

# Randolph County Council

November 17, 2023

The Randolph County Council met for its regular meeting at 8:30 AM in the Commissioners and Council Room of the Courthouse with the following members present: Council President David Lenkensdofer, Tom Chalfant, Mike Stine, Tom Kerns, Todd Holaday, Missy Williams and Beverly Fields. Also present was County Auditor Laura J Martin.

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Council President David Lenkensdofer presided.

Pledge of Allegiance

## Other Business

### Salary Ordinance amendment 2023-24

Dave said first item on our agenda is Salary Ordinance amendment 2023-24, and that is for sheriff's department for paying the time and a half. We discussed this at our last meeting. Meeks, you found everything out okay?

Meeks said I looked at it, yeah. Laura sent it, they adopted it, I made a couple of changes and sent it back to her. Those are the changes, right Laura?

Laura said yes.

Dave said okay. Just wanted to get your opinion.

Meeks said I looked at it.

Dave said are there any questions on this? What they've done is it's broken out the deputy pay is \$33.03 per hour, sergeant, \$34.65 per hour, detective also \$34.65, captain is \$35.37, major \$36.09, then chief deputy \$39.93. I'm assuming that's time and a half?

Laura said it is.

Dave said so that's what we're voting on today.

## ORDINANCE 2023-24

### AN ORDINANCE TO AMEND SALARY ORDINANCE 2022-31

WHEREAS, there have been changes in the 2023 Salary Ordinance with regards to the Sheriff's Department. It is necessary to amend the 2023 Salary Ordinance and to change the following salaries in the Sheriff's department in the Salary Ordinance effective for shifts worked

beginning November 8, 2023 through December 3, 2023, the pay dates of those shifts are between December 1, 2023 and ending December 15, 2023.

NOW THEREFORE BE IT ORDAINED, that Officer's filling shifts vacated by the two officer's off on administrative leave due to the incident on October 24, 2023 shall receive:

Deputy	(\$33.03 per hour)
Sergeant	(\$34.65 per hour)
Detective	(\$34.65 per hour)
Captain	(\$35.37 per hour)
Major	(\$36.09 per hour)
Chief Deputy	(\$39.93 per hour)

The above payments were approved by the Randolph County Commissioner's on November 6, 2023 and Council on November 8, 2023.

Bev said I move that the council pass ordinance 2023-24 after the first reading.

Tom Kerns seconded the motion. All aye votes. Motion carried.

Bev said I move that the rules be suspended and have the second and third reading by title only, and adopted the same day.

Tom Kerns seconded the motion. All aye votes. Motion carried.

Bev said I move that council adopt ordinance 2023-24.

Mike seconded the motion. All aye votes. Motion carried.

#### **Salary Ordinance amendment 2023-25**

Dave said okay, the next ordinance I have is ordinance number 2023-25, to amend the ordinance 2022-31 for the airport manager. Why don't you explain it to everyone?

Laura said when we set up the payroll system for the end of the year, we have to break the salaries down to an hourly amount to put into LOW which is program to process our payroll. A staff member in my office actually figured it wrong and figured this at a 70-hour position instead of an 80. In doing so, this position has been overpaid from January until now. I talked to Meeks and he referred me to the State board. State board has said that we need to follow the salary ordinance. If the council wants, that we can amend the salary ordinance to include what we paid him from there until now, so that his salary matched the salary ordinance. So, that's what I did. I created a salary ordinance to match what we've been paying him. And then we dropped his pay back down for this payroll and the rest of the year. The only reason we caught it was because we ran out of money in that line. So, they started looking at it to figure out why.

Tom Chalfant said he's an hourly employee, right? He clocks in?

Laura said yes, he, everybody clocks in.

Tom Chalfant said somehow, our process, we're not really paying him a salary, we're paying a wage, but the process, somehow, just doesn't, and it's convoluted, I'm sure, because of the state ruling. But I think his superior needs to talk to him, because he knew he was getting a pay rate that was unwarranted. I mean, he knows what his pay was, and he should go to his, somebody said, do you really intend for me to get this? I don't know, but he didn't. I think his superior needs to have a conversation. I mean this is the precedent, he needs to make sure everybody knows that just because we make mistakes, doesn't mean you don't have responsibility to do something.

Laura said and I have not talked to him because he's on vacation. I'm sure when he sees his check is less he's going to come in. But, I will talk to him when he back from vacation.

Tom Chalfant said well he should, the commissioners should talk with him about all this. I mean, he's going to come to you, but it's sort of convoluted because of, but anyway, the people that he works for that hired him, should have a conversation with him about this. I think is a condition of going to pass these ordinances.

Meeks said oh, I'm certain there's going to be conversations about that. This just came up on Monday or Tuesday.

Laura said right. When we did payroll this week, is when it came to light. Since we already doing this meeting for the other ordinance.

Tom Chalfant said yeah, things happen, but again, we need our employees to know that there's an expectation on their part too, I mean, all of our employees are under paid, blah, blah, blah, but you agreed to work for this, that's what you do.

Bev said and I can say as an employee, when I worked, I checked out what it was for 26 weeks, you know, 26 pays through the course of a year. And I would think that should be, if it wasn't.

Tom Chalfant said I got overpaid once in a factory, and I went to paymaster and he said well we'd never caught it, but the point is, you know.

Bev said that's right. It's an honest thing.

Todd said what's the dollar amount, roughly, that was overpaid?

Laura said like two hundred and some dollars per pay.

Tom Chalfant said it would be like a 12% raise wouldn't it?

Todd said 200 times about 20 pays?

Laura said we have, so we dropped it back down this pay. So that counts four pays that we've dropped it. It'll be back down to the normal rate.



Todd said 22 pays so far this year, so about \$4,400.00 of overpay?

Laura said uh huh.

Tom Chalfant said I could tell you what would happen if the state, if the Indiana Department of Revenue overpaid you, and you cashed the check, you'd have to pay them back, plus interest. That's a state, that's what the state requires from people when they make a mistake. I don't expect us to tell him, to make him pay us back.

Laura said well whether he knew or not, I don't know that, because, like I said, I've not been able to talk to him, and not that he would admit it if he did know it, you know. I mean, if you know it and you go this long without saying anything, you're not going to admit that you knew it all along. But, that's just, assuming whether he knew it or not, I don't know. I just know that we just now caught it. And it is a mistake from my office.

Meeks said Laura and I, we, batted back and forth, many ideas, different ideas. And this was kind of one of them, but was like the last one and then the State board recommended it. I would tell you we don't want to do it, you know, that's just not the, I don't know what else you can do though. I mean, it's.

Tom Chalfant said another thing, why is the State board, that's the first paying point that Laura sees, so she, why does the State board of accounts have any say in this problem?

Meeks said we asked them.

Laura said we asked them.

Meeks said we asked them what they would, we asked them their recommendations.

Tom Chalfant said we asked them because we know we've got to answer to them.

Meeks said and we just didn't have any better solutions. I was hopeful for a better solution.

Tom Chalfant said but you know when they come in and they audit us, at their leisure, and they're less qualified to solved this problem then we are, and yet they lord it over us.

Meeks said well, I just figured they'd seen this before. This can't be the first time this ever happened, the state should know. But that's why we called them. I mean, we were just trying to get ideas.

Tom Chalfant said well they would be involved in this is we'd corrected it without telling them, they'd come back on us.

Meeks said they'd find it. They'd find it.



Laura said and we never did it, because you know as well as I do, Meeks, that on a judgment, it's hard to collect.

Todd said I think the circumstances differ based on the amount of money involved.

Meeks said it differs. If it's one pay, then it's one thing. It's \$4,000. That's a lot of money. It's not 5 million, you know, I mean, I think it depends on the circumstances for sure.

Missy said I was just curious.

Meeks said in the 16 years I've been doing this, I mean, this is the first time. So, it's not like it's systemic. And it's because it's so convoluted. Tom is right. The LOW system, compared to our ordinances, compared to whatever thing else. It's not simple.

Tom Chalfant said these things happen, employee issues. We have to treat everybody equally, but we don't.

Dave said okay. Next, we have citizen's comments.

**Citizen Comments (3-minute limit)**

Dave said not hearing any, the next item is adjournment.

Missy said I've got one. Maybe, I don't know if I'm a citizen or not, I'm really concerned about this health department thing that the state is saying we're going to have to incentivize and we have to change and add people and all this kind of thing. And it's going to go away in three years. How are we going to sustain that? I mean, I'm like Tom, I think, and I know Mike, you're going, Bev, are you going to the association workshop?

Bev said no, I'm not this year.

Missy said somehow, we got a lot, I've been writing senators and representatives and saying we're all rural, you're representing rural Indiana, and I included ours, but I included several others. You're killing rural Indiana with these decisions.

Todd said I just feel like with these programs, if they take away the programs, we cut back on the programs.

Missy said yeah.

Dave said we made that pretty clear, half of us won't be here.

Missy said yeah, that's what I say.

Mike said but there were also complaining about losing the \$5,000.00 already with a stipend. So what are they going to do when this goes away.



Missy said well I think I might do that next Tuesday, I think, in the afternoon if I get some time. Well I put a request into the health department that I want to see a weekly, where were you, what were you doing. I don't know if it's legal to do that or not. I asked, please, I would really appreciate having each person write down what did you do this week, where have you been, what did you do, and so I'm getting, I don't feel like I can forward them to anybody unless I go over there and say hey, I'm going to forward these on.

Tom Chalfant said you know what's coming is they're going to train our sanitarian to say that you guys need to have all, everybody needs to be on a sewage treatment plan or, have a septic system, which a \$30,000.00 house can't afford a \$200,000.00 septic system. Yeah, where are we headed?

Missy said yeah. Not just that, but the other thing too, if like the 465 beltway, what's best for them is going to be dictated to the rest of the state of Indiana. Southern Indiana, eastern Indiana is going to suffer. There's going to be a lot of them.

Dave said I've already expressed my concerns to JD about the probation that we've been after for three or four years, that they just let it die last year. And that's wrong, it's going to cost us twice the money every year, \$300,000.00. And what was the other one they just recently tacked on, about the fiscal?

Missy said there're about 3 of those ones that.

Dave said the volunteer firemen.

Tom Chalfant said yeah. They'd give us the ability to raise and they're going to be here to demand that we give it to them.

Dave said and I'm going to go back and I want to see some numbers, number one, number two. It's time to consolidate.

Missy said consolidate fire protection.

Dave said I used to be a volunteer, so I know about how they do the jurisdiction.

Tom Chalfant said well I mean, OCRA gave a half million dollars to White River Township when we said you need to merge with Winchester, and OCRA gave them money to build it. And my township has 5 different fire departments, White River has two. I mean, yeah, there has to be, we can't keep living the way we're going.

Tom Kerns said the only way that can be done is if the commissioners just do it, because it's not going to be done voluntarily.

Dave said I agree.

Tom Kerns said because the commissioners can do it, the territory or district, one of the two, whichever one.

Tom Chalfant said Union City tried it as soon as the law was passed, and they were going to pass, they were putting all their, on the rural, on the ag land, the Union City fire departments.

Tom Kerns said they did it the wrong way.

Dave said Ward Township did pass it.

Art said I think Ward Township passed it to prevent Union City from expanding it.

Dave said there might be a reason for that. Okay. Anything else Missy?

Missy said no.

Bev said no, not this morning.

**Adjournment**

Dave said well if there's not anything else, I guess the next thing is to adjourn the meeting.

Tom Kerns made a motion to adjourn. Mike seconded the motion. All aye votes. Meeting adjourned.

Reviewed and accepted this 5 day of December, 2023.

RANDOLPH COUNTY COUNCIL

David Spenkensdofer  
Jim Holby  
Tom Chalfant  
Beverly Zell  
Missy Wood  
Mike Kerns  
Art

ATTESTED: Laura J Martin  
Laura J Martin, Auditor