

Randolph County Commissioners

April 6, 2020

The Randolph County Commissioners met at their regular meeting at 9:00AM in a zoom meeting with the following members present: Board President Michael Wickersham, Tom Chalfant and Gary Girton. Also present was Randolph County Auditor Laura J Martin, Sheriff Art Moystner and County Attorney Meeks Cockerill.

Michael Wickersham, President presided over the meeting.

Necessary Guidelines for Retail Stores and Grocers

Mike said the first thing on the agenda is the memorandum or the Necessary Guidelines document that he and Dr. Sowinski along with the assistance of Mayor Bob McCoy and Mayor Chad Spence put together last Tuesday basically limiting the number of customers that are allowed in retail stores and grocery stores. He said this was made effective Thursday April 2, 2020 at 5:00 pm and it has been in place since that time. He said he has received calls from a couple of retailers wanting to fine tune the definition of how they are to do that and they both seemed satisfied on how they were to do this. He said he is saying to Gary Girton and Tom Chalfant that he would recommend that the Commissioners keep this in place until they and the state are ready to remove it. He said all the retailers are cooperating and he thinks it is having a positive effect. Not on the public but on the employees that are working in those stores. So, he would recommend that they keep that in place and ask the Commissioners to confirm the necessary guidelines for retail stores and grocers that was issued last week.

Gary Girton said that he agreed 100% and he would make the motion to confirm the necessary guidelines for retail stores and grocers and to keep it in place. Tom seconded. All aye votes. Motion carried.

Confirmation of Action

Revised Resolution Requiring Certain County Continuity of Services—Confirmation of Action; Modify, or Void

Mike said the next item is the Commissioner's Resolution Requiring Certain County Continuity of services and employees to work remotely during the declared emergency. He said if Tom and Gary would look at that closely we have amended this a couple of times. The first time it was amended to include the health nurse who we felt was intitled to the extra half hour of pay when she reports to work and is on duty at work. He said we also defined the sheriff's department a little better by including the jail personnel. He said with that last revision, we revised it to say from March 27, 2020 until voided or modified by the decision of the county commissioners. He said he did that in anticipation of the governor announcing the extension of his stay in place until today thinking we might avoid some confusion, but the governor did extend his stay in place order on Friday for another two weeks. He said the Commissioner's decision today is do we want to continue this Resolution for another two weeks or really indefinitely until we want to change it or do we want to modify it in anyway or do we just want to do away with it. He said he is open for any discussion that Gary or Tom may have on this.

Gary said he is in favor of staying with it and right now his thought is to not put a date on it, that we leave it in effect until we meet again, which we can do with 48-hour notice by zoom or whatever. He said in his opinion we should leave it in effect until we decide with Dr. Sowinski's recommendation that we change it.

Tom said he thinks it is best to just leave it alone.

Mike said his only addition to that is one of the thoughts in doing this was that County Government could continue operating and doing the essential business that the county needs to do and in some cases that includes allowing people in to the offices to do the work that they need to do. He said as he sees it we as Commissioners can't really tell an office holder to man their office but if were going to make decisions that we are paying their employees either to work remotely from home or not being in the office and not working then we have to or should insist that we are still open to the public for the purpose of performing essential services and that to him is basically doing what each office holder needs to do as the issue comes up. I have received concerns that some of the public has not been able to do what they need potentially need to do. He said I do not know how to control that other than just saying what I just said. He said the intent of this document was to be open for essential business and essential business as we all know is pretty broad and the courthouse offices both administratively and criminal justice have essential work to do and they have essential work to do sometimes at the call of the public and we need to respond to that if we are going to maintain like this. He said he agrees to keep it going as long as we have to keep it going, but he is also strongly of the opinion that essential business needs to go on with the right protection can go on safely.

Tom said he would agree that for a few days people thought we would just close everything down but if this is going to continue for a few weeks we do need to be open to the public for essential business and that is a broad definition so I agree with your comments.

Mike said I don't see the flood gates opening but each office holder can control if somebody needs to come into their office they can do it by appointment and create social distancing separation and sanitation concerns and take care of it that way. He said restaurants and bars are doing that for carry out, grocery stores are now doing it, so I don't know why the courthouse can't do it as well.

Tom said I agree.

Gary said I agree with you in fact that was his intent in voting in favor of this Resolution originally was that we would be open for essential business but there is no need to have extra people in the position that might cause them to become infected because there was no need for them to be on the actual job site or in their office. He said we definitely have to be open for essential business. He said that most of the office positions that have given their work schedules to us that he read was that they would be available and gave phone numbers for people to call and would come in as this resolution said at least within a two-hour notice if it were that important.

Mike asked Meeks if they needed to make a motion to continue the Resolution.

Meeks said he would do a motion for the revised Resolution.

Mike said he would entertain a motion to approve the latest revision of Resolution 2020-09 which leaves in place the Certain County Continuity of Services and employees to work remotely during the declared emergency and leaves in place until voided or modified by the decision of the County Commissioners.

Gary Girton made a motion to adopt the revised 2020-09 Resolution as presented. Tom seconded. All aye votes. Motion carried.

Revised Resolution 2020-09
A Resolution Requiring Certain County Continuity of Services
And Employees to Work Remotely during Declared Emergency

WHEREAS, the Governor of Indiana has declared a public health emergency for Coronavirus Disease 2019 Outbreak ("COVID-19") pursuant to I.C. 10-14-3-12;

WHEREAS, the President of the United States has declared a national emergency for the same;

WHEREAS, it is imperative to allow certain county employees to work remotely in an effort to curtail the community spread of COVID-19;

WHEREAS, it is important for the continuity of services to the County, its vendors and employees;

WHEREAS, allowing certain employees to work remotely will further help promote the safety and well-being of both county employees and general public during the declared emergency;

WHEREAS, allowances need to be made for those employees whose position cannot be performed remotely as to payment of salaries.

WHEREAS, the Board of Commissioners has determined that the following procedures shall be implemented effective March 27,2020 until voided or modified by a decision of the County Commissioners.

NOW THEREFORE, IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY that:

1. The procedure for the approval of claims pursuant to I. C. 36-4-8-5 shall be waived in the event that a regular public meeting of the Board of Commissioners cannot be convened and the President of the Board of Commissioners (if he is able and if he is not able then the Vice President) shall review and approve all valid claims that would have otherwise been presented at the meeting.

2. The Commissioners have required some or all of the employees of the County to refrain from coming into the County Offices during the time of this national emergency as per I.C. 10-14-13-12 and for those employees that are directed to refrain from coming to work they shall continue to receive their regular pay and this pay shall be deemed to be "Emergency Stay Home Pay" and shall be limited to the employee's regular salary in the County salary ordinance without any overtime.

3. Department heads and department supervisors shall implement a plan to allow essential county offices and departments to remain operational but to also allow certain county employees to work remotely until further notice.

4. Those employees that work remotely shall receive pay (hourly and/or salaried) for their regularly scheduled non-overtime work hours subject to the conditions set forth as follows:

a. If some or all of the employee's job functions can be performed from home, the employee is expected to perform those job functions from home during the employee's regularly scheduled non-overtime work hours; and

b. During the employee's regularly scheduled non-overtime work hours during the emergency, the employee is considered "on-call" and therefore, must be available by phone to respond to calls from other County officials and must be available to return to their work station within two (2) hours of notice from their supervisor, Commissioners, or his/her designee.

c. The employees of the Sheriff's Department, the Jail Staff, the E911 Center, the Health Nurse and the employees of the EMS office who currently receive compensatory time shall be paid their regular pay for hours worked plus one-half comp time for hours worked while at work and on duty, this would not apply if they are not in the office but are working at home. This benefit shall be paid as compensatory time pursuant to the policies in the County Handbook that apply to the employee. The employees of the EMS office who currently do not receive compensatory time shall be paid their regular rate of pay plus one half of regular hours worked while on duty, this does not apply if they are not on duty and are working at home.

5. For those employees that cannot work remotely, they shall be considered to be "on call" in the event that during the emergency their services are needed. Said employees including temporary, seasonal or part-time employees shall be paid for hours regularly worked.

6. No employee may work or earn compensation from any other source during the employee's regularly scheduled non-overtime work hours (i.e., for which the employee would earn Emergency Stay Home Pay).

7. For those employees that are required to work remotely or to perform they shall receive their regular compensation as per the County salary ordinance and shall receive compensatory time as per the County Employee Handbooks.

8. Accruals for the benefit of calculations such as vacation pay, sick leave pay, holiday pay and seniority determinations shall continue to accrue during the public emergency closing.

9. Employees on vacation, FMLA or sick leave while the county offices are closed to both the public and employees shall be charged with their vacation, FMLA or sick leave and at the conclusion of their paid time off shall be eligible to receive their regular income

during the course of the pandemic emergency closing. Employees on sick leave or FMLA leave shall submit a medical release from their medical provider to qualify for Emergency Stay Home Pay during the pandemic emergency closing.

The Families First Coronavirus Response Act

Mike said the next item he has is the memorandum of Families first Coronavirus Response that has to do with the 14-day sick leave and the expansion of FMLA and he wants to make sure that all departments and office holders know that their staff and employees know that this law is out there and we are required to abide by it and it started April 1st. He asked Laura if she has any employer, employee notices that we could post or do we need to create something that we can share with all employees and department heads.

Laura said she has the one that she brought to the last first meeting that we needed to add a beginning date.

Mike asked Meeks if he could put something together that Laura can get out to all department heads and elected officials that define what we are required to do under the Families First Coronavirus Response.

Meeks said he is looking for it, he thinks he may have something that has been sent out.

Mike said from an administrative point of view once we have that we need to make sure that all employees know their rights.

Laura said if Meeks gets it to her she can distribute and post it.

Mike asked if Tom or Gary had any questions or comments regarding this.

Tom said no.

Mike asked if there is anyone from the council here with us that have anything to report or questions they might have.

Missy Williams said she has nothing.

Mike asked if Gary Friend, Tom or Gary Girton had anything else.

Hearing none he will move on.

Other Business:

Regular Claims \$538,256.96

Tom made a motion to approve the claims as presented. Gary seconded. All aye votes. Motion carried.

Payroll Claims \$ 217,260.62 and \$218,644.60

Mike said we have two sets of payroll claims one for \$217,260.62 and \$218,644.60.

Gary made a motion to approve the claims as presented. Tom seconded. All aye votes. Motion carried.

Pyramid Consulting Claim \$24,607.00

Mike said we have a claim from Pyramid Consulting for work that they have done on the communications project and it does include surveyor expenses.

Gary made a motion to approve the Pyramid claim for \$24,607.00 as presented. Tom seconded. All aye votes. Motion carried.

Cripe claim 8/2/19 \$1276.55

Cripe claim 9/3/20 \$932.20

Cripe claim 12/31/20 \$222.98

Mike said the next three claims are the architect claims for the highway garage which we have been tabling for quite some time and he is not sure why we would not table them virtually as well.

Tom said he agreed.

Gary said he is not in favor of moving forward with them so he would like to move to table them. Tom seconded. All aye votes. Motion carried.

RCED April Claim \$24833.00

Gary made a motion to approve the RCED April Claim of \$24,833.00 as presented. Mike seconded. Two aye votes. Tom voted against. Motion carried.

Minutes of February 3, 2020, February 18 and February 28

Mike said one correction that he seen in the February 18th meeting was that the Commissioners had indicated that the compensatory time that Jake had earned do to the HVAC system project would be paid out of project funds. There was some confusion in the beginning that those funds were bond funds and we could not pay them out of bond funds but those are our own funds and they should be paid out of the project fund. Mike said we decided to do that but the minutes did not reflect that. He said that he would like for that line to be include in the minutes that this would be paid out of project funds.

Laura said she would correct that. She asked Angela if it had been paid out of project funds.

Angela said it had.

Mike asked with that modification are there any additional additions, deletions or corrections the February 3, February 18 or the February 28th meetings.

Gary said he did not see any so he will make a motion to approve all three. Tom seconded. All aye votes. Motion carried.

Election day Holiday currently May 5

Mike said the next item is the moving of the Election day holiday since there is no election on May 5th and it has been moved to June 2nd then we should move the holiday to June 2 too.

Tom made a motion to move the Election day holiday to June 2nd. Gary seconded. All aye votes. Motion carried.

EDIT Plan Update

Mike said the next item is an amendment to the EDIT plan, as you know in our meeting when we approved the support of the Randolph County Promise of \$25,000.00 a year at the Commissioner's meeting we made that promise to do that for 5 years and our EDIT plan only did it for three years which created some confusion with the Community Foundation since they used our five year commitment to help them gain other funding opportunities. He said they were concerned that our EDIT plan did not provide that beyond three years so we agreed to amend our EDIT plan and thought that we might as well get that done today so that when the time comes that we can have meetings we can then just call an EDIT board meeting to finalize the amendment.

Gary made a motion to approve the EDIT plan as amended. Tom seconded. All aye votes. Motion carried.

OCRA COVID-19 Response Program

Mike said OCRA has set aside several million dollars to help local communities in response to the Covid-19 and the grant money is available to local communities up to \$250,000.00 and it can be used for three different areas. He said one is for public facilities that might have been effected by the response another would be delivery of health services or food services, he is not sure that we have established anything that would help that, we have food banks but he is not sure they are set up to deliver and the third is economic development and it is his understanding that the Economic Development office have been getting calls from many of the local businesses that have been either shut down or slowed down because of the coronavirus about help. He said obviously the federal government has help out there but this is an opportunity to provide zero interest loans to businesses or even forgivable loans to businesses that have had major negative effects from the coronavirus. He said the Economic Development office has presented this to him last week and as with everything regarding Covid-19 response, the response is immediate and the sooner the better it is first come first serve so he went ahead and signed a letter that was prepared by the Economic Development office basically saying we are interested in being a grant recipient as we are with any OCRA and the only difference between this grant recipient is that this does not count as one of our OCRA grants slots as you know we are only allowed to have three at any one time and we have one right now, Jay Randolph Developmental Center but this would not count as two this would be outside of that OCRA count. He said he talked to our OCRA representative in the area and he indicated that it would be outside. He said what this letter does is it says we are interested in the \$250,000.00 for economic development in the county and to help those businesses that have been hurt by it. He said we already have a revolving loan fund that does rural development loans and has been doing our national economic development revolving loan although that account is soon to be empty this could go in there and be parted out and loaned out by using that same revolving loan committee that is already set up. He said the advantage to going with just these, the other opportunities we really have nothing set up to move

forward on. He said with that being said he went ahead and signed this letter on Friday so it could be put into OCRA's hands on Friday saying that we are interested in being recipient for up to \$250,000.00 for the Covid-19 response. He said that is a lot at one time to absorb, again just like any OCRA grant if we are approved we don't have to take it. He said we are not putting up any money for it, the real questions are do we want to pursue it and do we want to pursue it just for Economic Development or do we want to broaden it include the other opportunities that are there, that we would really have to create something new. He asked for thoughts from anyone else on this.

Missy said she thought this would be a great thing for us to do, we are going to have come up with some ways, she and Ceann have done a lot of talking about this, to assist some of these small businesses when they get out of quarantine that we are going to be able to help them out and get our small business economy going again. She said it may take a grant writer but that is paid for from within the grant itself so that is another plus.

Mike said that this does not name a grant writer although he has talked to both Greg Beumer, who is a grant writer and Tina Henderson from Mendenhall and Associates too who has done some nice work for White River Fire Department. He said he does not know how you go about bringing the grant writer in but he will say that Greg is the one who brought this to our Economic Development office and he is the one that went to the webinar, so his firm is on top of this but that doesn't mean that Mendenhall and Associates aren't either. He said anyway all this does is basically say that we are interested and we want to apply for this grant.

Gary Friend said he does not see any down side, so he would continue on himself.

Ceann said she was on a conference call last week with her counterparts from this region and they are all looking at how they can do this type of program and whether people have an existing revolving loan or have new money and also our staff has 16 pages of businesses that they are going to be calling this week with a little survey question to get an assessment of where all of our county businesses are at, it is about 4 or 5 question survey and they will be going through that to get feedback so we can have a comprehensive understanding of how our businesses have been hurt and what resources they have already gained and how we can help them in the future.

Mike said that sounds great.

Gary Girton asked what kind of a turn around are we going to have and how quick would some of this money be available to help the businesses because he is sure that some of them particularly the ones that are completely shut down could be in financial trouble if it is going to take 6, 8 or 10 months like a lot of these OCRA grants do before we can get access to any of the funding.

Ceann said her understanding is that it is almost immediate and it is first come first serve. She said they do not know how much money they have to give out but their understanding is as soon as we get approved to be in line it is going to be very instantaneous within weeks.

Gary Girton said he agrees with Gary Friend and the rest of you that we need to move forward on this because he can see significant economic issues with our small businesses in the county after all of this. He said we need to get access to as much funding as we can and put it in the process that we have for our revolving loan fund. He said we may need to look at giving some forgivable loan funding.

Mike said he is not sure what the standard is to have it forgiven, he said he does not know if OCRA determines that or if the local revolving loan fund committee determine that but he is sure there would be some bar you would have to reach to have it forgiven.

Tom Chalfant said are we talking about having a local revolving loan fund administer this.

Mike said we already have one.

Tom asked if they would be the administrator of this.

Mike said the grant writer would be the administrator as far as reporting to OCRA. He said the revolving loan fund would report to the grant writer and the grant writer would then report to OCRA to make sure that all of the i's are dotted and the t's are crossed. He said the actual loaning of the money as he understands it because you need something in existence that revolving loan fund committee would be responsible for saying who gets how much.

Tom said so that committee is already existing.

Mike said yes, that is already existing it's the one that we just emptied half the funds out of because the did away with the EDA, federal fund. He said the USDA fund is still there and being administered and he doesn't know who is on that committee Ceann or Missy. He said he knows one of them is Bob Morris.

Ceann said that her understanding is that it is Errol Klem, Rick Tudor, Dean Edwards, Bob and she is not sure who else, she has not met with them. She said she does not think it is anyone from the Economic Development Board but she is not sure, she doesn't want to miss speak.

Mike said because they are in place and doing this already he thinks that they would probably be good ones to do this and then you have two bankers on there an accountant and Errol Klem who is many things to the community. He said he thinks this is a good group.

Gary Girton said he agreed.

Tom said he thinks it's a good idea to get with Tina from Mendenhall and Associates she has done a good job and probably look at her to write this grant.

Mike said we can determine that later. He said he would like confirmation of what he did which basically said Randolph County is interested in being a recipient of the potential \$250,000.00 OCRA Covid-19 response program grant.

Gary said he would make that motion. Tom seconded. All aye votes. Motion carried.

Superior Court BIS Equipment Purchase

Mike asked Laura if she had anything to share on this.

Laura said that the Superior Court mixer went bad. She said that she and Danita looked it up because we had just purchased one and the cost was around \$1200.00. She said the court went ahead and ordered it because they have to have it and we need to get the Commissioner’s approval to pay for that out of the Cum Cap video equipment line, she said Fred used money out of that to buy his new servers but there would be enough left to pay for this.

Pete Haviza said he would agree with what Laura just said that they are going to need this when court business starts rolling again.

Gary made a motion to approve paying for this purchase out of Cum Cap Video Equipment. Tom seconded. All aye votes. Motion Carried.

Additional Appropriations:

Children’s Advocate	Travel/Mileage	\$3,000.00
	Volunteer Recruitment	\$2,000.00
CCD	Sheriff Vehicle	\$40,775.00
1173 MVH Restricted	Comm Crossing Match	\$217,479.82

Mike read through the additional appropriations above.

Tom said the Community Crossing match is for the project from 32 to 550 N.

Gary asked if that had gotten approved.

Mike said that the last he talked to Mike Haffner, he said that it was, that the February 28th decision to accept the bid went to INDOT and INDOT approved it. He asked if Mike Haffner or Jessica Cheesman was on the zoom meeting.

Tom said it was pretty certain that it was approved.

Tom made a motion to approve the additional appropriation. Gary seconded. All aye votes. Motion carried.

Transfer of Funds	From	To
Clerk	Microfilming	Contractual Services (new line)
\$2945.00	Office Supplies	Contractual Services (new line)
\$1050.00		
General Public Safety \$150.00	Uniforms	Postage (new line)

Mike said next on the agenda is the transfer of funds and he asked if the Commissioners were supposed to do these.

Laura said normally the council does them, but her understanding from State Board of Accounts is that you can approve them and then when council meets again we will take them to them to verify but they will not change your decision. She said she spoke to Gary Friend about this.

Gary Friend said that is correct and in May they will hold the council meeting the same as the Commissioners are doing now.

Mike said on the agenda there are two transfers for the clerk and one for the General Public safety and we added one at the end of business on Friday and it was a transfer in the Highway Department for \$10,100.00 from the large pipe to a new line for bridge number 85. He said if he recalls this is probably for an engineering study on that bridge to determine how best to repair it or replace it.

Tom made a motion to approve the three transfers of funds listed. Gary seconded. All aye votes. Motion carried.

Meeks Cockerill

Communications Contract

Meeks said he did not know if the Commissioners had received the Communications Contract. He said he has not had a chance to read the whole contract yet. He said probably at the next meeting they will need to address this. He said he asked Terry Burnsworth what the timeline was and he said yesterday. He told him that it probably would not happen at this meeting.

EDPR Road Use Agreement

Meeks said the only other thing was the EDPR Road Use Agreement. He said he has spoke to Tom about it. He said he has not gotten back any confirmations from the other attorney.

Mike said we also have a little bit of concern about the location of their cement plant and it is going to have an effect on maybe crossing more bridges than the original transportation plan provided for.

Meeks said he has been talking to Tom about that.

Mike said then Meeks, Tom, Mike Haffner and Perry Knox.

Tom said we are hoping to meet with EDPR this week and go through a lot of the details on that.

Mike asked if Perry was going to be there.

Tom said yes, we will probably conference with Perry and his engineer, Mike Haffner and himself will meet with EDPR and have a teleconference.

Mike said that sound great.

Tom Chalfant

Bridges and Culverts

Tom said that we will be trying to get some things worked out, some of those bridges and culverts real suspect and hopefully we can come to some agreement on sharing cost on replacement.

Update on Highway Garage

Tom said the Highway Garage is moving along pretty good other than the generator. He said we are getting ready to start the punch list, they will probably look at that on Thursday but it is pretty well wrapping up.

Gary asked if they were going to go ahead and fence.

Tom said yes, the fencing will be done as soon as they get the rest of the dirt moved, they have the fence lined out where it needs to go.

Gary said so your decision on the fence was on the east side and the north side.

Tom said yes, we moved it away from the sway along the south side. He said we are just going to the front right now and then we will have to decide if we want to spend more money to go around the rest of the perimeter.

Gary asked if we have to fence around the septic system.

Tom said he thinks that is included we are going to run in front of it at least and maybe on the north side.

Gary said he did not know if we were required to have it enclosed or not.

Tom said I don't think it is required but our sanitarian wanted it enclosed, so I think we will try to figure some way to enclose it.

Gary Girton

Jail Security System

Gary asked since we have not decided where we are getting the money from is there any indication of when we will get our first invoice.

Art said there was no indication from the company, he has let them know that you have accepted that bid but everything else has been set on a hold for now. He said he can get that information and e-mail it to the Commissioners today or as soon as Brian gets back ahold of him if they would like.

Gary said he thinks it would be good if they had an idea of an approximate of the first invoice date so the Commissioners will know when they have to have a decision by.

Art said he will find that information out for them.

SRI Tax Sale Date

Gary said regarding the SRI tax sale date change, do we need to have any input on this.

Mike asked Laura to answer this.

Laura said that Danita has been in contact with Joe. She said that Joe has given her a new date of June 25th. She said her only question was if the Commissioner's want to continue with it. She said that the Commissioners approved the Commissioner's Certificate Sale for the previous date so, if we don't want to do it on June 25th we should let Joe at SRI know. She said if the COVID-19 continues that far out then obviously they will cancel again anyway, so we could continue as if we are going to do it on June 25 and then if we can't it will be canceled. She said it was up to the Commissioners if they want to continue with June 25th or cancel it for this year.

Mike said I am ok with continuing it at this point. There is nothing to lose by continuing it.

Tom said he agrees.

Gary said he would agree.

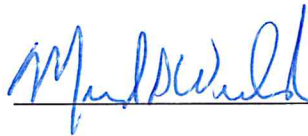
Tom said made a motion to approve the continuance of the Commissioner's certificate sale to June 25th. Mike seconded. All aye votes. Motion carried.

Adjournment

Tom made a motion to adjourn. Gary seconded. All aye votes. Motion carried.

Reviewed and signed this / day of June , 2020.

RANDOLPH COUNTY COMMISSIONERS







ATTEST: 

Laura J Martin, Auditor of Randolph County