that the lease is up in February, and Malone stated yes, but the dealership has worked out a deal if the County will be

trading in the vehicles, in case they do not come in by February. The dealership will let the County keep the five trucks until the new vehicles come in.

RC asked if these are 2024 or 2025? Malone responded 2024.

RC stated that the budgets have to be submitted and in September is when all the number crunching is done. RC asked if this would be devastating if nothing was done for six weeks, and Malone responded probably not.

RC stated that the Council is currently trying to change the tax structure so that the Sheriff's facility gets proper funding. This is for operations and Public Safety. RK stated this lease is very important not only to the Sheriff's Department, but to the whole County. These deputies are generally the first responders out in the County. He is 100% for this lease. It might cost the County a little more money, but there are new vehicles every three to four years.

RC stated that with this lease, the County is actually buying an old fleet, and in new technology, the County would be skipping for another three to four years. He further stated that possibly the County wants this new technology in the new trucks for them to last.

RC stated that if the County needs to come up with a plan to purchase new lights and something that becomes interchangeable, then possibly they need to consider that as well.

RC asked what would happen if the County purchased these five vehicles and ran them a year, and leased four vehicles this year, and then waited another year and leased five vehicles? That was the County is not breaking its budget every cycle that these nine vehicles come back up. The County could set aside funding earmarked for vehicle replacement.

Auditor Hammack stated the Council will start meeting with Department Heads in August, with the work session three days in September. The adoption of the Budget will be October 12th, with everything having to be submitted to the Department of Local Government Finance by October 17th. RC stated once the Council get through the work sessions, they should have a rough outline where they are with Public Safety.

RK asked Malone if the County would go with a four-year lease, what would he budget in his budget to pay that lease? Would that be the \$62,000? Malone confirmed this, for the next four years. RK stated \$62,855 per year for the next four years to have nine new vehicles, and RC interjected that with this the County is not buying the vehicles, just leasing them. At the end of that period of time, Malone stated the County has an option to purchase them.

RC stated that it is his understanding that when they calculate these leases, they base them upon how many miles will be put on the vehicles and then end salvage value, and come up with a calculation. That is the reason the current vehicles can be purchased for \$3,000 each. RC would like to know what the buyout would be at the end of the four years, and stated the vendor should be able to provide that information to Malone. Chief Deputy Eric Dickenson stated that the vendor was going to give the County a little over \$18,000 per truck if they bought them back, which became the downpayment. RC stated that the \$18,000 times five trucks would come off the cost of the lease and then it would be figured accordingly. He further stated that reason the vendor is allowing the County to purchase those trucks for \$3,000 is because when the lease was originally put together, it was unlimited mileage. RC stated that either way this transaction works out, the County needs to purchase the current vehicles, and then the vendor will trade them back in against the lease. These vehicles are too good to let go for \$3,000 each.

RC wants Malone to focus on the older vehicles that have too many miles on them. Malone stated that is why he wanted to go with nine vehicles, that way most of the fleet would be new. RK asked when looking at a long-range plan, would it be better now to do the nine vehicles for four years, and when the four years are up, there would be some with less mileage on them, and do exactly what RC is saying to do four years from now? Keep the low mileage ones at that time, which will be splitting up the lease again.

RK made a motion to approve the four-year nine vehicle purchase lease for \$62,855.05 per year, no second. Motion died.

RT made a motion to table until the Council gets the 2025 Budget complete, seconded by RC. Motion carried 2-1.

KRISTINIA HAMMACK, AUDITOR

- a) Health Insurance Claims: \$101,906.44

RK made a motion to approve, seconded by RT. Motion carried 3-0.

b) Dental Claims: \$106.41

RT made a motion to approve, seconded by RK. Motion carried 3-0.

c) Vision Claims: \$122.13

RK made a motion to approve, seconded by RT. Motion carried 3-0.

d) Life Insurance Claims: \$1,447.10

RK made a motion to approve, seconded by RT. Motion carried 3-0.

e) Sheriff 3rd Quarter Pension Claim: \$31,214.50

RT made a motion to approve, seconded by RK. Motion carried 3-0.

f) Judge 3rd Quarter Stipend: \$1,345.61

RT made a motion to approve, seconded by RK. Motion carried 3-0.

g) 07.29.2024 Payroll: \$188,997.12

RT made a motion to approve, seconded by RK. Motion carried 3-0.

h) 07.29.2024 Payroll W/H: \$43,837.44

RK made a motion to approve, seconded by RT. Motion carried 3-0.

i) 08.05.2024 AP Claim Docket: \$291,041.58

RT made a motion to approve, seconded by RK. Motion carried 3-0.

j) True Roll Proposal

RC stated that at the last meeting, a proposal was presented regarding collecting and reviewing different deductions that have been applied to the property tax. Hammack stated this company searches outside of the county at a state level and other states. RC had several concerns that were expressed to him. One concern was the potential of identity theft, as some of these large databases collect all this information, and then have a data breach.

Another area of concern was if True Roll found invalid homesteads, outside of the ones already identified by the Auditor's office, then they could go back three years and try to collect the money. Hammack stated the County controls that. Hammack stated that an on-going audit is being done in her office for property deductions. Letters are being sent where a discrepancy shows, and the owner of record has until December 31st to respond. If no response by December 31, 2024, the deductions will be removed for pay 2025.

RC stated that if True Roll found an ineligible homestead, then they would try to claim the three-years of under payments. If the Auditor's office sends a letter out, the County is not going to reclaim any payments. Hammack stated she is not going to try to reclaim any of this money.

True Roll will find those people who claim homesteads in another state and in Perry County.

RC stated that the question then becomes, is it equal treatment under the law, because if the County decides to give anyone that received a homestead credit that should not have received it, and takes no action. Then the County hires a vendor who goes back three years and asks for payment, we are treating two different entities unequal. The County has to have consistency. Attorney Andrew Foster stated that as long as a particular city or location was not singled out, he does not feel that there would be any issue if True Roll found an ineligible homestead or the Auditor's Office.

Hammack stated that True Roll is in ten Indiana counties, and in these counties, they have found them a significant amount of money. Hammack further stated that the reason she does not want to go back three years is because she feels a lot of this is error on the County's part.

RC stated he feels that the Over 65 deduction is minimal compared to the Homestead credit as it puts the owner in a 1% rate. If you do not get the Homestead credit, you are at a 2% rate. RC further stated that with these ineligible Homestead credits, for those who are actually paying their taxes, they have had a tax rate increase due to the underpayment of these Homestead credits. RC feels there is a fairness to every taxpayer in the county that writes that check expecting equal treatment of all taxpayers. He feels that the County needs to look at the three-year look back on all the ineligible homesteads. Hammack asked RC if he is saying that anyone who does not provide the information by December 31, 2024, the County should go back three years on them as well, and RC responded that you would have to look back at the situation. There is a procedure to follow to do this. Hammack is okay going back three years on the homesteads, but the Over 65 deduction she is not.

RC asked Hammack to get a proposal from True Roll with exactly what they do because he believes the identity theft is a concern. The County might want to have this professional service chase down the homesteads.

RT made a motion to table, seconded by RK. Motion carried 3-0.

k) Annual review of all county contracts

Auditor Hammack stated there are many contracts that are out between different departments and vendors. The Auditor does not necessarily have copies of all the contracts. Beginning July 1, 2024, State law passed that the Auditor's Office has to upload all contracts in Gateway, through the Department of Local Government Finance (DLGF). Hammack would like to get where the County is reviewing at the Commissioner level contracts every October. She believes many contracts are set to automatically roll over. This is fine, but then you might find you have a contract for 1995. She feels an annual review of all contracts will also help to ensure all of the County contracts are on the DLGF website. Having these uploaded on the DLGF will give more readily access to these contracts. RC stated this is a State requirement, and Hammack confirmed this. RT asked how many contracts there are, and Hammack stated she does not know. Hammack would like the Commissioners to set up a work session or similar in October to review all contracts annually.

ANDREW FOSTER, COUNTY ATTORNEY

a) Title search for Onyx Road

Foster stated his search did not get very far. The lowest bidder for the title search came back and stated this is more complicated than he thought it would be, and he would not be able to do it. Foster has the other quotes ranging from \$1,200 to \$1,000 depending on the entity and both title searchers just provided a range for the cost. Knowing the County did not want to spend more than \$500, he is needing to know if the County wants him to go back and notify them of the maximum amount the County will spend.

RC asked Jane James, Recorder, if her office can actually research this, knowing the office can not have a legal opinion, but try to find out any information on this road? James responded that this is over their heads.

A public comment was made by Paul Alvey, representing Branchville Christian Church.

RC asked Foster what is the next amount for this, and Foster responded he has one who gave a range of \$250 to \$1,000, and said it would probably be closer to the \$500 range. The other was \$1,200 to \$1,500.

RK made a motion to authorize Andrew Foster to go up to \$1,000 to determine if this is actually a County road, seconded by RT. Motion carried 3-0.

COMMISSIONERS

a) ARPA-Approval to bid medical equipment

RC stated that due to the dollar amount, the County needs to bid for the internal equipment for the inside of the County ambulances. He is needing approval to advertise this. RC is hoping to have bids in by the next meeting and they can be awarded.

RT made a motion to advertise and accept bids up to 4:00 p.m. on August 20th, seconded by RK. Motion carried 3-0.

b) ARPA-approval of allocating \$30,000 for Federal Audit expense for ARPA fund
RC stated that at the prior Commissioner's meeting, he thought two additions were added, being \$25,000 for the Coroner and \$30,000 to be for Federal Audits (\$7,500 per year for four years).

RT made a motion for \$30,000 for Federal Audits, seconded by RK. Motion carried 3-0.

c) Perry County Economic Development Affidavit

RC stated there is a monitoring company that they currently have a contract with that monitors the site West of the Foundry and possibly in Troy. This company monitors for erosion, weeds, and items of this nature; it is an environmental thing. This affidavit needs to be signed by the Commissioners in order to pull Bond funds out to pay for this in the amount of \$5,600.

RT made a motion to approve the affidavit, seconded by RK. Motion carried 3-0.

d) Ambulance Service request for appropriation transfer

RC stated they have used nearly all that was set aside for subsidizing the service and we are half way through the year. The County sets aside funding for fixed items, and they want to transfer that from fixed items into the subsidy account. RT asked what are they going to do with this? RC stated to further subsidize their cost of operating the service. Hammack stated she had a phone conversation with Megan, and they have spent all of their \$275,000, and they have \$30,793.75 left

in their equipment line item. They are wanting to transfer that to Ambulance Services instead of doing an additional appropriation for Ambulance Services. RT would have liked to see more information regarding this. Hammack stated they are already out of the \$275,000. She further stated they forget about this additional \$35,000 every year. Hammack stated this is out of the Commissioner's budget, and if approved, it will go to the Council at their next meeting.

RT asked that the options are to approve this transfer for \$30,793.75, or let them come to the Commissioners for an additional appropriation? RC stated this is already appropriated, and this year the County allocated all those ARP funds, so they are probably not going to require any equipment this year. RC stated going forward, the County needs to establish a plan on how it funds these things.

RK made a motion to approve the transfer of these funds, seconded by RT. Motion carried 3-0.

e) The next meeting is Tuesday, August 20, 2024 at 6:00 p.m.

The meeting was adjourned at 10:20 a.m. CST.

RT made a motion to adjourn, seconded by RK. Motion carried 3-0.

Randy Cole
President

Rebecca Thorn
Vice-President

Randy Kleaving

*Minutes reviewed by:
Kristinia L. Hammack, Auditor*

*Minutes prepared by:
Leisa M. Ecker, Deputy Auditor*