

The Pulaski County Council and County Commissioners met in Joint Session on December 14, 2015 in the Commissioners Room at the Courthouse in Winamac, Indiana, at 6:00 P.M. Eastern Standard Time. The County Council called said meeting to order by: Jerry Sullivan, President, and other Council members present were: Roger Querry, Vice-President, Thomas J. Roth, Douglas Roth, Linda Powers and Michael T. Tiede. Absent was: Alexsondra Haschel. The Pulaski County Commissioner called said meeting to order by: Larry L. Brady, President, Terry L. Young, Vice-President, Bud Krohn, Jr., Kevin Tankersley, County Attorney and Shelia K. Garling, Auditor.

Also present was: Tyler Maffitt, Sheriff Jeff Richwine, RB Walters, Doug Moyer, Terry Ruff, Chelsea Richwine, Dan Frain, Gary Kruger, Jeff Johnston and Chris Lee.

**IN RE: COURTHOUSE RENOVATION**

Comes now, Jason Semler and Paige Sansone from H.J.Umbaugh & Associates. To present and assist in the discussion and planning of the proposed Illustrative 2016 Bonds. We could do a bond up to 6,000,000.00 which is the Counties debt limit.

Paige Sansone to give information on long-term financial planning. What we want to do is a long term budget plan. It helps that the budget cycle doesn't start till June for 2017.

Roger Querry ask: When did you start doing counties? Response, about 2010. Roger ask: how many counties do you do? Response, 15 counties in 5 years. Cost is based on time and work, also how many funds you decide to have us work on. We want to do what you want.

**IN RE: AMENDMENT TO THE POLICY HANDBOOK**

Comes now, Kevin Tankersley, County Attorney to present the new amendments for the Personnel Policy Handbook. A motion was made to approve all new amendments by Commissioner Terry L. Young, seconded by Bud Krohn, Jr., Motion carried. A motion was made to approve all new amendments by Council Roger Querry, seconded by Thomas J. Roth. Motion carried.

**IN RE: AMENDMENT #1**

**Amendment #1 to Pulaski County Personnel Policies Handbook  
dated April 13, 2015**

**WHEREAS**, the Board of Commissioners and County Council desire to make an amendment to the Pulaski County Personnel Policies Handbook, and;

**WHEREAS**, under Salary Administration, an additional paragraph should be added as Section 3.16, Highway Department On- Call Policy as follows:

**Due to the weather conditions it may be necessary from time to time for employees at the Pulaski County Highway Department to "on call". The employees will be on a "waiting to be paid" non-working status and can carrying on normal activities outside of work. If a weather related condition occurs during regular non-working hours that requires the department to begin operations as soon as possible then the employees must respond to the request to return to work. Any overtime generated by this call to return to work will be covered as all overtime is under Section 3.12.1.**

**NOW, THEREFORE, BE IT AMENDED** by the Board of Pulaski County Commissioners and the Pulaski County Council that the above language shall be included and a part of the Pulaski County Personnel Policy Handbook. This amendment shall be posted for at least ninety days throughout the offices of the County.

Passed and adopted by the Board of Pulaski County Commissioners and Pulaski County Council this 14th day of December, 2015.

**PULASKI BOARD OF COMMISSIONERS**

**PULASKI COUNTY COUNCIL**

**IN RE: AMENDMENT #2**

**Amendment #2 to Pulaski County Personnel Policies Handbook  
dated April 13, 2015  
(Hiring Process)**

**WHEREAS**, the Board of Commissioners and County Council desire to make an amendment to the Pulaski County Personnel Policies Handbook, and;

**WHEREAS**, under Employment Policies, an additional paragraph should be added under Section 2.1, Hiring Process, paragraph 5 as follows:

5. If a county position is governed by an advisory board by statute, then the advisory board will fulfill the responsibilities of the department head for actions under Chapter 2 and Section 3.14 and Section 6.14 which need to be taken with regard to the actual department head. The actual department head will fulfill these responsibilities for any other employee of the department.

**NOW, THEREFORE, BE IT AMENDED** by the Board of Pulaski County Commissioners and the Pulaski County Council that the above language shall be included and a part of the Pulaski County Personnel Policy Handbook. This amendment shall be posted for at least ninety days throughout the offices of the County.

Passed and adopted by the Board of Pulaski County Commissioners and Pulaski County Council this 14th day of December, 2015.

**PULASKI BOARD OF COMMISSIONERS**

**PULASKI COUNTY COUNCIL**

**DECEMBER 14, 2015**

**JOINT SESSION**

**COMMISSIONERS/COUNCIL**

**IN RE: AMENDMENT #3**

**Amendment #3 to Pulaski County Personnel Policies Handbook  
Dated April 13, 2015  
(Garnishments)**

**WHEREAS**, the Board of Commissioners and County Council desire to make an amendment to the Pulaski County Personnel Policies Handbook, and;

**WHEREAS**, under Employment Policies, an additional paragraph should be added under Section 3.11, Pay Deductions/Garnishments as follows:

Pursuant to Ind. Code 24-4.5-5-105 Pulaski County elects to deduct an administrative fee for any garnishment for an employee. The County will assess a fee of \$2.00 for child support payments each time the County is required to make the deduction pursuant to Ind. Code 24-4.5-105(7). The County will assess an administrative fee of an amount equal to the greater of \$12.00 or three percent (3%) of the total amount required to be deducted for any other garnishment orders pursuant to Ind. Code 24-4.5-5-105(5). Any fee assessed for garnishments other than child support shall be paid by assessing the employee 50% of the fee against their wages, and assessing the creditor by taking 50% of the fee against the amount otherwise due the creditor.

**NOW, THEREFORE, BE IT AMENDED** by the Board of Pulaski County Commissioners and the Pulaski County Council that the above language shall be included and a part of the Pulaski County Personnel Policy Handbook. This amendment shall be posted for at least ninety days throughout the offices of the County.

Passed and adopted by the Board of Pulaski County Commissioners and Pulaski County Council this 14<sup>th</sup> day of December, 2015.

**PULASKI BOARD OF COMMISSIONERS**

**PULASKI COUNTY COUNCIL**

**IN RE: AMENDMENT #4**

**Amendment #4 to Pulaski County Personnel Policies Handbook  
dated April 13, 2015  
(Training Reimbursement)**

**WHEREAS**, the Board of Commissioners and County Council desire to make an amendment to the Pulaski County Personnel Policies Handbook, and;

**WHEREAS**, under Employment Policies, an additional paragraph should be added Section 5.13.3, Training Authorization and Reimbursement as follows:

Training Authorization and Reimbursement: The County makes a substantial investment in terms of time and money in providing for the training of its employees and department heads. The County is entitled to expect a reasonable return on such investment, in terms of the commitment and devotion from its employees. The County will, therefore, require reimbursement to the County for any training education or employee skills training if the employee leaves their employment with the County within twelve (12) months or the time specified by their department's specific training reimbursement agreement whichever is longer, unless the education or employee skills training was provided and paid in full through an economic development incentive from a federal, state, or local program.

**NOW, THEREFORE, BE IT AMENDED** by the Board of Pulaski County Commissioners and the Pulaski County Council that the above language shall be included and a part of the Pulaski County Personnel Policy Handbook. This amendment shall be posted for at least ninety days throughout the offices of the County.

Passed and adopted by the Board of Pulaski County Commissioners and Pulaski County Council this 14<sup>th</sup> day of December, 2015.

**PULASKI BOARD OF COMMISSIONERS**

**PULASKI COUNTY COUNCIL**

**IN RE: AMENDMENT #5**

**Amendment #5 to Pulaski County Personnel Policies Handbook  
Dated April 13, 2015  
(Timekeeping)**

**WHEREAS**, the Board of Commissioners and County Council desire to make an amendments to the Pulaski County Personnel Policies Handbook, and

**WHEREAS**, the Board of Commissioners and County Council have installed and established a new time keeping software program for payroll purposes of the employees of the County, and

**WHEREAS**, to stay in compliance with the software program, Chapter 3, Salary Administration, Sections 3.4; 3.7; 3.8; 3:10; and 3.12 language shall be changed to respectively read as follows:

**3.4 TIMEKEEPING**

Federal and state laws require the County to keep an accurate record of time worked in order to calculate employee pay and benefits. "Time worked" is all time actually spent on the job performing assigned duties.

The Fair Labor Standards Act (FLSA) and Family and Medical Leave Act (FMLA) require that certain records be kept on each covered non-exempt worker. The record must include accurate information about the employee and data about hours worked and wages earned. Employers are required to maintain the following records:

Employee's full name, as used for Social Security purposes, and on the same record, the employee's identifying symbol or number if such is used in place of name on any time, work, or payroll records;

Address, including zip code;

Birth date if younger than 19;

**IN RE: AMENDMENT #5 (CONT.)**

Sex and occupation;

Time of day of week when employee's workweek begins, hours worked each day, and total hours worked each workweek;

Basis on which the employee's wages are paid;

Regular hourly rate;

Total daily or weekly straight-time earnings;

Total overtime earnings for the workweek;

All additions to or deductions from the employee's wages;

Total wages paid each pay period; and

Date of payment and the pay period covered by the payment.

Ind. Code 5-11-9-4 requires that public sector employees maintain records showing which hours were worked each day by officers and employees. These records are subject to audit by the State Board of Accounts.

Pulaski County in 2015 contracted with "Right Stuff Software Corporation" as the exclusive provider of timekeeping devices and software for county employees. The Pulaski County Auditor will no longer input "time recorded data" into the payroll system, as this task will be automated by the employees use of the fingerprint scanners and the department heads ability to access the software to modify the "time recorded data" pursuant to Section 3.4.2 of this policy. The current contracted timekeeping software provider, or any subsequent provider contracted with the County shall be the only means of providing data to the payroll system to generate a paycheck. No alternative means are available to generate a paycheck. No written payroll forms will be accepted by the Auditor unless specifically authorized in this policy book.

Every employee is responsible for accurately recording time worked by using the fingerprint scanner designated for their department unless they have specific written authority to log into the timekeeping software by alternate means as set forth in Section 3.4.1.

Employees should use the fingerprint scanner to record the time they begin and end their work, and the time they begin and end each meal period. Employees should also record the beginning and ending of any split shift or departure from work for personal reasons. Overtime work must always be approved by the elected official/department head before it may be paid.

**3.4.1 Fingerprint Scanner Use and Alternatives**

All employees must utilize the fingerprint scanner to record their presence at work unless they qualify under the following exceptions:

a) Physically Unable to Use Fingerprint Scanner: If an employee's fingerprint is unable to be read by the scanner then that employee may be issued a key fob to utilize the scanner. Before an employee may be issued a key fob, their inability to use the fingerprint scanner must be verified by the Auditor. The Auditor will keep a list of employees who have been issued key fobs. It is noted that it is extremely rare for an individual to have unreadable fingerprint so it is expected that very few employees will be issued key fobs.

b.) Sheriff's Road Deputies: If a Sheriff's deputy is assigned to patrol or road duty they will be given access to the timekeeping program through an on-line log in process. This will only be made available to the current deputies assigned to patrol or road duty. An officer will gain or lose this access depending on their assigned duties.

**3.4.2 Department Head/Supervisor Access**

All Department Heads shall have the ability to view their employees' timekeeping records through the secure internet site provided by "Right Stuff Software" or any subsequent provider. The Department Head shall use the software to make corrections or approve corrections submitted by their employees to accurately reflect the actual time worked by the employee. The Department Head shall only modify the records of employees within their department. The Department Head may designate a supervisor with the authority to act on their behalf with regard to the necessary modifications to employee time records. The Auditor shall approve the appointment of any supervisor with access to the software and keep a list of said supervisors.

**3.7 MULTIPLE POSITIONS**

Employees working in more than one Pulaski County position as a non-exempt employee will have their combined hours worked in both positions calculated for determining overtime obligations under the Fair Labor Standards Act (FLSA).

**3.8 TIME CARDS**

The elected official/department head or their designated supervisor will review their departments payroll and approve it through the timekeeping software system provided. Any modifications made which alter an employee's time-stamped records must include an explanation from the department head and or supervisor explaining the need for the correction.

Employees working on county time but out of the office or off-site employees (such as inspections, etc.) need to have their department head/supervisor alter their timekeeping records in the software program to account for these hours. All such hours are subject to the approval of the department head/supervisor. Time should be recorded in one-quarter (1/4) hour increments.

Employees should review their timekeeping and payment record for each pay period to verify they were compensated for the amount of time worked. Failure of an employee to review their timekeeping and payment records and file a written objection to the Auditor's Office on the Time Card Discrepancy Form U within 30 days of the alleged error shall waive any future claim for compensation arising from the alleged error.

For detailed instructions on how and utilize the timekeeping software, employees should consult with their elected official/department head. If the issue cannot be resolved, consult the County Auditor.

### **3.10 PAY CORRECTIONS**

Pulaski County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. The County prohibits improper deductions from wages. Any employee who thinks that he/she has had incorrect deductions from his/her paycheck or was not paid the proper amount should give notice on the day of receipt of such pay or any day thereafter, in writing to the elected official/department head who should promptly bring the discrepancy to the attention of the County Auditor so corrections can be made as quickly as possible.

The prompt reporting of errors is in everyone's best interest. All reports will be investigated. If it is determined that an improper deduction was made or the employee was paid an improper amount for some other reason, the error will be corrected on the next payroll date.

Failure of an employee to review their timekeeping and payment records and file a written objection to the Auditor's Office on the Time Card Discrepancy (Form U) within 30 days of the alleged error shall waive any future claim for compensation arising from the alleged error.

### **3.12.1 Overtime**

Employees will be given the opportunity for overtime work assignments when operating requirements or other needs cannot be met during regular working hours. All overtime work must receive the department head/supervisor's authorization. The employee must fill out a overtime request form in the timekeeping software system which must be completed and approved. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all non-exempt employees in the form of monetary reimbursement or compensatory time, in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked.

Employees who work overtime without receiving prior authorizations from the elected official/department head may be subject to disciplinary action, up to and including termination of employment.

**3.12.1(A)** Non-public Safety Employees and Dispatchers eligible for overtime shall be paid straight time for additional hours worked up to forty (40) hours per week. The employee shall be granted either overtime compensation in the form of monetary reimbursement at a rate of one and one-half times (1 ½) the hourly wage for all approved hours worked in excess of forty (40) in a normal work week; or if overtime funds have not been appropriated, the employee will receive FLSA compensatory time as described below. Overtime monetary reimbursement is based on actual hours worked. Time off on paid time off (PTO), holidays, all accrued compensatory time, or any leave of absence will not be considered as hours worked for purposes of calculating overtime.

**3.12.1(B)** Sheriff Merit Officers and Jailers eligible for overtime shall be paid straight time for additional hours worked in excess of eighty-six hours (86) 14 day work period. The employee shall be granted either overtime compensation in the form of monetary reimbursement at a rate of one and one-half times (1 ½) the hourly wage for all approved hours worked in excess of eighty six hours (86) hours in a 14 day work period; or if overtime funds have not been appropriated, the employee will receive FLSA compensatory time as described below. Overtime monetary reimbursement is based on actual hours worked. Time off on PTO, holidays, all accrued compensatory time, or any leave of absence will not be considered as hours worked for purposes of calculating overtime.

### **3.12.2 Compensatory Time**

Employees not regularly scheduled to work forty (40) hours per week will receive non-FLSA compensatory time on a hour-for-hour basis for additional approved hours worked up to forty (40) in a normal work week.

Employees regularly scheduled to work more than forty(40) week may be compensated with FLSA compensatory time in keeping with this policy book.

When FLSA compensatory time is used in place of monetary reimbursement; compensatory hours shall be awarded at the rate of one and one half (1 ½) hours for all hours worked over forty (40) in a normal work week. Calculating compensatory time is based on actual hours worked. Time off on paid time off (PTO), holidays, compensatory time, or any leave of absence will not be considered as hours worked for purposes of calculating compensatory time. Use of FLSA compensatory time, in lieu of monetary overtime, must be approved by the department head in the timekeeping software program provided by Pulaski County.

At their sole discretion, elected officials/department heads may schedule use of employee compensatory time so long as the other provisions of this policy book are maintained.

### **3.12.3 Maximum Compensatory Time Accrual**

Employees who may retain up to twenty (20) compensatory time hours and may accrue up to eighty (80) compensatory time hours before monetary compensation is required. Elected officials and department heads are required to schedule use of compensatory time as soon as possible to avoid accrual beyond the stated retention limit of twenty (20) hours. The record of compensatory time must be entered into the timekeeping software.

Department heads shall monitor employee accrual of overtime compensatory hours, and ensure that employees schedule use of compensatory time within ninety (90) days from the date it was earned.

An employee that intends utilize accrued compensatory time should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Employees must schedule and take off accrued compensatory time through the forms provided on the timekeeping software program.

**3.12.4 Overtime Approved Timekeeping Software**

All overtime compensation or compensatory time shall be approved by completing an overtime request form provided in the timekeeping software program. The form must be submitted through the software program to the employee's department head for approval. The department head shall explain the reason for the overtime/compensating time accrual in the memo section on the timekeeping software program provided by the County.

**WHEREAS**, if an employee desires to use any PTO or Compensatory Time, the request shall be made through the Right Stuff Software system. The Pulaski County Personnel Policy Form I is no longer valid. Under Chapter 4, Employee Benefits, Section 4.1.1 (F) shall be changed to read as follows:

F. To take PTO, employees should request advance approval within two weeks from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Employees must schedule and take off eligible PTO time through the forms provided on the timekeeping software program.

**NOW, THEREFORE, BE IT AMENDED** by the Board of Pulaski County Commissioners and the Pulaski County Council that the above language shall be included and a part of the Pulaski County Personnel Policy Handbook. This amendment shall be posted for at least ninety days throughout the offices of the County.

Passed and adopted by the Board of Pulaski County Commissioners and Pulaski County Council this 14<sup>th</sup> day of December, 2015.

**PULASKI BOARD OF COMMISSIONERS**

/s/ Larry L. Brady, President  
/s/ Terry Young, Vice-President  
/s/ Bud Krohn, Jr.

**PULASKI COUNTY COUNCIL**

/s/ Jerry G. Sullivan, President  
/s/ Roger Querry, Vice-President  
/s/ Thomas J. Roth  
/s/ Linda Powers  
Alexsondra Haschel - Absent  
/s/ Douglas Roth  
/s/ Michael T. Tiede

ATTEST: /s/ Shelia K. Garling, Auditor, Pulaski County

**IN RE: IT DIRECTOR'S 2016 BUDGET**

Comes now, RB Walters, IT Director to discuss with the Council a budget for 2016 for the IT department.

There being no further business, the meeting was adjourned at 7:08 p.m., Eastern Savings Time. A motion made by Commissioner Terry L. Young, seconded by Larry L. Brady to adjourn. A motion made by the County Council to adjourn Thomas J. Roth, seconded by Douglas Roth. Motion carried. The next scheduled Joint Session is Monday, February 8, 2016 in the Commissioners room at 6:00 p.m.

**Approved & signed this 11th day of January, 2016  
PULASKI COUNTY COUNCIL**

\_\_\_\_\_  
Jerry G. Sullivan, President

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Roger Querry, Vice-President

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Linda Powers

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Thomas J. Roth

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Douglas Roth

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Alexsondra Haschel

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Michael T. Tiede

ATTEST: \_\_\_\_\_  
Shelia K. Garling, Auditor, Pulaski County

**Approved & signed this 4th day of January, 2016  
PULASKI COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Larry L. Brady, President

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Terry L. Young, Vice-President

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Bud Krohn, Jr.

ATTEST: \_\_\_\_\_  
Shelia K. Garling, Auditor, Pulaski Co.