
Gibson County Council
Regular Session
July 14th, 2020

The Gibson County Council met in Regular Session on July 14th, 2020, at 9:00 AM at the North Annex Meeting Room.

Members Present: Included President Jay Riley, Vice-President Craig Pflug, Councilmen William McConnell (absent), Jeremy Overton, Derek McGraw, Dan Beard, Michael Stilwell and Gibson County Auditor Sherri Smith.

Open with Pledge

Approval of Minutes

June 9th, 2020 minutes were approved as read.

Presentation of Treasurer’s Report

06/30/2020 report was acknowledged.

Presentation of Clerk’s Report

04/30/2020 report was acknowledged.

Department Reports

Sheriff Department report was given by Deborah Borchelt; handouts were given to the Council for June monthly reports. There were no questions.

Health Department gave reports to the Council. Director Hornby reported in June there were 26 cases of COVID-19 in the county; there have been 86 new cases since July 1. This equates out to approximately 400-500 people in quarantine, which is affecting businesses significantly. They are watching Vanderburg County closely on the mask situation. She told everyone to wear a mask to protect yourself, especially in businesses. The virus can be spread 48 hours prior to someone showing symptoms. Hospitals are reporting directly to State. Gibson county will have 2 testing sites with no fee and tests will be administered without symptoms.

EMA, Director Hedges is working on the CARES (Corona Aide Relief Economic Security) Act on behalf of the County. This grant was provided to Indiana in the amount of \$300,000,000 is issued through the Indiana Finance Authority and runs March 13, 2020 through December 31, 2020. It will provide for eligible payroll reimbursements, reimbursement for personal protection equipment, cleaning, disinfection, and medical supplies. There is a packet available explaining everything that will be reimbursed to the entity. The County, the Mayor of a City, or the Town

Board President can make application for this funding. This is a use it or lose it type grant with 100% funding. Reimbursement turnaround is approximately 2-3 weeks.

Old Business

- Additional appropriation for Commissioners tabled in the June meeting was brought back to the table. Kay Vore presented a list of fees the Commissioners have incurred, but do not have the funding to pay. The paperwork shows legal service invoices paid \$27,802; invoices received but unpaid is \$65,564; plus, projected fees of \$40,000; plus, reimbursement for Attorney McDonald's fees of \$6,000; all totaling \$139,366. This is a request for an additional in the EDIT fund. There are two attorneys' representing the County in federal lawsuits. Councilman Overton asked if there was a new EDIT plan. There is not currently a revised plan. He then asked if this was the total that had been spent. Kay Vore replied the \$40,000 had not been spent yet. The Commissioners are also requesting an additional appropriation in General Fund in the amount of \$77,200, which includes liability claims line 30-03-49 in the amount of \$27,200. Another \$50,000 is needed for County Attorney McDonald billing thru the year end in line 30-03-10 Legal Services. Councilman Pflug clarified from the June meeting that mental health transfer made to legal services had been reversed; it has been reversed per Kay Vore. Now, line 30-03-10 needs additional money. Councilman Pflug asked for clarification; he is wondering if the \$77,200 plus the \$139,366 are both required additional appropriations. Kay Vore confirmed they were both required, as the \$77,200 is for County General and \$139,366 is for EDIT. Councilman Pflug asked if there had been \$10,000 paid out of the LIT Correctional Facilities Tax for the jail lawsuit. Clarification was made that the \$10,000 paid from the LIT Correctional Facilities tax was for Baker Tilly's professional services to enact the local income tax for the County.

Councilman Stillwell motioned to advertise the General Fund additional appropriation in the amount of \$77,200 (1000-30-03-10 \$50,000 and 1000-30-03-49 \$27,200), seconded by Councilman Beard. With no further discussion, the motion carried 6-0. Councilman Overton requested an accounting of the legal services fees accumulated from the Area Plan Commission.

- Next on the agenda is the additional appropriation for EDIT in the amount of \$139,366 for the APC billing of KDDK and Attorney McDonald thru year end. President Riley asked for a motion to advertise. No one made the motion. Auditor Smith asked Kay Vore to present a revised, signed EDIT plan at the August meeting. The motion died.
- Additional appropriation for Auditor's Ineligible Fund #1216 has been advertised in the amount of \$3,150. Councilman McGraw motioned to approve this additional appropriation, seconded by Councilman Beard. With no further discussion, the motion carried 6-0.

- Councilman Stillwell went back to the EDIT additional appropriation request. Councilman Stillwell motioned to approve the advertisement of this additional in the amount of \$139,366, Councilman Pflug asked Kay Vore why one of the Commissioners had not come to the meeting to talk about this additional, as they know Kay Vore is only the messenger. Kay Vore told the Council that Commissioner Key was present, if they would like to speak with her. The Council requested that Commissioner Key come forward to answer questions.
- Next, not on the agenda was County Attorney McDonald to discuss the appropriation for hiring of an architect for the jail, American Structure Point. He requested the Council appropriate money in Fund 1233 LIT Correctional Facility for this project. They are requesting \$500,000 for Architectural fees and Baker Tilly professional fees. Councilman McGraw made a motion to approve expenditures up to \$500,000 for architectural and professional fees, seconded by Councilman Beard. With no further discussion, the Motion carried 6-0.

New Business

- EMS requests a transfer of \$20,000 from 47-02-21 Fuel into 47-03-21 Major ambulance repairs. Councilman McGraw made a motion to approve this transfer, seconded by Councilman Stillwell. With no further discussion, the Motion carried 6-0.
- Surveyor requests additional appropriation for \$10,000 from Fund 1202 Surveyor Corner Perpetuation. This additional will be used to purchase section corner monuments. Councilman McGraw made a motion to approve this advertisement, seconded by Councilman Overton. With no further discussion, the Motion carried 6-0.
- Chief Public Defender Lisa Moody has 2 employees/staff from her office that will move into the Public Defender's Department; one has worked for Lisa Moody Law for 9 years; another has worked in her office over 11 years. These 2 people have moved into the newly formed Public Defender Department for the County; due to these employee's experience, she is requesting a waiver on the \$1,000 less for new hires and start both employees making 1st deputy pay. Councilman McGraw made a motion to approve this beginning rate of pay at a 1st Deputy's rate of pay, seconded by Councilman Overton. With no further discussion, the Motion carried 6-0. Public Defender Moody also requested the employee's pre-county seniority be counted for vacation paid time off; thus, beginning at 3 weeks' vacation for one- and 4-weeks' vacation for the other. The Public Defender Board has voted to approve this vacation time adjustment. Since the County has never done this before, Auditor Smith asked that she appear before the Council for this request. Councilman Overton feels that unless a Councilman wishes for something other than what is being requested, no action will be taken on this matter, as the Commissioners ultimately make this decision. The Council acknowledged this

vacation time adjustment. Also, Public Defender Board has classified Lisa Moody as an elected official.

- Community Corrections Office Manager Michael Owens – requests a transfer of \$28,239.22 from 1123 into 9121 to reimburse monies paid out to a retiring Office Manager and to pay him for the balance of the year. The Community Corrections Board has approved this transfer of money. Councilman McGraw made a motion to approve this money transfer, seconded by Councilman Overton. With no further discussion, the Motion carried 6-0.
- Health Dept. Director Diane Hornby needs additional staff/money for the Part time screener at the Courthouse entrance, and an additional person to help at the COVID-19 testing site. EMA Director Hedges told Auditor Smith, Friday morning, the CARES Act grant can now be used to reimburse the Health Dept. for part time screeners. He said this grant changes every week and they are loosening or expanding what the money can be used for. County Attorney McDonald told the Council this is an effective position, as there are people deterred daily from entering the Courthouse sick; the Judges request position be continued. This Health Department, Fund 1159 requests an additional appropriation of \$20,000. Councilman Pflug made a motion to approve advertisement of this \$20,000 additional appropriation, seconded by Councilman McGraw. With no further discussion, the Motion carried 6-0.
- Pre-Trial Director Bree Edwards requests additional staff; this department would like a 3rd person funded for salary and benefits with grant money recently received. This grant Fund 9118 will run July 2020 through June 2021. The department will need to make this request yearly, since the grant runs from year to year. This is a 1st Deputy paid position with benefits; if coming from within the courthouse, the \$1000 less will be waived. If the position is hired from outside the courthouse, the position will start \$1000 less than 1st Deputy pay. Councilman McGraw motioned to approve this position, seconded by Councilman Overton. With no further discussion, the Motion carried 6-0.
- Solid Waste is a binding unit of the County; they requested an additional appropriation in the amount of \$9,984.00 from their General Fund for the Landfill Closure Project. Councilman Pflug motioned to advertise this additional appropriation, seconded by Councilman Overton. With no further discussion, the Motion carried 6-0.
- Auditor Smith - 2020 Year End Wages Information– Rather than ask for an additional appropriation for the last County payroll of the year, the Auditor recommends depositing payroll on 12/31/20 instead of 01/01/21. The money is budgeted for 2020; the banks are open on 12/31/2020, not 1/1/21. Elected Officials will receive their last paycheck on December 18, 2020; the next paycheck will not be received until January 15, 2021. This

is because the elected official's salary is divided into 26 pays and by moving this payroll to 12/31/2020, it will cause 27 payrolls.

- Princeton Public Library is requesting an additional appropriation on their building project in the amount of \$63,158.00. They want to use the interest earned on certificates of deposit. Councilman McGraw motioned to advertise this additional appropriation, seconded by Councilman Beard. With no further discussion, the Motion carried 6-0.
- Sheriff Bottoms requests transfer #10 from 1222-01-01-10 Communications Officer to 1222-01-01-07 Overtime in the amount of \$7,000. Councilman Pflug motioned to approve this transfer, seconded by Councilman Stillwell. With no further discussion, the Motion carried 6-0.
- Sheriff Bottoms requests a transfer #11 from 32-01-15 Corrections Officer in the amount of \$14,000 INTO 32-01-19 Overtime. Councilman McGraw motioned to approve this transfer, seconded by Councilman Pflug. With no further discussion, the Motion carried 6-0.
- Circuit Court Judge Meade requests additional appropriation in the amount of \$40,000 for pauper counsel fees needed to finish out the year. Councilman Pflug motioned to advertise this additional appropriation, seconded by Councilman Stillwell. With no further discussion, the Motion carried 6-0.
- Toyota Boshoku Real Estate Compliance Tax Abatement received on time. The Council acknowledged; the Council President will sign.
- Garmong Construction made a presentation about the jail project. Garmong is a premier jail builder, with an office located in Evansville; they have completed 9 Indiana jails; one of those being a 208 bed in Posey County. They discussed their areas of expertise and the position of Construction Manager, which transfers the risk from the County to the Construction Manager. They set the pre-qualifications for bids and help develop a GMP (guaranteed maximum price), which includes contingencies. They try to drive the cost as low as possible while keeping the quality. They plan to give a presentation to the Commissioners.
- Highway Department requests an additional appropriation for retiring employee in the amount of \$21,359.00. This retirement was not budgeted, as it was not planned, thus the additional request. Councilman McGraw motioned to advertise this additional appropriation, seconded by Councilman Overton. With no further discussion, the Motion carried 6-0.
- Commissioner Mary Key was present to answer questions on the EDIT additional appropriation. Councilman Pflug explained the Council's concern in the lack of

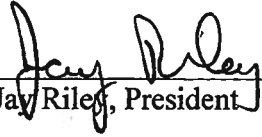
communication with the restart of the Area Plan Committee's (APC) need for funding. He explained the Commissioners need to understand the budget and know there is no open checkbook. Commissioner Key explained the lawsuits the County has been involved with jail, etc. has caused extra expenditures. Councilman Beard asked why the Area Plan Commission's expenses were not budgeted or even discussed, before beginning of the process. They have instead, spent money and expect the Council to cover the expenditures. Commissioner Key feels the lawsuits contributed to this overspending. The Council explained the APC is the real problem, as it was not budgeted. President Riley stated this should have come to the Council prior to being 7 months into the budget and \$140,000 in debt. Commissioner Key does not disagree and agrees the process between the Commissioners and Council should be changed. Councilman Pflug explained the Council was aware of the APC process; however, no one from the Commissioner's ever came to a meeting to explain what to expect. Commissioner Key stated she did not expect the extent of the expense. Councilman Pflug also explained the June \$245,000 request for an additional appropriation as being blind-sided; he accepts some blame for not asking the Commissioners for a price tag. All parties should try to do better in the future. Councilman Pflug went on to say in the future, any money spent must have a request attached, as future funding is very uncertain. They also expect a revised EDIT plan to go with this additional appropriation request.

After receiving confirmation from Councilman Stillwell that a motion was still on the table, Councilman Pflug seconded the motion. The motion carried 4-2 with the following discussion. Councilman Overton stated that he would not vote on this motion until he receives a complete accounting, starting at the beginning (almost 2 years ago), of the expenses, even though it is almost finished. Auditor Smith asked the Council if they would like an account of the County Attorney's APC expenses as well. Councilman Overton and Pflug responded that an excel spreadsheet of all APC expenses should be compiled with as much detail as possible.

- Wendy Williams asked the Council about a prior (2012-2019) sheriff's department employee that is now working for the court's department. The employee was gone four months. Wendy would like the Council to verify if the employee's PTO should begin over or if they can pick up where they left. The Council would like this employee's supervisor to make a written request.
- Patty Oven – Chamber of Commerce requested that a member from the Council attend their next meeting pertaining to Heritage Days.

Councilman Pflug motioned to adjourn the meeting.

Minutes from the July 14th, 2020 meeting


Jay Riles, President


Craig Pflug, Vice-President

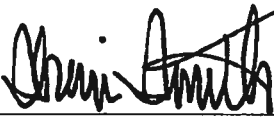

Jeremy Overton, Councilman

William McConnell, Councilman

Derek McGraw, Councilman


Dan Beard, Councilman


Michael Stilwell, Councilman

Attest: 
Sherri Smith, Gibson County Auditor