

JANUARY 20, 2015

REGULAR MEETING

COUNTY COMMISSIONERS

The Pulaski County Board of Commissioners convened in Regular Session at 6:00 p.m. Eastern Time in the Commissioner's Room, at the Courthouse in Winamac, Indiana, the call to order by Larry L. Brady, Upon the Pledge of Allegiance the meeting began. Present also was Terry L. Young, Vice-President, Bud Krohn, Jr., Commissioners, Kevin Tankersley, County Attorney and Shelia K. Garling, Auditor.

Also present, other than those who are on the agenda, were: Amber Tomlinson, Anita Goodan, Jason Bunger, Henry Crosby, Kendra Craft, Scott Hinkle, Bob Powers, Luke Anspach, Terry Ruff, Kenny Becker, Jerry Locke, Albert (Butch) Sehstedt, Mackenzie Ledley, Gary Kruger, Art Hoffman, Mick Tiede and Pat Tiede.

IN RE: COMMISSIONERS MINUTES

The Minutes of the Commissioners Meeting of January 5, 2015 were approved as presented upon a motion by Terry L. Young, seconded by Bud Krohn, Jr. Motion carried.

IN RE: PAYROLL & OTHER CLAIMS AND ALLOWANCES

Payroll claims for the period (Hourly: December 21, 2014 – January 3, 2015) were received, considered and action taken thereon as shown on the Payroll Claim & Allowance Docket they were paid on January 16, 2015.

Regular Claims & Allowance Docket dated January 20, 2015 were received, considered, and action taken thereon as shown presented. Motion made by Terry L. Young to pay claims and payroll as submitted, seconded by Bud Krohn, Jr. Motion carried.

IN RE: HIGHWAY REPORT

Comes now, Mark Fox, Superintendent, the OTC Jack was disassembled and found damage to lifting ram. Cost of these parts with kit exceeds cost of new jack. We need to replace this. I did receive 3 quotes from Scotty's Hydraulic Service in Plymouth, IN. 1) OTC 5012 A @ \$2,015.65 plus freight. 2) Gray TSL-50 @ \$1,895.00 plus freight. 3) NORCO 72200D @ \$1,158.97 no freight charges. Motion made by Terry L. Young to approve the 2nd one at \$1,895.00 plus freight. Seconded by Bud Krohn, Jr. Motion carried.

Fuel cost caused some trouble with our budget last year. I thought about contracting the fuel at ½ of our estimated cost. It would be a 12 month flex contract. Which are 3 semi-truck loads? The road diesel is @ \$2.13, off road @ \$2.24, and the gasoline @ \$2.07 for this year. This savings is over last year's cost. Motion made by Bud Krohn, Jr., to give Mark Fox permission to contract fuel. Seconded by Terry L. Young. Motion carried.

The monthly report, the total for callout for storm was 147.00 hours. Bud Krohn, Jr., questioned the cleaning of office hours. Mark reported that she cleans the whole building including the conference room that is used for public use.

Working on the boom bucket truck, we need more protection when we are out, because of possible working around wires. We need more training, Mark is checking into more training, what's available.

Bud Krohn asks why the gate at the highway isn't locked. Mark said there has never been a lock on it. Larry Brady said the county will look into a new design.

Recess for Board of Finance at 6:25 pm

Reconvened Commissioners regular meeting 6:33 pm

IN RE: MICROFILM

Comes now, Janet Onken, Microfilm, we have in our possession of our new scanner. We will be going to another county that already is using this for training. We will need a new computer (software) to be able to use the scanner. Request made to have her also have email on her system. Motion made by Terry L Young, seconded by Bud Krohn, Jr. Motion carried.

IN RE: LIBRARY APPOINTMENT

Comes now, Mackenzie Ledley, Pulaski County Library Director to recommend appointing Erica Richwine to the library board. Motion made by Bud Krohn, Jr., to appoint Erica Richwine to the Library Board. Seconded by Terry L. Young. Motion Carried.

IN RE: EMS REPORT

Comes now, Nikki Lowry, Director to give her monthly report. She said the average pre-response time to call, from when the tones drop to personnel being in the truck and leaving the station, is a little more than two minutes, while her goal was to keep it under three. Responders are on the scene for an average of 17 minutes or less. Bud Krohn, Jr., asked why there is such a large write-off of bills, in 2014. She said the write-offs are based on Medicaid/Medicare. The only pay a consignment rate and more cannot be collected from the patient.

We are using finger scanner for the time cards to be more accurate.

Starting a EMT class on Monday. I met with representatives from St. Elizabeth on making things better.

We had 2 accidents in 2014, one we hit a deer, one we were involved with a car.

IN RE: RECYCLING/TRANSFER STATION

Comes now, Brad Bonnell, Manager to give his monthly report. Repaired water lines at transfer station and recycling. I am going to close the daily books at transfer station at 3:00 p.m. Cash register status at transfer station, found key and will program. I got approval to pay for the used cash register at \$50.00. Motion made by Bud Krohn, Jr., seconded by Terry L. Young. Motion Carried. I started maintenance schedule for the equipment. We need 8 tires for the roll off truck. Have received quotes from Jenkins Tire and Dillman. Larry L. Brady said to also check with Knapp tires at Francesville. Requesting that NWSWD to pay for these. Motion made by Terry L. Young, seconded by Bud Krohn, Jr. Motion Carried. I want to send letters out regarding these outstanding debts that we have. You can contact Kevin Tankersley if you need help in doing this. Bud Krohn, Jr., would like to see you post safety programs. Brad Bonnell wants to start having monthly safety meetings, for the public and employees.

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IN RE: CDC REPORT

Comes now, Nathan Orgier, CDC Director. I would like for you to accept my resignation to the Advisory Board and my recommendation of Dave Zeltwanger to finish my term as CDC representative on the Commission. Motion by Terry L. Young to accept resignation of Nathan Orgier to the advisory board and appoint Dave Zeltwanger to finish his term on the CDC board. Seconded by Bud Krohn, Jr. Motion Carried.

Need to rescind Tom Bonnell's reappointment and to appoint Gavin Ford to replace him for a full four year term. Motion made by Terry L. Young to rescind Tom Bonnell reappointment, and appoint Gavin Ford to replace him. Seconded by Bud Krohn, Jr. Motion Carried. Motion made by Terry L. Young to appoint Brad Zellers to hold the Represent Local Utility chair. Seconded by Bud Krohn, Jr. Motion carried.

Update, we are moving forward with having appraisals done on the land, per Indiana Code, in anticipation of one or two possible transactions that we'll be bringing to your attention when making them public is prudent.

Unemployment rate is 4.9 %, 13th best in Indiana

Hometown Collaboration Initiative, we were one of the six pilot, all six that received site visits were selected; I'm told that they had 11 applicants. I am awaiting instructions on next steps from state.

Special Legislation CAGIT (Justice Center) – Indiana Code language. Staffer in Lieutenant Governor's Office suggested to me that the Administration would not have a problem with the proposed tweaks, because it's very much a local issue. Have a phone call scheduled for Thursday morning with someone in the governor's circle – Office of Management and Budget – to discuss the issue further and to get some insights from closer to Governor Pence.

Establishment of a Pulaski County Redevelopment Commission (RDC). Last month, I suggested that there's no reason to rush; that, for now, remains the case, but if a couple of potential growth projects do occur, then we may need this – and possible to set up a Redevelopment Authority along with it, for the purpose of being able to issue bonds – sooner, rather than later. This likely will be good to have in place before we move too far forward on the PC-CARE project, too.

EMS Planning grant, KIRPC reports that things with Dr. Hornsby turn out not to be going so smoothly after all, and they're going to have to take over. They're trying to get the voter-registration list from his staff, but we may need to provide a new copy.

Pulaski Online – We will be live on February 1, 2015. It may be that not every little thing is good to go, but it will be ready-enough and we've waited for long enough. I've been sending previews of department pages out to the department heads for the review, and Crane + Grey is making tweaks here and there as I request them.

Revolving Loan Fund – Still looking into various options for this and in conversation with a couple of potential borrower. CDC has set up an RLF Review Committee to look at past successes and failures to see what, if any, changes should be made, in tandem with our looking at better financial guidelines and management.

IN RE: REPORT FROM THE NEW SHERIFF, JEFF RICHWINE

Comes now, Jeffery Richwine, Sheriff to discuss a few items. The Town of Monterey contacted Jeff and they want a golf cart ordinance. But they don't have a police department to enforce it. I would be willing to help them to enforce it. Talked with Jim Fluery, Town Board President. Tabled

This is for our Sheriff (Foreclosure) sales. We charge \$113.00 and can charge up to \$200.00. I think we can save the county money if we contract it out. I would still have to post and advertise, but that's about it.

I have talked with the Animal control officer, Sarah Kasten, she said she was writing tickets and Jeff asks her who gave her the authority, and Sarah said she was a special deputy. Jeff said stop writing ticket until I further investigate.

Looking at a Grant, we have money to buy 3 cars; we have already bought 2 cars. I would use the money that is left from the purchase of the 3 car to help with grant match.

The Justice Center east side of the building is using the time clock, kitchen personnel. I have four (4) Deputies that are on the road. The deputies that haven't gone to the academy are working with another one of the other deputies.

The jail van that was involved in the accident, it is totaled.

Was asked how many deputies do you currently have; 8 road deputy, 2 detectives, 1 sergeant, 1 Chief and the Sheriff, total of 13. Terry L. Young asks, how many military vehicles can we get rid of? Jeff said he has been able to return an enwrap back to Marshall County. Maybe the best idea would be to get some of this stuff sold.

IN RE: REPLACEMENT HIRE FOR AUDITOR'S OFFICE

Comes now, Shelia Garling, Auditor to get approval to hire a new replacement hire. Motion made by Bud Krohn, Jr., to approve the hire of Cathy Elston to the Auditor's office, seconded Terry L. Young. Motion Carried.

IN RE: NACO

Terry L. Young commented the he is getting more information regarding NACO National Association of County Officials, so that the residents of Pulaski County would be able to use the prescription cards from NACO.

IN RE: ATTORNEY WORKING WITH THE COUNTY HOME

Terry L. Young asks about if we had an invoice from Jere Humphrey regarding the cost of representing the County Home yet. We need a list to where our county home residents are going.

IN RE: FOUR COUNTY DISTRIBUTION AMOUNT – RATE INCREASE

Kevin Tankersley, Attorney is looking into this issue. They have signed agreements with the county and they had also signed the agreement with the amount that we were to pay. Tabled



IN RE: LETTER FROM PULASKI COUNTY JOURNAL

Acknowledgement was made in regards to the letter from the Pulaski County Journal to request notice of all meetings.

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IN RE: CONFERENCE APPROVALS

Motion made by Terry L. Young to approve the following meetings, seconded by Bud Krohn, Jr. Motion carried. Jason Woodruff was given approval to attend Managing the Property & Evidence Room on January 21 & 22, 2015 in Indianapolis IN. Jason Woodruff and Fred Rogers were given approval to attend the 29th Annual Drug Training Conference on February 18 – 20, 2015 in Indianapolis IN. Larry Hoover was given approval to attend the National Weather Service Spotter Training in Rochester IN on February 18, 2015.

IN RE: APPROVAL OF OFFICIAL BONDS

Motion made by Terry L. Young to approve the following official bonds, seconded by Bud Krohn, Jr. Motion carried, for Bradley Bonnell, Brad Zellers, Debora Girton, Abbey Berger and Michelle Grostefon.

IN RE: COMMISSIONERS STATEMENT OF WAGES & COMPENSATION FOR 2014

Motion made by Terry L. Young to approve & sign the Commissioners Statement of Wages & Compensation for 2014. Seconded by Bud Krohn, Jr. Motion carried.

IN RE: AFFIDAVIT REGARDING CERTIFICATION OF EMPLOYMENT OF HIGHWAY ENGINEER

Comes now, Shelia K. Garling, Auditor to get approval to sign the Certification of Employment of Highway Engineer. At this time we don't have a Highway Engineer. Motion made by Bud Krohn, Jr. to approve the Auditor, Shelia Garling to sign the affidavit regarding certification of employment of highway engineer. Seconded by Terry L. Young. Motion carried.

IN RE: ANNUAL SERVICE CHARGE FOR TYCO INTEGRATED SECURITY FOR COUNTY HOME

Motion made by Terry L. Young to go ahead and pay the annual service charge for Tyco Integrated Security for the County Home for the first quarter (3 months) as of now. Seconded by Bud Krohn, Jr. Motion carried.

IN RE: COVERED BRIDGE CERTIFICATION

Motion made by Bud Krohn, Jr. to approve and sign the Covered Bridge Certification with a zero. Seconded by Terry L. Young. Motion carried.

IN RE: 2015 APPOINTMENTS

The Commissioners made the following appointments for 2015:

INDUSTRIAL PARK ADVISORY BOARD – 4 Year Term

01/01/2015 to 12/31/2018	Representative of County Gov't Unit	Brad Bonnell
01/01/2012 to 12/31/2015	Representative of Local Government	David Zeltwanger Full filling Nathan Origer term
01/01/2015 to 12/31/2018	Repres. of Local Indust. Dev Comm	Gavin Ford
01/01/2012 to 12/31/2015	Repres. Of Local Utility	Brad Zellers

Motion made by Terry L. Young, seconded by Bud Krohn, Jr. Motion carried.

NORTHWEST INDIANA SOLID WASTE DISTRICT – CITIZENS ADVISORY BOARD – UNTIL REPLACED

Commissioners Appointee Brad Bonnell

Motion made by Terry L. Young, seconded by Bud Krohn, Jr. Motion carried.

IN RE: SIGNING OF THE 2015 CERTIFICATION OF APPOINTMENT

Motion made by Terry L. Young, to sign certification of appointments for Kankakee-Iroquois Regional Planning Commission, and Northwest Indiana Solid Waste District Board of Directors. Seconded by Bud Krohn, Jr. Motion carried.

IN RE: APPOINTMENTS TO THE COUNTY HIGHWAY

Bud Krohn, Jr. said I guess I caused confusion at the last meeting. Bud Krohn, Jr., appointed Mark Fox as the Superintendent, and then he rescinded his appointment of last meeting (January 5, 2015) of Gary Kruger to assistant superintendent, because Gary got cold feet, doesn't want the responsibility. Motion made by Bud Krohn, Jr., to appointed Terry Ruff as Assistant Superintendent, let's let Mark Fox get the County garage back together, it's been in shambles the last couple weeks, Seconded by Terry L. Young. Motion carried. Larry L. Brady opposed. Vote was 2 – 1.

Kevin Tankersley, County Attorney asks who the 2nd in command was. Travis, are you replacing him with someone? Bud; Travis Holliday, I replaced him with someone else, Gary Kruger, but he got cold feet.

Kevin; this goes against our policy whole heartedly, we don't appoint people that way.

Bud; why didn't you leave the one's I appoint first in?

Kevin; who me?

Bud; I'm asking.

Kevin; what are you talking about?

Bud; they stopped it, because it wasn't legal.

Kevin; who stopped it, did you ask me if it was legal

Bud; nope

Kevin; I told you it was legal, perfectly legal, nothing illegal about it.

Bud; that's what I was told and you didn't say anything; I was told you would say something when I made the motion last month and you didn't say a thing I thought it went through and boom there we go.

Kevin; you didn't say anything to me before the meeting but you expect me to jump in and say something about your motion

Bud; I had a right to make that motion

Kevin; sure, absolutely and it was legal

Bud; Thank you, it was legal

Kevin; yes

Bud; now that we have spun around enough, Terry doesn't want it; he doesn't want to get into a sticky situation.

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IN RE: APPOINTMENTS TO THE COUNTY HIGHWAY(cont.)

Larry; it was after that meeting I did some questioning of people, researching etc., etc. It started back in 2001 or 2002 that when the appointment of Kenny took place they appointed the 2nd person starting with Scott Hinkle was placed in there. Per the IC code 8-17-3-1 the county executive shall appoint a person as a supervisor of county highways.

Terry; did you read that book Larry multiply counties have

Larry; I understand, I understand

Bud; it doesn't say we can't appoint a 2nd person.

Larry; I agree with you

Bud; there was no cooperation here it just hit a brick wall

Larry; you have made your appointment 2 – 1 effective as of tonight

Bud; why did you let go through the first time, do you want the power or what

Larry; I brought up questions from back in 2001 as why did it that way

Bud; I showed told you some things today why I wanted it changed. It's time for a change Larry

Larry; and I can appreciate that why

Bud; that's why you can't accept that though, that's why you called half of the county last week trying to beat this.

Larry; I'm trying to if we had an error back in 2001 I'm trying to correct if we have the authority and yes we have the authority to make the number 2.

Bud; then what's the problem

Larry; the question is back in 2001 or 2002 did we have an IC code to back it up, right now the policy book is we don't do a demotion without just cause, we didn't write him up

Bud; it's a change of politics Larry

Bud and Larry were having a discussion regarding the policy and how other counties do it. Larry is trying to point out that it is a demotion of a position; you took him out of a position and gave him less pay. Bud is saying that its politics and we have that right to change as the first of the year, and Larry can't accept that.

Kevin; to answer the question, the questions is pretty simple; I think we're confusing a few things. You are the executive of the county; you have under what's called Home Rule, the ability to manage that county how you see fit. So you have the authority to appoint the 2nd in charge at the highway department if you choose, you can appoint the 3rd, 4th, 5th or whatever you want to do, head mechanic whatever. We have other departments for example EMS has a 2nd in command you can appoint them too, you could change all kinds of things but I think what Larry is saying is we tried with the policy book to kind of come out of the system. Where we are making employment decisions without real justification and because some decision have real consequences you can't as Larry is pointing out. You say its politics that's fine if that's your reason that's fine but, what you said to an individual employee, you are the employer what you said to an individual employee is that I am replacing you or demoting you moving you out of your position because of politics. I don't understand if it's his politics or your politics but

Bud; politics I was elected by the people to do a better job if I am put on here to try and do a better job that's what I am trying to do. It was my decision and Terry, you back me, and it was straight up. We made a motion which I regret to have Larry Brady chairman last month, and that is I thought it was over this meeting not be chairman of everything.

Kevin; he's not chairman of everything

Bud; he's going around like he is, no communication or nothing now working together and we should be

Kevin; I want to finish my thought; you are the employer of that employee and what Larry is talking about I think is when he is talking about the court of law is, employment law and has an employer you are held at a certain standard. For example you can't terminate people with no cause what's so ever. At will has a lot of exceptions and Larry has been through that a few times and maybe knows some of those requirements that your just saying if I'm not mistaken is in effect demoting someone they don't have any, there's no paper trail at the highway department on this individual that has done anything other than, his doing a good job, I don't know.

Bud; I'm not saying he not doing anything wrong Kevin.

Kevin; okay but when you say something like that, you're saying this guy isn't doing anything wrong but I'm demoting him. Do you understand a little bit about?

Bud; I call it political change, go back to the years when your dad was here, it changed every election

Kevin; I tried to talk to you about this today, maybe we need to talk some more, maybe we're missing each other, that's fine.

Kevin; you have the power to do this and you guys can do it. I'm just trying to give a little guidance.

Bud; we're trying to work as a team and Larry shouldn't have said that and stop the squabbling and it's making fools out of us. That's why we have to communicate and work together but boom right away

Kevin; well I don't know what's going on there; I don't know what you are referring to I'm try to just that one point. I said what I have got to say.

Bud; I have the right, that's what I was elected to do.

Question was asked, when is the effective date on the payroll?

Michael D. (Mick) Tiede ask if we have an assistant supervisor slot, no there is a general Forman. On the salary ordinance the 2nd spot is General Forman.

PUBLIC COMMENT:

Mr. Krohn, Luke Anspach commented that Mrs. Garling said there weren't any openings for Travis as a general laborer, but if they put Mr. Kruger as foreman then wouldn't that open a spot for general laborer? Mr. Krohn said he would leave that up to Mark.

Amber Tomlinson, from the Pulaski County Journal asks Mr. Krohn, several questions regarding hearing things during his campaign and asks if he had addressed these with Mark. Mr. Krohn said yes.

Bob Powers, ask about the write off in Medicaid from EMS? He was told we couldn't anything about it.

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The meeting was adjourned at 8:15 p.m. Motion made by Bud Krohn, Jr., seconded by Terry L. Young. Motion carried. The next regular meeting will be held on Monday February 2, 2015 in the Commissioners Room, in the Courthouse at 6:00 p.m. Eastern Time.

**Signed and dated this 2nd day of Feburary, 2015
PULASKI COUNTY BOARD OF COMMISSIONERS**

Larry L. Brady, President

Terry L. Young, Vice-President

Bud Krohn, Jr.

ATTEST:

Shelia K. Garling, Auditor, Pulaski County