

November 16, 2021

Council Chambers  
Vigo County Annex  
Terre Haute, Indiana

**Roll Call:**

**Present:** Mike Morris, Chris Switzer and Brendan Kearns.

**Others Present:** County Attorney Terry Modesitt, County Attorney Michael Wright, Auditor James Bramble, Cheryl Loudermilk, Tammy York-Allen, Tim Cunningham, Diana Winsted-Smith, Josie Thompson, Bruce Allen, Kevin Gardner, Kara Wright, Adam Grossman, Terry Bays, Joey Lehman, and several members of the public.

**Pledge of Allegiance.**

Mike Morris called the meeting to order and led the Pledge of Allegiance.

**Review of Minutes/Claims.** Auditor James Bramble presented the Board with expenditures for the period of November 6, 2021 through November 12, 2021 in the amount of \$3,325,912.73 and payroll in the amount of \$1,029,784.42 for a total of \$4,355,697.15. Brendan Kearns made a motion to approve the November 6, 2021 through November 12, 2021 claims. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Mr. Bramble then presented the minutes for the meeting held November 9, 2021. Chris Switzer made a motion to approve the November 9, 2021 minutes. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**Commissioners decide on a date for bonus check.** County Attorney Terry Modesitt said that he had talked with the Auditor before the meeting and it was suggested that if it was good with the Commissioners, December 3 would be a good date for the payout of the bonus/stipend to be paid to the county employees that had been approved by the County Council. Mike Morris said that he was unsure after listening to the Council meeting but as he understood it, this was to be paid in 2021 not 2022. Auditor James Bramble replied affirmatively and said that according to statute, the Commissioners set the date for payments to County employees. Chris Switzer noted that at one of the first meetings of the year, it was established, and everyone was notified by email on December 8, 2020, that if any department wanted to use the COVID reimbursement money that had been placed in County general in an amount over \$500, they were to get Commissioners' approval. No approval had been requested by the Council but the Commissioners were going to go ahead and approve a date for this payout. Brendan Kearns asked if they wanted to approve it and Mr. Switzer said he thought they needed to approve it and also approve the amount of money requested. Mr. Kearns agreed that he didn't like the way it worked out. He felt there might be challenges on who was to receive the money. He said that, for the record, elected officials are NOT getting it. However, this is the Council's doing and just from looking at this, there are two key things: authorizing the funding, because the money originally came from the CARES Act monies which is to be used for anything related to Covid and related expenses. Chief Deputy Auditor Cheryl Loudermilk interjected that the money was moved to the general fund at the end of 2020 and given an account number in order to continue using the funds for Covid-related expenses. Mr. Kearns noted that the monies had since been used as had been expected for things that were tied directly towards Covid (i.e. message board to help with communication, Health Department for supplies and overtime). But the Council had vision and foresight to provide bonuses to employees and said they were taking it from this account. So, now the Commissioners are now tasked with moving forward by approving the allocation. Chris Switzer said that moving forward that he would appreciate it if a Council member or members would come to a Commissioners' Meeting to express their

requests. Mr. Kearns also noted that with regard to determining who gets the money, there are people on the payroll who are not necessarily County employees. For example, Solid Waste and Convention & Visitors Bureau and subsets of other departments that are “pass throughs” but aren’t necessarily County employees. That’s not for the Commissioners to determine. The HR Director did what she was asked and provided the amount of full time employees within a certain time period and provided it to the Council who then moved forward with bonuses for full time employees. There are approximately 478 employees. Chris Switzer wanted the account number that the monies are being paid out of made part of the record. That account number is 1000.39990.000.9800 in the general fund. He then made a motion to approve the bonuses/stipends so the County Council can act and the money can be paid on December 3. Cheryl Loudermilk noted that as a point of clarification, this is assuming the Auditor’s Office is provided with the list of names of who is to receive the money since the office has not yet been provided with that list. If the list is provided timely, those that are on the list will receive a check. Those that are not on the list that are supposed to have had it will not receive a check. Mr. Kearns said that his purpose of having this discussion on record was to acknowledge that the County Commissioners are not making that decision. What the Commissioners are doing is appropriating the funds requested, as designed by the Council and then setting a date per statute at the advice of the Auditor. The Commissioners are unaware of what is next or who on the Council is taking the lead. A payout date can be approved but if the list does not get provided to the Auditor’s Office, that will change things. The Council Administrator was not present at today’s meeting to provide any clarity so it was suggested that someone should reach out to her. Cheryl Loudermilk noted that the Council Secretary had reached out and asked for the 2021 salary amendment, the 2022 Salary Ordinance and the list of people to receive the bonus/stipend and there had been no response as of today. So approving a date for payout is questionable. Chris Switzer noted that he had felt and expressed his discomfort about this the whole time. This money was set aside for a certain purpose and he sees no other counties doing this type of thing. If anything, they are using ARP money into next year. Brendan Kearns suggested they go ahead and approve the appropriation as requested and directed by the Council. Chris Switzer noted that he had made a motion but it needed to be seconded. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed. In order to be sure that things were being approved as intended, it was decided that the motion needed to be restated and passed accordingly. Chris Switzer made a motion to approve December 3 as the tentative date for a bonus/stipend out of the account established on December 8, 2020. Brendan Kearns seconded noting that they are doing as they are directed under Indiana Code 36-2-8-2. Upon a voice vote of 3-0, the motion unanimously passed.

**Agreement with Rithm LLC – Surveyor’s Office.** Bruce Allen, County Surveyor, presented the proposal from Rithm LLC for a web based software system. They have a database that is outdated and is needed for use on a daily basis. This will build a web version that allows for increased usability and reliability. It will also protect the data from future issues such as the ransomware attack previously experienced. The proposal is for \$150,000 and it guarantees that the data will not be lost again. There was some further discussion. It was noted that the \$150,000 was a one-time fee. Mr. Allen was unsure of what the annual service fee would be but thought it was a nominal amount and was working on this with the County IT Department. The funding has already been approved by the Council. Chris Switzer made a motion to approve the Rithm LLC proposal. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**Comment from Commissioners or other Elected Officials.** Chris Switzer wanted to express some concerns he had about the County Council and the constant bickering back and forth between them, the condescending comments, the questions, the in-fighting and things of that nature. He pointed out that it was not just the people in the room that are watching them. It is legislators, corporations throughout Indiana, people that want a tax abatement that are wanting to bring additional jobs to the community who are coming to Council meetings to see how the county is run. The past 3-4 months of Council meetings have been terrible. For people to get up and ask for money in their own budget and get talked down to. When you are elected to these positions, you are supposed to be a person who builds bridges and makes things happen and it seems

like this Council is wanting to tear people down. This was his personal opinion and he hoped for a better 2022. It has been frustrating as a Commissioner to not be involved in anything this Council has wanted to do, to not get asked even one question about bonuses, to not even be considered in anything going on with the Council. He reiterated that there are a lot of people watching us, seeing how we act, watching what we do. We've always been considered last or second to last on getting funding from the State and the recent actions of the Council contribute to that perception continuing.

Mike Morris thanked the County Council for having the foresight to take a large step with a large and very important pay increase across the county for the staff. He felt that had been prioritized and noted the increasing costs of everything. He appreciated their step to make a large commitment for the County and the employees.

Michael Wright noted there was one last order of business today. He presented an Interlocal Cooperation Agreement with the Town of Riley. This concerned the County providing snow removal services for the Town for the upcoming winter season. Statute allows any governmental entity to work together to provide services. No additional staff would be necessary and there would be no cost to the town. The roads would be prioritized in the same manner that all other roads are. Brendan Kearns elaborated further on the reasoning for this. The County already takes care of Lakewood Subdivision because they are County roads. This would just be tying in the 4-5 roads that make up the Town of Riley. Brendan Kearns made a motion to approve the Interlocal Cooperation Agreement with the Town of Riley. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**Public Comments.** There were none.

Adam Grossman was welcomed back after a recent health issue. Brendan Kearns took the opportunity to praise the Parks Department, its growth in the last two years and expressed their appreciation for his leadership.

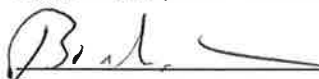
Today's meeting recessed at 9:25 a.m.



Mike Morris, President



Chris Switzer, Vice President



Brendan Kearns, Secretary

Attest:

  
James Bramble, Auditor