

PERRY COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES
February 3, 2025

The Perry County Board of Commissioners met at 9:00 a.m., as was duly advertised. Commissioners: President Randy Cole (RC), Vice President Pam Jamniczky (PJ) and Rebecca Thorn (RT) were in attendance. First Deputy Kelli Wilgus and Attorney Andrew Foster were also present. There was no *Sheriff* or *News Representative* in attendance.

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

AGENDA

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

PUBLIC COMMENTS

a) Animal Welfare Board

Charlie Baumeister appeared representing the Animal Welfare Board in regards to the County Ordinance that County Attorney Andrew Foster has revised.

When Baumeister appeared last month, it was decided that Baumeister go back to the entities to find out if they would agree. Baumeister stated that these entities are waiting for the Commissioners to accept this Ordinance first before they will agree to it.

Baumeister stated the other entities are not going to accept the whole Ordinance, as there is some verbiage in it that does not pertain to them. The Animal Welfare Board's concern is that everyone is on the same page as far as enforcement.

Tell City is going to update their Ordinance to fit the enforcement. However, they are waiting for the County to adopt this Ordinance. RT asked Baumeister that the other entities are going to have their own Ordinances, updating their Ordinances, and Baumeister responded yes. Baumeister stated that the Animal Welfare Board discussed their concern regarding everybody being on the same page regarding enforcement.

RT asked if this Ordinance is adopted by the County, then the other entities Ordinances will go, and Baumeister responded he can not speak for their attorneys, but they will adopt the enforcement portion of the County Ordinance. RT stated that the main reason for the new Ordinance was to have one Ordinance throughout the County, that way law enforcement does not have to grab papers and then the County's Ordinance. Baumeister stated it is his understanding that the entities will enforce it, but they are not going to adopt the whole Ordinance that the County has written, as there is a lot of language that does not pertain to them. RT stated the language that does not pertain to them would be void for that part of the Ordinance.

PJ stated she thought the County already has accepted this Ordinance, and RT stated they did pending the approval from the other cities. Baumeister stated he has sent this Ordinance to the other attorneys and asked for a response if there were any issues, and he has not heard anything back. RC asked if this is going to be an Interlocal Agreement and is this the way it will be carried out? Baumeister stated the entities marked through the first proposal of the Ordinance, and a draft with modifications has been made by the County Attorney. RC asked as the Ordinance is currently drafted, are the other entities okay with it? Baumeister stated he has not heard anything back from any of them stating otherwise. RC asked Baumeister to call the other entities and ask if the current draft two is acceptable. He further stated that if the cities are only going to modify how they are going to respond to whatever part they play in this Ordinance, then he does not see a problem with it. The areas that the three cities are going to be participating in will need to be approved by their board. Baumeister stated he will approach all three law enforcement chiefs to discuss the Ordinance and get input from them, as they would be the ones enforcing it.

MINUTES

a) 01.21.2025

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

STEVE HOWELL, HIGHWAY SUPERINTENDENT

a) Notice to Bidder

Howell stated he emailed this notice to bidder to the Commissioners. This needs to get under contract for up to a month. Howell has contacted the contractor who previously went over on price, and informed them this is going to be a fixed price. RC spoke to County Attorney Foster, stating that Howell mentioned something to him regarding checking the box to say it is going to be fixed, so that the County does not get into the excessive shoulder stone. Foster stated this is okay, the County needs to set a fixed price and state it is going to be this amount regardless. Foster stated this could limit who actually bids due to not knowing how much it will actually cost by getting stuck with an overage.

This is for the Community Crossings that the County was awarded in the Fall.

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

b) Striping at the Foundry

RC asked Howell if he has received any news regarding the striping at the Foundry entrance, and Howell he has not. Howell has called again asking for a price, and there are two different contractors who are supposed to be getting him a price. He was supposed to have those prices in November. Howell will call them again. RC stated he believes the Redevelopment Authority will pay up to \$1,000, which initially that is the amount Howell thought this would cost. RC stated the County needs to get an amount and run it past the Redevelopment Authority, as it will come out of reserve TIF funds.

KRISTINIA HAMMACK, AUDITOR

a) 01.31.2025 Payroll: \$192,791.82

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

b) 01.03.2025 Payroll W/H: \$43,930.11

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

c) Health Insurance Claims: \$49,098.49

RC asked if this is for a two-week period, and First Deputy Wilgus responded no, she receives monthly claims, so this is whatever has come in.

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

d) Dental Claims: \$130.61

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

e) Vision Claims: \$139.31

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

f) Life Insurance Claims: \$1,559.96

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

g) Sheriff Pension (1st Quarter): \$38,050.25

RC asked Wilgus if this is the standard amount that will be paid four times during the year, and Wilgus responded correct.

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

h) 02.03.2025 Account Payable Claim Docket: \$735,243.43

RC stated that when the Commissioners received their packet, the Accounts Payable did not contain the list of items that are being paid in the amount of \$735,243.43. RC stated he went into the LOW system and looked up the docket date 2/3/25 and it shows \$285,503.81. RC further stated that there were a couple of items that concerned him, one being a bill from Baker Tiley that has a handwritten note on it stating this is for the RDC (Redevelopment Commission) and the 2025 budget should be paid out of the TIF funds. RC reached out to Jon Scheer and the rest of his board, and asked him about this. Scheer stated he believes it probably is their bill, however to pay it out of TIF funds, they have not approved it. The bill will have to go to the RDC for approval to pay with the TIF funds, as they are restricted.

RC stated he also found a couple of charges for Per Diem, and in the County handbook, it states it pays up to \$50.00 per day fee. RC stated the \$50.00 may be mandated by the State, but the way the handbook is written is that the County reimburses meals up to \$50.00 with receipts. RC further stated that these are all things that would have been seen in a printout if they would have received it. RC is not sure if the State mandates that the County pay \$50.00 per day or not, but the County handbook does not reflect this. First Deputy Wilgus stated that usually when it goes beyond the handbook, when the State calls these meetings, they put on the notice a Per Diem amount, which can vary. Wilgus assumed there is a

letter for both of those claims stating that the State says that this amount is approved, and RT added with receipts. Wilgus did not see the letter. RC stated that the County may want to incorporate something in the handbook that reflects in the event that the State mandates compensation in any fashion, the County pays it. Deputy Auditor Kimberly Lasher stated that it was her understanding that for those two claims from the Assessor's office, that they were State mandated meetings. Lasher stated that the Per Diem is mandated on one of the letters that the County pay a Per Diem, but she does not believe it actually states the amount. RC stated the letter states "as allowed under" and cites a specific Indiana Code, along with substance allowance, attendees are allowed to request reimbursement for lodging, mileage, and parking. RC reiterated that it states they are allowed to request it. Wilgus asked Lasher if there were receipts turned in, and she replied no, just the letter. Therefore, Lasher assumes the individuals were requesting the \$50.00/day with the stipulation that the letter allowed them to do so.

RC stated that there needs to be clarity that if the State mandates \$50.00 or not, or is it a County option. RC further stated that in the past, the County has held everybody to the fact that if they buy a meal, the county is going to reimburse that up to a certain amount.

RC would like to only pay the utility bills and Solid Waste tipping costs.

RC showed Lasher that what the Commissioners received was not the normal accounts payable report, it was three sheets of an old budget from 2024. RC stated that Wilgus has some documents, but he feels the Commissioners need to review what they are paying prior to voting for it. RC asked if there are any other claims that have to be paid besides utilities, and Lasher stated VISA.

RC made a motion to pay utility bills, Visa bills, and the Solid Waste, with the remainder of the Claim Docket temporarily suspended until the Commissioners have a chance to review the expenditures. If it is necessary, a Special Meeting can be held, otherwise it will be pushed out to their next regular meeting. RT stated she wants to try to avoid late fees. Motion seconded by PJ. Motion carried 3-0.

COMMISSIONERS

- a) Additional appropriation for Prosecutor's Office cleaning expense for 2025
RC stated the Commissioners received a document for an additional appropriation which states Perry County Council. RC stated that it is his understanding that at this time of the year, the County can not do appropriations, and they would go through the County Council. It would not be a Commissioner issue.

First Deputy Wilgus stated that the reason this was brought to the Commissioners is because the Social Security comes out of the Commissioner's budget, but the Cleaning Service is from the Courthouse budget. RC asked Wilgus what is changing, as the county has been paying for this. Wilgus stated that last year when the budget was done, it was the understanding, as there was not a letter stating Caitlin Stewart would be cleaning the new office, that it would be Glenn's Cleaning Service or someone else. Since moving to the new office, and since the budget was adopted, it has been decided that she will continue to clean the office. PJ did not feel that was a true statement, as the commissioners signed the agreement with Caitlin Stewart. Wilgus stated that was signed after the budget, and after the budget was already adopted. The amount for cleaning this office was not budgeted.

RC asked if the money that the Commissioners had paid Stewart in previous years was removed from their budget, and Wilgus stated yes, that comes out of the Cleaning Service Courthouse budget. RC asked if the amount has changed, and Wilgus stated no. RC asked that the County was paying Stewart last year, and Wilgus confirmed this.

RC stated that was done in the past, Caitlin Stewart appears with the Commissioner's payroll amount, and she has been being paid a monthly amount. What Stewart has done before is clean the Prosecutor's office when it was at the Electric Department, and the Prosecutor chose to continue to have her clean the office that is now at the Courthouse.

RC was not sure if this would just be a transfer if the money is in the Commissioner's funds, but Wilgus stated they do not have it due to it not being put in their budget. RC stated that this must have been taken out of the Commissioner's budget for 2025, and Wilgus stated it was not budgeted in 2025

because it was the understanding at the time that there was not going to be cleaning, so it did not need to be budgeted for.

RC stated that the Commissioners just approved payroll, and are they still paying Stewart out of the Commissioner's account? Wilgus stated yes, but that is how it has always been. RC stated that when and if this ever gets decided, then that money will be replenished back into the Commissioners? The \$200 charge was already approved as payroll, and is that money coming back into that account? Wilgus asked why it would come back into that account? RC stated that an additional \$2,400 appropriation is being asked for, and Wilgus stated the appropriation will be added to that, RC asked to the Commissioner's account, and Wilgus stated yes. RC stated he understands now as the amount was not added to the Commissioner's account and now it needs to be added, and continue what was normally done. Wilgus responded correct, it just needs to be added to the budget. RC stated that this does not have to be done until March, as there is sufficient capital in their budget. Kelli stated that since this is coming out of the Commissioner budget, it needs to be approved before it is taken to the Council.

RT made a motion to approve the continuation of Caitlin Stewart to clean the Prosecutor office, seconded by PJ. Motion carried 3-0.

b) Review open 2025 Commissioner Board Appointments

1. RC stated he has a list of open appointments. Wilgus stated that the ones that are highlighted are the positions that are open, as well as a few questions on some of them.

RC stated that he knows the County received several letters of interest on the Emergency Management Board, and that is a discussion that the Commissioners need to consider, quantity areas represented, and RC believes the letters pretty well represent everywhere in the County. Wilgus stated that there is a question as to whether it is an internal, meaning the Commissioners, or if it is for the public.

RC stated that the Commissioners have talked about who they want to put on this board, so it needs to be revisited sometime and put some thoughts together as to how the County envisions this. RC prefers for the board not to get huge. A Commissioner as well as a Council member has always been on this board.

RT stated that based on the current members on that board, she feels that every area is represented. Joe Flamion requests to not be reappointed, which will take the number of members down to six. RC believes that Anderson Township is not represented without putting a new person on the board. Wilgus asked that with all the letters that were received, would it fill positions that are expired, not the internal position, and RC responded yes. RC stated it would be a Commissioner, a Council, and the others are representatives from the cities. RC stated that discussion regarding whoever is the County Highway Superintendent fills that position, as this is critical. RC further stated that Steve Howell is put on the board, he is representing the County and its assets available in the event of an emergency.

Discussion regarding wanting to reduce the members on this board. EMA Director Steve Hauser stated that by Indiana Code the board can be expanded, but does not know if it can be reduced. RC asked Hauser if Indiana Code requires all cities to have representation regardless of size, and Hauser stated yes. Discussion continued as to the representation needed for this board.

RC stated that four letters of interest have been received, which would represent the whole county. RC stated he does not know if this position was never advertised. RC further stated he is okay with designating four County representatives, appointed by the Commissioners, the three entities being Tell City, Cannelton, and Troy, the Council President, and a representative from the Commissioners. This would make nine members plus Steve Hauser.

Discussion regarding advertising for this board, plus the current letters of interest received would be considered. RC asked if the Commissioners are okay with the structure of the board that they discussed, and the response was yes. Advertisement for this board will be for four weeks.

Hauser stated he has a meeting Thursday, February 6, 2025, and was told that he can use his existing board for this meeting, and until the new board is formed.

RC made a motion to set this board up and it is a representative board of the Troy Council President, Tell City Mayor, Cannelton Mayor, Commissioner appointee, Council President, and four township residents who need to reside in their township area they are serving, which will be a nine-member board makeup in addition to the EMA Director, seconded by PJ. Motion carried 3-0.

2. Airport Authority

Wilgus stated that James Rogan is listed on this board, however his term expired in 2024. RC stated this needs to be advertised, and this person needs to be a Republican.

3. Perry County Development Corp.

RC stated this needs to be tabled.

4. Health Board

This is a Commissioner's appointment. Wilgus stated this needs to be a doctor. RC stated this needs to be solicited, and if they can, it needs to be a doctor. PJ asked if it has to be party affiliated? RC stated yes, but it could be up to four of one given party on that board. Wilgus stated she was informed it does not have to be a doctor, but according to State Statute it does.

This position needs to be advertised.

5. Hospital Association

RC stated this is not an overly active group.

This needs to be advertised.

6. Public Defender Board

This needs to be advertised. RC asked with JR Flynn's term being expired, are the other two members active, as he heard that one of them had resigned? RC further stated that if a position has been resigned, they will need to fill the position for the remainder of the term.

7. Redevelopment Authority

This will be advertised.

8. Redevelopment Commission

RC stated this board is not overly active. It is a school board appointment, not a Commissioner appointment. This needs to be a representative of Tell City-Troy School Corporation. The school board will be notified of this.

c) Review/Approval of new employment application

RC stated he believes this new application requires a background check, and Wilgus confirmed this, plus an email address was added. RC stated that not every applicant will go through a background check, only those who are being considered for employment. PJ asked at whose discretion does that fall on as to who gets picked and chosen, and RC responded generally it is the department heads. PJ clarified by asking who decides that a background check will be ran? RC responded it was discussed and decided that a background check does not want to be ran on every applicant, which costs \$35.00 each. RC further stated that the County wanted to limit this cost to a candidate that would be truly considered and seem to meet the needs prior to running any background check. Wilgus stated it is her understanding that this would be ran on the final one or two candidates that would possibly be hired.

PJ asked Attorney Foster if he had any concern on the wording, and he responded not really. Foster asked if there is anywhere in the County policy that states if they had a prior felony, the County would not be able to hire them? Foster stated the policy needs to have some language about the background check. Also, if a background check is run, can the department head disregard and overlook the history and go ahead and hire, or are they limited by what the Personnel Policy Handbook states? RC did not feel there were any stipulations.

RT asked if this would be for all County employees, and RC stated all new hires.

RT asked full and part-time, and RC stated yes.

PJ made a motion to table the employment application as presented, and take this to the Personnel Policy Handbook Committee, seconded by RT. Motion carried 3-0.

d) Review/Approval of updates to Personnel Policy Handbook

RC would like to table this due to possible changes in the employment application language.

RT made a motion to table the Personnel Policy Handbook updates/modifications, seconded by PJ. Motion carried 3-0.

e) The next meeting will be Tuesday, February 18, 2025 at 6:00 p.m.

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

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

Randy Cole
President

Pam Jamniczky
Vice-President

Rebecca Thorn

Minutes reviewed by:

Kristinia L. Hammack, Auditor

Minutes prepared by:

Leisa M. Ecker, Deputy Auditor