

Randolph County Commissioners

December 29, 2020

The Randolph County Commissioners met at their regular meeting at 9:00AM in the Commissioners and Council Room in the Courthouse with the following members present: Board President Michael Wickersham, Tom Chalfant and Gary Girton. Also present was Randolph County Auditor Laura J Martin, Chief Deputy Sheriff Ken Hendrickson and County Attorney Meeks Cockerill.

Pledge of Allegiance

Michael Wickersham, President presided over the meeting.

Other Business:

Ken Hendrickson, Randolph County Sheriff Department

No business

Tax Refund Claim \$949.93

Mike said this claim is for the removal of a homestead exemption, which was incorrect.

Tom made a motion to approve this tax refund. Gary seconded. All aye votes. Motion carried.

Payroll Claims \$207,785.34

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

Regular Claims \$333,247.65

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

Randolph County EDIT Plan

Mike said the next item is our Randolph County EDIT plan that we talked about at our last meeting and has been prepared by the attorney. It adds from our last meeting 15,16 and 17. That is a grant for the City of Winchester of \$100,000.00, a loan to the City of Winchester of \$50,000.00 and then a \$2,500.00 payable to Tracy Cross and Associates which is the firm that is going to do the housing study, it was determined that we would pay them directly. I would entertain a motion to approve the Capital Improvement Plan as presented to us and was emailed to us earlier this week.

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

Veteran's Service Officer position

Mike said the next item is the Veterans Service Officer position and we briefly discussed this at our last meeting and indicated that Mike Kennedy was going to be here.

Gary said he said yesterday that he was.

Mike said do you want to table that and move down the agenda?

Gary said yes. He said he would be here a little after nine.

New Lisbon Service request agreement (telephone service)

Mike said the next item is the New Lisbon Service agreement, if you recall, this is for our telephone service and at our last meeting they had a 60-month agreement and Taylored System was a 36 month, so he amended this to reflect 36 months. I would entertain a motion to approve it. Again, it's a 36-month agreement at a cost of \$89.00 per month for a 25 by 25-megabyte internet service.

Gary made a motion to approve this agreement. Tom seconded. All aye votes. Motion carried.

Judge Haviza

Mike said we have a visitor in our audience today, we have asked him to come down, Judge Haviza its nice to see you today, welcome to the Commissioner's room, we are prepared this morning and would like to recognize you for your service to the County and to the people of Randolph County for the last 20 years or so and have prepared a Proclamation and it is our Proclamation 2020-02, our second proclamation of the year and if you will bear with me, I would like to read this.

PROCLAMATION 2020-2

Whereas, Judge Peter David Haviza after graduating from Indiana University School of Law began practicing law in 1976 and began practicing law in Winchester Indiana in 1978.

Whereas, Judge Peter David Haviza became the Judge of the Randolph Superior Court in 1999 and has served as Judge for over 20 years.

Whereas, during his tenure serving as judge, Peter David Haviza has heard hundreds of cases and has served Randolph County Indiana with distinction.

Whereas, Judge Peter David Haviza has served on numerous boards and committees, including the Advisory Board for Randolph County Community Corrections, Board of Directors of the Indiana Judicial Conference, Indiana Judicial Conference Bench Book Committee, and the Cox-Ratliff Inns of Court. Judge Haviza is a 42-year member of the Winchester Rotary Club and a founding member of the Winchester Rotary Foundation.

Whereas, Judge Haviza has won numerous awards including the Chamber of Commerce Citizen of the year award in 2013.

Now therefor, due to the endeavors of Judge Peter David Haviza and his contribution to our county's wellbeing, the Randolph County Commissioners salute him and declare December 30th, 2020, Judge Peter David Haviza Day.

Tom made a motion to adopt this Proclamation. Gary seconded. All aye votes. Motion carried.

Mike said tomorrow is your day in Randolph County.

Judge Haviza said thank you very much, it has been an honor and privilege to serve as Judge of Randolph Superior Court for the past 22 years, it has been an interesting time period at different times, I have always had a good working relationship I believe with the Commissioner's, the Council and the other Elected officials in Randolph County and it has been a privilege to work with all of you folks. I appreciate very much the proclamation and I am planning on working the 30th and the 31st.

Comcast (backup internet for telephone service)

Mike said we also discussed at our last meeting the Comcast backup internet for our telephone system, we tabled it until we resolved the internet service agreement. This agreement has not changed, it is for 24 months.

Tom made a motion to approve the Comcast agreement. Gary seconded. All aye votes. Motion carried.

Randolph Eastern Broadband tower

Mike said this is one that was brought to my attention by Missy Williams and evidently with a \$900.00 fee in order to construct a broadband tower and the contractor didn't have authority forgive the fee and Randolph Eastern doesn't have any money to pay the fee. The question was asked could we wave the fee and after speaking to the attorney, I don't know that we can wave the fee.

Meeks said that is not provided for in the ordinance.

Mike said it is not provided in the ordinance?

Meeks said yes, we cannot do that. We would have to amend the ordinance.

Mike said is it true that they don't have any money for this?

Missy said I am not saying they don't have money in their budget, although all of our school corporations are undergoing some difficult times with students, whether they will or won't return. Each school corporation for the January term because of the uncertainty of what the schedule may look like. In that project, it was to be 180' tower and under the advisement of the company who's helping them with that and I think also some other entities in Randolph County, they have upped that height to 220' which increased the cost just a little bit and they also the time, were not prepared to get this information from the person who went to get the building permit, was surprised at the fee. Randolph Eastern certainly understands with a normal building project there should be a fee, but were kind of hoping, this is part of our County Comprehensive

plan on broadband coverage and if you remember right, their tower will allow every student to have hot spots that they take home, so the student and their family has broadband connectivity. Whether that means it's a virtual day during the pandemic or if its on line instruction for a long length of time. And where \$900.00 doesn't seem like a lot, in that budget, remember that is a state grant, so they have a limited amount of money that they were awarded and then by increasing the height of the tower, which is going to be a great advantage for Randolph Eastern students, families and teachers, faculty, staff, they are asking for a little assistance on that \$900.00.

Mike said one of the issues that we have is that about the only thing we can do is pay it out of EDIT funds, which would delay it somewhat. I am just wondering if the \$900,00 couldn't be taken from Union Cities EDIT plan or Union City has funds available, or even Randolph County Economic Development Corporation, they could probably afford to do that and do it a lot quicker than we could and be more responsive. What I would recommend is we see what Randolph Economic Development Corporation can do and if they can't help then maybe we can come back at a regular meeting in January because the rush has past as I understand it.

Missy said Randolph Eastern has issued a purchase order number to the Area Planning Commission and they have accepted that. Regarding Randolph County United doing that, I have checked with our board president, that is a definite possibility Commissioner.

Mike said that is the direction I would like to go.

Gary said I just know that they were over budget before they ever raised the tower height because of some other expenses.

Tom said are they going to budget for ongoing maintenance, it is going to be a lot more expensive for a 220' tower than 190'.

Landfill Erosion and sedimentation review

Mike said the landfill erosion and sedimentation report is for Randolph Farms and we received this via email and there are no recommendations being made and it looks like a pretty good report. Any questions?

Tom said I have none.

Gary said I looked at it and it looks like they are having some erosion problems, but they are correcting it.

Veteran's Service Officer Position

Gary said we have been looking and Mike Kennedy had been helping us for a person to fill the position in which he retired from, we have interviewed, we had an interview set up with the last person that sent in an application yesterday and they did not appear for the interview after a period of time trying to make a suitable time for us to get with them. Mike has come up with a suggestion and I think it's a good one. He can explain that in more detail of making Cathy our interim service officer, so that she can handle the paperwork and etc., so I will let Mike take it

from there and explain to you where she stands and where he thinks we should go and then we will have that discussion.

Mike Kennedy said the just of it is to make Cathy the interim with the service officer pay, when we decide on a service office that she would move back into her position as a secretary. What I also have to do is get with Tim Dyke, in the rules set up by the state it says that a veterans wife can be a Veterans Service Officer, Cathy was married to a veteran, but they are divorced and we would have to get an exception for her to become a service officer, which would probably happen because she has received all the training to be a service officer, she has attended training with me in Indianapolis and Camp Atterbury. She is accredited but not at full accreditation because she is not a veteran herself. There are in the regulations for the state and exception could be granted for her to be a service officer because she does have the training. That is something I would have to get with Tim Dyke in Indianapolis to get the ball rolling on that. I spoke with her after me and Gary had our meeting yesterday and she is willing to do that as long as she knows her position is available as secretary once a service officer is selected. The other thing me and Gary talked about was finding some way of getting the position out there, that it is still open, either through the newspaper, radio, getting letters out to the American Legions, the VFW's in the area and seeing if we can't pull in some more qualified individuals. Right now, I think the only place it was posted was the county web site and here at the courthouse, I don't think it was posted anyplace else.

Mike said Economic Development may have posted it.

Missy said we put it out 200 miles because we thought somebody might relocate to the area.

Mike said Cathy is part time now?

Mike Kennedy said she is full time secretary. She has been handling the office the best she can since I retired, she is keeping the doors open but she doesn't have the authority to sign paperwork like I would have and once made interim, I believe she would be allowed to have what they call a PIV card which allows her to have access to the computers in Indianapolis, where she could do the job to the same extent that I did as far as paperwork and everything else. Since she is already accredited, she wouldn't have to go through all the accreditations that takes up to 6-months to get done, since she is already accredited she should be able to have a PIV card within a month. That PIV card means everything in the business right now because I told Gary when I first started this job it took me at least a minimum of 8-hours to do a packet, I can have a packet done in 45-minutes to an hour and have it in Indianapolis on somebody's desk. That is the most important thing in the job as Veterans Service Officer right now, is that PIV card.

Mike said are you recommending that Cathy be promoted to the interim service officer?

Mike Kennedy said Interim Service Officer.

Mike said and with that would go the pay and then benefits.

Mike Kennedy said pay and everything, she already has the benefits, so that would not be a change, it would just be the pay and then her getting the PIV card would be the key to it.

Mike said is there an expense involved in that?

Mike Kennedy said no expense.

Mike said as part of this plan would there be a hiring of a secretary for her?

Mike Kennedy said that is what I would recommend, that there be a secretary hired, the paperwork volume is outrageous, it sounds easy but there is a lot to it and the secretary hired would have to know that if and when the county gets a qualified service officer that she would be removed and Cathy would move back into her position.

Mike said is the reason for that, that she does not want to be the service officer?

Mike Kennedy said we would have to get an exception because of her status. If we could get her an exception through the state for her to be a service officer, she would probably take the position. But there is the exception that has to be granted. I think with my backing and the help of Tim Dyke, we would be able to get that exception.

Mike said what you are saying is that she would serve as a temporary service officer, she would really continue to do what she's doing plus get the PIV card and then become a service officer if there is an exception.

Mike Kennedy said right.

Mike said she can be a temporary service officer without the exception?

Mike Kennedy said yes, that has already been established through Tim Dyke. The position is filled, the state wants the position filled.

Tom said so the process of her becoming certified is one thing, it is no temporary, if certified its permanent?

Mike Kennedy said it's permanent. As long as she continues to go to classes which the county pays for every summer, we go to Camp Atterbury or Indianapolis.

Mike said you did interview the candidate that we had and you interviewed the candidate we had, I take it from your perspective you are no recommending that candidate to serve as a service officer.

Mike Kennedy said it is not so much me, but the board members that interviewed the individual with me. As far as I am concerned he would be a qualified candidate if the interest was there for him to do it, but it's got to be.

Gary said I felt that way, I don't know Tom's position but I felt that he was qualified but to me being qualified and having the ability to do this job is two different things. As far as having the background, because it takes a person who really wants to be involved, has a heart for the program, is really enthusiastic, really interested and might part of the interviewing the person I thought there was a difference there, not one that was going to meet the job requirement for a veteran's service officer for this county.

Tom said are we getting into an executive session here? Talking about an individual.

Meeks said you don't have to talk about it.

Tom said I thought he was enthused for the job personally, but I didn't go into great depth with him.

Meeks said the question is if you want to do that plan, you move to approve it and see if Cathy can get the exception, you already have an interim.

Mike said does she want to become the Veterans service officer?

Mike Kennedy said that is a question that you would have to ask her personally, she is more than qualified to do it. She has enthusiasm for the job, she knows the job. I don't know if the headaches and the trials and tribulations, I don't know if she wants to go through that. There is a lot of things you go deal with in that job on a personal level, you get to know the veterans and then the veterans pass away and then you deal with the families.

Tom said she is willing to do this on an interim basis? We haven't defined interim, 1-month, 6-years, what does that mean, if she goes to all the trouble to do it. Is she willing to do it for a couple three years?

Mike Kennedy said what ever it would take to find a qualified individual and right now, we have had one viable candidate in 6-months or 4-months or 5-months since I retired.

Tom said if she becomes certified and fills the job, why would we look for anyone else?

Mike said because she doesn't want to do it. That would be my concern, she has had opportunity to apply for this job and bring this forward just as you have brought it forward. I am not certified but I a spouse of a veteran, but I am divorced, so I would have to get an exception to the rule but if I do I would love to fill this position. But I have not heard that from Cathy.

Mike Kennedy said we would have to address that to her directly and see where she is at. She is okay with interim. There has to be a veteran's service officer.

Mike said I agree.

Mike Kennedy said of the individuals I know have applied for the job, she is the most qualified for the job, other than the exception and that is where, like I said I would have to get with Jim Dyke and we would have to go through IVVA and get the exception granted.

Tom said the wife of a veteran is eligible to serve in this position?

Mike Kennedy said yes, the wife of a veteran is, the ex-spouse of a veteran, it doesn't mention that. But she was 20 years married to a veteran and they got divorce and that is why I hired her for the job, because I knew she had the military background and as a secretary she done a hell of a job and currently as the veteran sitting in my position she has been able to establish a quorum of people that have been able to answer her questions if I'm not available the same as I did when I started, I had to have a mentor. She has got her a mentor and everything to help her out, she has got everything on the right path, it's all there. She just doesn't have the title and the PIV card to do the job.

Mike said I haven't been in the office for service because I am not a veteran, but I also can state since you have retired and she has taken over the responsibility of the office with the assistance of other veteran's service officers or her mentor, I have not received and concerns or complaints about what she has done for the veterans in the county. I will stand on what I said, she has served the county well in that roll.

Mike Kennedy said if there is any question on her work ethic, she still continues to keep a log, like we did when I was in there and she can show on a daily basis, hour by hour, how many veterans she has served. Its not for lack of want to do the job, I think her biggest concern is that she doesn't feel she has the ability, but she has a lot more ability than somebody coming in off the street who has never done the job before. I think she can handle it, if she will just step up to the plate and do it.

Mike said we have a recommendation here from Mike Kennedy that we name Cathy Shull as the interim service officer, raise her pay to the service officer pay and have her seek an exemption to the law or find out if she qualifies, would be the best term because it might not need an exemption if they have precedence that they have allowed it to happen. Then also as part of that authorize her to hire secretarial help in the office to assist in serving the veterans of the county. If we don't accept that recommendation, then we either continue to go the way we are going or we hire the one candidate that you folks have interviewed and I am hearing that he is qualified but may not have the, not as qualified as Cathy in your opinion.

Gary made a motion to accept the recommendation from our previous service officer, I think that she is as qualified, more qualified than anyone we could hire right now, unless it would be a person coming from another county. I think we should move forward, she is familiar with our facilities, she has worked here for a number of years. I think we need to move forward and get this position filled, so that they can sign off on these documents and don't have to go somewhere else to get the signature. I understand from her and Mike that she has contacted him numerous times for assistance and he would remain in that position. She is not one apparently from what she is doing presently is not one who throws it under the rug, she tries to solve it. With her being

the official interim at this time and getting her PIV card that she can then sign off and have access to the documentation that she needs to do her job more fully.

Mike said we have a motion and I need to know if you want to put a time limit on this 60-days, 90-days, 180-days or just leave it indefinite.

Gary said I think it is indefinite. I think if it works out and we find out after a month or two that she is going to handle the job in that position very well, then I don't think we need to replace her.

Mike said I have a motion on the floor to take the recommendation of Mike Kennedy.

Tom seconded that motion.

Mike said my concern is how long do you think this is going to take do you think, for us to know whether or not.

Mike Kennedy said for the exemption, I will get a hold of Tim Dyke as soon as I leave here and then I will be able to answer that question for you. I don't know exactly.

Mike said you can tell us after you talk to Tim. Is there any other discussion regarding the motion?

Mike Kennedy said the signature becomes important is like county property taxes for disabled veterans and fishing license she would be able to sign off, now she has to send it to Indianapolis and wait for it to come back, so people aren't getting they taxes and things filed correctly, whereas if they can go out there and she has the seal, she seals it and it's a done deal. Without her having that ability it just delays the process.

Mike said all in favor of the motion signify by saying aye. All aye votes. Motion carried.

Laura Martin perpetual highway easements

Laura said Meeks sent this perpetual highway easement.

Mike said this is straightening the county road.

Meeks said on 800.

Tom said on 800 S and 1000 W. It's 1200 and 1000 at 800 S.

Mike said we have agreed to this before and this is the actual documentation that does that. I would entertain a motion to approve the perpetual highway easement.

Gary made a motion to approve the perpetual highway easement with Coffman Bros. Farms. Tom seconded. All aye votes. Motion carried.

Mike said the second one is for the same area, same reason but it is with a different grantor, I would entertain a motion to approve.

Gary made a motion to approve the perpetual highway easement with Jason and Amy Chamberlain. Tom seconded. All aye votes. Motion carried.

Health Insurance quotes

Laura said we have talked to several different insurance companies that want to quote our health insurance, I talked to Meeks as to whether we have to advertise for bid on that. I finally have gotten the information that I need to send out for quotes, I didn't know if I could just send that to those insurance companies or do we have to advertise for bids and whether you want to do that or not? I know Chris Burton has told me that he is quoting United, Anthem and I think there is a third one and he said if we put it out for others to quote, they will quote the same companies that he is quoting. It is whatever the Commissioners want me to do.

Mike said with that being said putting it out for quote, gets you a different agency representation.

Meeks said yes.

Mike said what about the group out of Marion?

Laura said they have been emailing me and I haven't had the stuff to send them and I haven't sent them because then, Paula brought it up that if we send it to them does that mean we are putting it out for bid, do we have to advertise it?

Meeks said you don't have to advertise it, but I didn't know if you were going to do it, if you wanted to advertise it or not.

Mike said I think it would be appropriate to advertise it and then send it to those you know are interested. The other one that I think is the most beneficial is would be the Cooperative trust that the group was talking about aligning counties together to self-insure themselves.

Laura said Jim said that would probably be January 2022 before that would be available, I can send him the information. He thinks it will be available then, because of Covid it got postponed.

Mike said that means they are going to be working on it rather quickly.

Laura said then it is okay for me to go ahead and sent this information out to these other entities and you do want it advertised?

Mike said I think so. Yes.

Meeks Cockerill- Authorization to file petition with the court

Meeks said I just need authority, the county sheriff's department confiscated six horses and the city of Winchester is housing them now, the statute allows for us to petition the court to adopt

those animals out upon the state vet's recommendation and I just need authority from you to file that petition or whatever we think is appropriate.

Mike said you have heard the request.

Tom said does this fall under any kind of conflict.

Meeks said \$435.00 a month per horse is what they are estimating the costs. I just need you to say file a petition with the court.

Tom made a motion to allow Meeks to file a petition with the court to adopt out the horses confiscated by the sheriff's department. Gary seconded. All aye votes. Motion carried.

Mike Wickersham

Mike said the only thing I have and I have asked Laura to do this, I looked over our appointments that we are going to look at next month and a couple things came to my attention, we have two Health Department Board members, Rick Fisher and Shirley Small, both terms are up this month, so I have asked Laura to send our registrar a letter requesting either reappointment or replacement and we have I believe two tourism board members, Marla Threewits and Ruth Zicht both terms are up this month so I have asked Laura to reach out them as well. The other final note that I had is that I was contacted by our Alcoholic Beverage Board appointee Chris Lay and he indicated that if he was to be reappointed, which he would like to serve, he would need a letter stating his reappointment and that is for the State Alcoholic Beverage Board. Can you do a letter for him, Meeks and just leave it blank, so if we don't appoint Chris and appoint somebody else then we will have that letter ready to go.

Tom asked is this something new?

Mike said it sounds like it, I don't recall doing this before and it's an annual term. It looks like we have a Washington Township Library appointment that has been expired for a while, I don't know if they are planning on appointing someone there or not.

Laura said I can call and check on that.

Citizen Comments

Kristopher Bilbrey said for clarification, last week I came in and ask how the veterans service position, the information you gave me was inaccurate correct?

Mike said I am not sure.

Kristopher Bilbrey said we just heard Mike say that she has not been given that exemption yet. So, through the last five months she has not been fulfilling the position although she is a wonderful lady and doing the best that she can do, she has not technically had the exemption or the authority to do what she fully needs to do. The point behind that is although you guys are not able to talk about your other application, I am not a commissioner so I can and I think it is absolutely, completely disrespectful that you would have a veteran of the United States military

who served twenty years for this country and you would set in this meeting and talk about this individual not having the heart or the desire to fulfill this job, to set with other veterans in this county to help them. That you met with this individual for however long that you did and felt that you could decree that or feel like, there is probably nothing wrong with Cathy but she is not a veteran, you have to go out of the normal protocol to get an exemption for her to be able to do this roll when you have absolutely a qualified candidate who could fulfill this roll and although you won't give this answer to me, I would like you to really ask yourself, what caused you to feel like this gentleman wouldn't have the heart to do whatever it is that you feel he needed to have the heart to do but he had the heart to sign up to serve so that you can make ignorant comments like that. Thank You.

Mike asked if there are any other citizen comments?

Catherine Kritch and I happen to know that other candidate too, just as Kristopher said you can't talk about but we can, I have known that man for a couple of years in my journey in Randolph County and politics and other things. I highly recommend him; my father just left the VA and that is because he couldn't get the help and the necessary means to get what he needed. If I'm a constituent of this county, why are we going over another leg, when all we had to do was step over here and hire this qualified candidate. Thank you.

Joan Ashley said I feel that this is a way that you can keep the young families here in Randolph County by hiring this young man. That's why (unable to understand recording) to see why to keep the young here, to grow here in Randolph County. We are going to take another way to push a resident that is over qualified, well I shouldn't say that because that gives you an excuse not to hire, he is very qualified for the job. More than any of us in this room. Thank you.

Mike said any other comments? Hearing one I would entertain a motion to adjourn.

Adjournment

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

Reviewed and signed this 1 day of March, 2021.

RANDOLPH COUNTY COMMISSIONERS







ATTEST:  _____
Laura J Martin, Auditor of Randolph County