

# ***Vermillion County Commissioners Meeting Agenda/Minutes***

Tuesday December 1, 2015

6:00 p.m.

Commissioners Courtroom, Courthouse, Newport, Indiana

- I. **CALL TO ORDER.** The Vermillion County Commissioner's convened in a regular meeting on Tuesday, December 1, 2015
- II. **ROLL CALL.** Members present were President Tim Wilson, Vice-President Harry Crossley, Tim Yocum, Auditor Phyllis Orman, First Deputy Amy Tolbert, and Attorney Jon Spurr.
- III. **APPROVAL OF MINUTES.** The minutes from November 17, 2015 were approved on a motion made by Harry Crossley and seconded by Tim Yocum. The motion carried.
- IV. **EXAMINATION OF CLAIMS.** After reviewing the claims docket, the claims were approved for release on December 4, 2015 on a motion by Harry Crossley and seconded by Tim Yocum. The motion carried.
- V. **EXAMINATION OF PAYROLL.** After reviewing the payroll docket, the payroll was approved for release on December 4, 2015 on a motion by Harry Crossley and seconded by Tim Yocum. The motion carried.
- VI. **MONTHLY FINANCIAL REPORT.** Wilson acknowledge receipt of the monthly financial report.
- VII. **OPEN ISSUES:**
  - Feasibility Study. Yocum asked for copies of claims paid so far and asked that a representative attend the next meeting to give an update on the study.
  - Claims for overtime. Crossley said the issue has been tabled for far too long and a decision needs to be made. Two claims have been submitted. One from the Area Plan Executive Director Penney Barton in the amount of \$6,664 and one from Recorder Marge Hennis (for hours accumulated when she was the First Deputy Recorder) in the amount of \$5,971. Wilson said that if the office holder signed off on the claims then the commissioner's should pay it, otherwise they should not. Crossley said Barton is the only one in her office and does not have an immediate supervisor. He said the former Recorder, Lori Porter, no longer works for the county. Wilson said the State Board of Accounts will look at the handbook to determine if these claims are eligible for payment. Spurr said there are two different handbooks to refer to, the prior and current handbook and that there is no clear cut answer. There were questions regarding former Sheriff Bob Spence, who was paid comp time after he retired. Spurr said this was a different situation. He had earned the hours while he was employed as a Deputy Sheriff and when he was elected Sheriff those hours remained unclaimed. The State Board of Accounts required he get signed affidavits stating that he had earned those hours. Crossley was concerned that if the commissioners paid the claims and it was determined that they should not have then they would have to pay out of their pockets. Spurr said the issue is that the records in the Auditor's office show that they worked 7 hour days and now they are claiming they worked 8 hours. Barton said she was told when she turned in her payroll that she could not put down 8 hours by Payroll Deputy Auditor Becky Julian. She also stated that her job description states she is a non-exempt employee. Clerk Florinda Pruitt said a First Deputy makes \$600 more than a regular Deputy because they are to fill in if the office holder is absent. She said a First Deputy acting in the absence of an office holder is not eligible for comp time. Councilman Brent Bush suggested that one of the commissioners sign off on Barton's time sheet. Wilson also read a letter from Julian that she had explained the 7 hour work day but had not refused to accept a time sheet from any employee. Crossley asked why Barton did not question it at the time and Barton said there was turmoil over a lawsuit concerning the zoning boards and she was just trying to stay out of it and get her job done.

Wilson said he has nothing against anyone who has filed a claim but he suggests they deny the claims. He said the two employees can then take it to court and we won't hold it against them. Wilson made a motion and took a vote to deny the claims to pay Penney Barton and Marge Hennis. The claims were denied by a 3-0 vote. Clerk Pruitt added that there is a form that can be used for granting comp time. She said the requests are made and signed before the comp time is earned.

**VIII. NEW BUSINESS:**

- Crossley made a motion to appoint Greg Looney to the Area Plan Commission and the Board of Zoning Appeals. He will replace Jerry Miller. Yocum seconded the motion.
- Petition to Vacate Alley-Ingebrigtsen. Erik and Janis Ingebrigtsen of Terre Haute filed a petition to vacate an alley in St. Bernice, between fifth and sixth streets, just west of St. Rd. 71. It was noted that they own all property on both sides of the alley and no objections were presented. Crossley made a motion to allow, seconded by Wilson.
- 2016 Meeting Schedule. Crossley made a motion to approve the schedule, seconded by Wilson. The meeting follows that same format as prior years. The Commissioners meet every other Tuesday, prior to payday. The 1<sup>st</sup> meeting of the month is at 6:00 p.m., all other meetings in the month are held at 8:15 a.m.
- Vermillion Rise Spec Building. Attorney Lou Britton was present to answer any questions the Commissioner's may have in regards to the spec building proposal. He said the council must appropriate the money to the Commissioner's and then the Commissioners can grant the funds with strings to Vermillion Rise. Vermillion Rise then loans the funds to Garmong for the construction of the spec building. He mentioned that no funds are disbursed until the building is weather tight. He said the developer then repays the money upon the sale of the building and the county will get their \$1.5 million first. He said to keep in mind that they are building a shell building and it will not be move in ready. He said they don't finish it because different types of business may need certain items, such as concrete floors. He said it is a basic building ready for customization. Yocum had an example of a spec building for the public to view. Britton said the building will be right across from the County Jail, just over the fence. Very visible from Highway 63. Yocum asked about the time line. Britton said the plan is to start in the spring and hopefully finish by the end of the summer, early fall. He said there will be some heat to avoid condensation. Bush asked about the length of return on the \$1.5 million dollar loan. Britton said the maximum will be 10 years. He also stated Garmong won't get their money until the project is completed.
- New Election Equipment. Pruitt gave an update on a company she is interested in. She said the company is currently in 47 of the 96 counties. She said currently they are not in a contract with the current provider. She said she has spoken with other counties and they all seem very pleased with this company. Wilson tested the equipment during her presentation on Monday and it seemed very simple to use.

Read in full and approved by the Vermillion County Commissioners on the 15<sup>th</sup> day of December, 2015.

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Tim Wilson

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Harry Crossley

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Tim Yocum

Attest: \_\_\_\_\_  
Phyllis Orman, Auditor