

PERRY COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
December 31, 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. Auditor Kristinia L. Hammack was also present. There was *Sheriff, Attorney 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 modified, seconded by PJ. Motion carried 3-0.

KRISTINIA HAMMACK, AUDITOR

- a) 12.31.2025 Solid Waste Accounts Payable Claim Docket: \$17,789.19

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

- b) 12.31.2025 Account Payable Claim Docket: \$693,827.77

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

- c) CVET and FIT Distribution-Under HEA 1392

This is Commercial Vehicle Excise Tax and Financial Income Tax. RC asked where that goes whenever it is brought in? Hammack responded that currently, twice a year at settlement, this is received. The amount is broken down between General, Reassessment, Cum Cap Development, Cum Bridge, and Health. RC asked if this is budgeted? Hammack responded yes, this is in the estimated revenue. Hammack added that based on the budget for 2026, the CVET and FIT revenue was in the estimated revenue for 2026.

Hammack stated that she has to move the funds out of the holding fund on this date. RC stated that Hammack only has the last six months, as prior to that, funds were transferred on 6/12/25. Hammack responded correct, this is only Fall Settlement.

RC stated that with this being in the estimated revenue, if the County would try to change where it was going and put it all in General, then the other funds would be impacted. RC suggested leaving where the money goes should be left alone for now, as the Council used this funding when they based their budget. When it is moved from one of the categories, then the Council would have to look for replacement funding. Hammack stated that with the new law that went into effect on July 1, 2025, the County is no longer told where the funds go. However, when the 2026 budget was approved, that revenue was in the estimated revenue.

PJ made a motion to continue as they have with that funding, and if the Council has other desires the Commissioners can revisit it, seconded by RT. Motion carried 3-0.

- d) Personnel Policy-Highway after hours call out

PJ stated that at a prior meeting, this was tabled, as currently the Highway employees are getting a minimum of four comp hours when they are called out. PJ suggested that when Highway personnel are called out, it is handled the same as the Sheriff's department and Parks & Rec, which is hour for hour. This will create overtime when this occurs unless the employee is not at their 40 hours.

Hammack stated that this was brought to the Personnel Policy Committee that the Highway department gets four hours minimum when called out, and the other departments get hour for hour. Hammack added that Probation gets called out, Sheriff gets called out, and every other department is on hour for hour for after hours call out. RC asked if these other departments have any minimum hours, and Hammack responded no. RC stated that whatever time they spend is what they are compensated for, and Hammack responded correct, outside of normal work hours. Hammack added that the Personnel Policy Committee voted to bring this to the Commissioners to get everybody on the same page, as far as how after hours are handled, being hour for hour. RC asked PJ her suggestion, and PJ responded to make everybody the same, hour for hour.

Highway Superintendent Steve Howell stated the minimum four hour call out was started several years ago due to if the Highway department gets called out, it is either for snow or cutting a tree. They are not fixing something somewhere.

They are doing something dangerous at night most of the time. Howell added that these employees have to get up at one or two o'clock in the morning and go cut a

tree, they are out in the dark, and it is a dangerous situation anytime they are out. Howell stated this is the reason the four hours was started. RT asked how would this affect plowing snow, for instance at 4:00 or 5:00 p.m. on a Friday afternoon and they have to come out and start plowing snow? How does that work? Howell responded that they call everybody out and they go plow. RT asked if this would be comp time? Howell responded that if they have 40 hours in, it is. Hammack stated that if it only takes two hours to cut down a tree, or whatever one they get called out for, they get four hours. PJ stated that these employees would be money ahead by making their overtime, being time and a half. PJ added they would come out better financially at the end of the year, plus if would help Howell with his scheduling. Howell responded that whatever the Commissioners decide is fine.

RC asked that the proposal is to pay the Highway employees time and a half for the actual hours they work versus comp time, with PJ responding correct, because comp time is a big problem at the end of the year of having a crew. RT added that when she contacted Howell last month asking the average hours of comp time per employee, Howell responded to her they all averaged 97 hours in 2025.

Hammack asked PJ if she is talking about paying out overtime, or is she talking about comp time? Hammack added that when an employee is over 40 hours, it is time and a half. PJ responded correct. Hammack stated that for an hour of overtime, they would actually get an hour and a half of comp time. Anything over 40 hours is time and a half.

To make sure he understood all this, RC stated the Howell calls somebody out, they have their 40 hours in for the week, under currently how it is handled, they are guaranteed four hours. RC stated that those four hours are at time and a half comp time. Therefore, in effect, it is like six hours of regular pay. Hammack responded that the Highway department is on a separate schedule, getting a minimum of four hours even if they are only out for two hours. RC asked if that is straight time, comp time? In other words, they get four hours at regular pay. Howell responded that if they work two and a half hours, they get four hours. RC stated that it is just at one, not time and a half. Hammack responded correct.

Howell stated that normally a tree can be cut within two-and-three-quarter hours, otherwise it goes over, the employee gets comp time for it. Howell added that normally they can get this within that time period. Hammack stated that if they did time for time, for every hour, they would get another hour and a half.

Hammack added that if the employee is out for more than two hours, they are going to get more than four hours, due to being paid time and a half. Hammack added that First Deputy Kelli Wilgus processes the Highway comp time manually due to them being different. Hammack added if the Highway was on the same schedule as everybody else, it would be automatically anything over 40 hours as an hour and a half.

RC reiterated the statement that Howell just made regarding time and a half. He added that if the Parks & Rec show up, they get comp time at one and a half for their hour. When Howell's crew shows up, they get straight comp time, but are guaranteed four hours versus paid the actual hours worked. RC believes that since the highway department works 40 hours, if the County does not pay those employees time and a half, the County would be in violation. Hammack added or give the employees comp time for an hour and a half. RC stated that he does not think they can work beyond 40 hours and pay those employees straight time. PJ stated that she does not think that is what anybody is saying. PJ added that as long as they are at their 40 hours, however, if there was an employee who called in sick on Monday and only had 32 hours, then that employee would still have to reach their 40 hours before they got into overtime. Hammack stated that she thinks the County is covered under Fair Labor Standard Act with that, as the County is paying them four hours if they are only out there two. RC responded that he is not sure there is a carve out in there that you compensate them in excess. RC believes it has to be time and a half. RT agreed with RC.

Hammack stated that paying overtime would definitely be better for the payroll system and less margin for error due to currently figuring the comp time. The current system is more time on Howell and Wilgus.

RC asked if the suggestion is a call out would yield two hours, not four, but then it would be compensated at time and a half? In effect, it would be like having three hours pay? PJ responded that they would log their time, just like the Sheriff's department. If they were out for three hours, and if they had reached their 40-hour work week already, then they would have three hours of overtime.

RT stated that it is a matter of being overtime or comp time, and PJ responded correct. RC stated that over the 40 hours, they would be compensated at time and a half. RC asked if the County is paying it out as overtime? Hammack responded that currently the County does not pay any overtime. RC stated he understood that, but is that the plan? PJ responded yes. RC asked just to pay them, and PJ responded correct.

RT stated with this meeting being the last day of the year, the employees that have comp time built up, they are paid for that comp time, correct? Howell responded that the employees have to use the comp time. Howell added that on the comp time, they have a year from the date they earn it to use it. RT asked if there are some employees who are going to lose some, as she was told the first of November they had all that time? RC stated that her question opened up another question for him. RC asked that if there is a call out in December, 2025, then the employee has comp time, and have an entire year to use it? Howell responded yes, they have an entire year from the date it is earned to use it. RC asked if there are no limits as to how much can be carried on? Howell responded there is, being 140 hours is the maximum that can be earned.

RT asked Howell how many workers he had on that particular day, and he responded three, himself, Marilyn, and one other person. If he needs any other workers, he can call them in. RC stated that the County went through this issue prior. It is all of their vacation. When they accumulate a lot of vacation hours, and then you budget for this position, then this person resigns, they use their vacation hours, and the County can not fill that position during this time. The department is short staffed. If they accumulated a huge amount that they were allowed to accumulate, the County does not have the funding to replace that position until this is paid out, and the department is short staffed.

RT asked if there is any way that the Highway department can reduce how many comp hour they earn before they have to be used? The maximum hours is 240. Hammack added the Highway is the only department that is like that. PJ stated that by changing, the problem is fixed. RC stated that what PJ is suggesting is that those employees would be getting a check, not comp time. Hammack responded that they would be getting overtime. PJ stated that the employees would get a check for comp time at the end of the year, and thereafter, they would just be paid. Hammack stated that a budget line item would have to be set up, as currently the Highway department does not budget for overtime. Howell stated that the Highway employees are given the option to either get comp time or get paid. Howell added that a lot of his farmers would rather have the comp time so they can take off and farm. PJ responded that comp time is the highway's problem. The Commissioners are trying to fix their problem.

RT asked that if an individual has 50 or 60 comp hours, another has 50 or 60, another has 100, with Howell telling the Commissioners that it is a rolling year with the comp time, the period to use it should be reduced. RC stated that what the Highway department does is they come in during the winter time and plow snow, then they turn around and hold the comp hours all until the summer, and then they go doing their farming. RC added this is what is creating the County's road issues. The Highway department needs to be fixing roads when the weather is nice, rather than trying to catch up during the winter when it is not so nice.

Howell responded there was never a big problem at the Highway department until they got low on employees. Howell added it is not nearly as big of an issue when there is a full crew.

PJ reiterated that what was actually put on the table is for Howell to create a schedule, a call out schedule, but that was voted against and everyone is on call at all times. PJ stated that what the Commissioners need to make a decision on is will it be the four comp hours, or does the County pay them for the time worked, just like everybody else in the County?

RC asked Hammack to clarify, if the Parks & Rec comes in, they get an hour and a half comp time, and Hammack responded if they are over the 40 hours. RC stated that the Highway department would work the same way. If someone did not work and were called in, and they are not over 40 hours, they would still have to reach their 40 hours before they start getting overtime. RT stated that anything over 40 hours has to be time and a half, that is the law. RC stated that everyone besides the Highway department is getting time and a half, and the Highway department is getting guaranteed four hours comp time. PJ responded correct.

RC asked that what PJ is proposing, would there be a minimum call out? PJ responded no. It is hour for hour. Hammack added that this was brought up by the Personnel Policy Committee. That committee voted on this.

RC stated he is interested in paying out the comp time. PJ stated she would like to see it paid out, otherwise, the County will run into the same situation.

A question from the audience asked what about other departments if they say they want to be paid? RC responded that one of the flaws that the County gets into is that it is trying to make everything consistent for everybody. Getting called out by the Sheriff department, Highway department, or Parks & Rec department is different from courthouse employees who are in a controlled environment.

Trying to equal all these department is difficult with all the different challenges. The question was asked if deputies get paid overtime or is it comp time? RC responded he believed it is comp time. They are on a different work schedule. PJ reiterated that the problem came from comp time with the Highway department. The handbook committee voted on how it could help Howell fix this problem.

RC stated that the County spent approximately \$100,000 last month on rock due to playing catch up. RC added that building roads in the wintertime is not a good practice. PJ added that this \$100,000 was in the budget. RC confirmed this, and added it was just a matter of getting the rock out and getting it on the roads. He added that many county roads are still not in the condition that they need to be. RC suggested making the change, and if it is a real issue, it can be revisited. He added that the County will have to come up with a fund to pull the revenue out of to go ahead and pay the Highway employees.

PJ made a motion to change consistency back to the way the other County departments operate with the Highway department when called out, they are compensated at overtime if they have 40 hours in, and they will be monetarily paid for that, versus accumulating comp time, seconded by RT. Motion carried 3-0.

COMMISSIONERS

a) 2026 County Supply Bids

RC stated that Attorney Andrew Foster has not responded back to the questions regarding multiple bids.

PJ made a motion to table the County Supply bids, seconded by RT. Motion carried 3-0.

b) The next meeting will be January 5, 2026, at 9:00 a.m. at the Courthouse Meeting room.

The meeting was adjourned at 9:42 a.m. CST.

PJ made a motion to adjourn, seconded by RT. 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*