

**MINUTES  
FOUNTAIN COUNTY COUNCIL  
October 19, 2020  
9:00 A.M.**

The following Fountain County Council members were present at the meeting: Dudley Cruea, Tom Booe, Joe Whittington, Dale Clawson, Bill Glover, & Jim Hershberger. Jim McKee joined the meeting on zoom.

**MINUTES**

A motion was made by Jim Hershberger and seconded by Dale Clawson to approve the minutes of the September 14, 2020 meeting as presented. Vote: 6-0

**The Council reviewed the Following Monthly Reports:**

Sept Monthly Financial Comparison Report

Sept Monthly Report of Collections - as submitted:  
Ambulance, Clerk, Health Dept., Recorder, Prosecutor, Sheriff

**Review & Acknowledge Treasurer’s Bank Reconciliation and Monthly Comparison Report of Funds**

A motion was made by Tom Booe and seconded by Bill Glover to acknowledge the Treasurer’s Bank Reconciliation for September 30, 2020 and Sept. Monthly Comparison Report of Funds. Vote: 7-0

**Department Head Reports**

**Sheriff – Terry Holt and Chief Deputy Andrew Krout**

They are in desperate need of 2 new radios. They had an incident over the weekend where the officer couldn’t reach dispatch because of their radios. They are old and outdated. They also need to start replacing the radars in the cars. They aren’t working right and some don’t even turn on. They cost is around \$1,500-\$1,800 each.

**Clerk – Paula Copenhaver**

Her postage budget is getting low due to ballot send out and notices from the courts. She may need to ask for an additional to make it to the end of the year.

**Community Corrections – Dani Snyder**

**2020-2021 Community Corrections Salary Ordinance 2020-11**

The Salary Ordinance needs to have a motion to approve it, even though they have no say over the amounts. The State Board of Accounts during the County 2019 Audit and Exit Conference suggested that a Salary Ordinance was needed for their department.

**A motion was made by Tom Booe and seconded by Jim Hershberger to approve the 2020-2021 Community Corrections Salary Ordinance 2020-11.**

**Treasurer – Colleen Chambers**

When she became Treasurer, the county was out of balance in the amount of \$6,400. \$3,311.50 is still out of balance, which is believed to be unposted interest and bank charges. She would like to be allowed to move the amount off of her cash balance.

**A motion was made by Tom Booe and seconded by Jim Hershberger to move \$3,311.56 off of the cash book or adjustment was needed. Vote: 7-0**

**Brad Keller – Keller PC**

Contract hours are 24 hours for the Jail and 8-4pm for the Courthouse. The Jail will get precedence depending on the emergence of the situation. Everyone else will need to allow 2 hours for him to respond and address the situation. Configurations from the Jail to the courthouse will be available and Jail software will be able to be accessed from the Courthouse.

Tom Booe asked how he kept track of all of his hours. A ticket system may be implemented.

**Congressman Baird’s Office - Diane Hubbard**

She introduced herself and let everyone know that they are welcome to contact the office anytime.

**COMMUNITY CROSSINGS GRANT APPLICATION – COMMITMENT LETTER**

Permission to apply for Community Crossings Grant in the amount of \$660,000 and a Commitment Letter from Fountain County if awarded the Grant. The local match will be at least, but not limited to, \$165,000 for our commitment.

A motion was made by Joe Whittington and seconded by Dale Clawson to approve the Grant Application. Vote: 7-0

**Transfer – Co Drug Free Community**

\$ 1,000 From 1148-0000-33180 Law Enforcement

\$ 1,000 From 1148-0000-33210 Screens/Treatment

\$2,000 To 1148-0000-33201 Administrative Costs

A motion was made by Tom Booe and seconded by Joe Whittington to approve the \$2,000 transfer. Vote: 7-0

**Transfer – Co General-Commissioners**

\$ 21,455.59 From 1000-0068-12000 Group Health

To 1000-0068-33490 Liability Insurance

Due to premiums increasing for the new jail and the courthouse being under insured we didn't budget enough to cover premiums.

\*(see attached 2019 expenses and 2020 expenses.)

A motion was made by Bill Glover and seconded by Jim Hershberger to approve the \$21,455.59 transfer. Vote: 7-0

**Transfer – CEDIT - Courthouse**

\$ 524.84 From 1112-0172-33550 Utilities

To 1112-0172-33690 Elevator/Wheel Chair

Due to permits not paid in 2019 and are due in 2020 but, no invoice was mailed to us. It is all done electronically now.

A motion was made by Jim Hershberger and seconded by Tom Booe to approve the \$524.84 transfer. Vote: 7-0

**Transfer – CEDIT - Courthouse**

\$ 1,402.50 From 1112-0172-33550 Utilities

\$ 1,500.00 From 1112-0172-33550 Utilities

\$2,902.50 To 1112-0172-33600 Repair and Maint.

Performance Mechanical, LLC had May/Spring Maint. and coil cleaning. Received call in August for RTU not cooling and making noise. Replaced ECM Module/Bearing.

A motion was made by Joe Whittington and seconded by Dale Clawson to approve the \$2,902.50 transfer. Vote: 7-0

**Transfer – County General – Extension Office**

\$ 122.24 From 1000-0028-33000 Postage

To 1000-0028-33900 Dues & Subscriptions

\$ 3,119.62 From 1000-0028-10600 Part Time - Summer Asst

To 1000-0028-10401 Special Projects Asst.

Due to COVID-19 they didn't hire additional part-time/summer assistance and relied on the Special Projects Asst.

A motion was made by Jim Hershberger and seconded by Dale Clawson to approve the \$122.24 and \$3,119.62 transfers. Vote: 7-0

**Transfer – County General – Ambulance**

\$ 1,200 From 1000-0301-33600 Repair & Maint.

To 1000-0301-33451 Toxicology

A motion was made by Tom Booe and seconded by Joe Whittington to approve the \$1,200 transfer. Vote: 7-0

**Transfer - MVH**

\$ 83.00 From 1176-0533-22520 Uniforms

To 1176-0533-23650 Radio Repairs

A motion was made by Jim Hershberger and seconded by Tom Booe to approve the \$83.00 transfer. Vote: 7-0

**Transfer - Cum Bridge**

\$ 1,568 From 1135-0000-22390 Concrete  
To 1135-0000-22420 Bituminous

\$ 8,432.00 From 1135-0000-22390 Concrete  
\$ 151,000.00 From 1135-0000-44910 Bridge Inspection  
\$ 146,468.00 From 1135-0000-44900 Bridge 97  
\$ 22,675.18 From 1135-0000-22380 Culvert

\$328,575.18 To 1135-0000-44900 Bridge Repairs  
To cover cost to bridge work on #25 & #30, Bridge on Antioch Rd & Bridge in Ghost Hollow.

**Transfer - Cum Bridge**

\$ 4,700.00 From 1135-0000-22340 lumber  
\$ 300.00 From 1135-0000-22360 Signs

\$5,000.00 To 1135-0000-10207 Bridge Foreman

To cover Foreman pay increase due to filling in as Interim Superintendent.

A motion was made by Jim Hershberger and seconded by Tom Booe to approve the \$1,568 and \$328,575.18 and \$5,000 transfers.

Vote: 7-0

**Transfer - Local Roads & Streets**

\$ 3,872 From 1169-0000-22381 Culvert Pipe  
To 1169-0000-22420 Bituminous

\$15,000 From 1169-0000-22381 Culvert Pipe  
To 1169-0000-22320 Gravel

A motion was made by Bill Glover and seconded by Jim Hershberger to approve the \$18,872 transfers.

Vote: 7-0

**Transfer - Co General - Assessor**

\$ 500.00 From 1000-0008-33810 Seminars  
To 1000-0008-33900 Dues and Subscriptions

A motion was made by Joe Whittington and seconded by Jim Hershberger to approve the \$500.00 transfer.

Vote: 7-0

**Transfer - Co General - Coroner**

\$ 200.00 From 1000-0007-33300 Travel  
\$ 200.00 1000-0007-33800 Training & Education  
\$ 100.00 1000-0007-33810 Seminars  
\$ 50.00 1000-0007-22000 Office Supplies  
\$ 50.00 1000-0007-22350 Camera Supplies

\$ 600.00 To 1000-0007-17000 On-Call

**Transfer - Co General - Coroner**

\$ 375.00 From 1000-0007-33900 Dues & Subscriptions  
To 1000-0007-33820 Body Transport

A motion was made by Bill Glover and seconded by Jim Hershberger to approve the \$600 and \$375 transfers.

Vote: 7-0

**Transfer - Public Safety - Jail**

\$ 1,600.00 From 1170-0381 Laundry

\$ 600.00 To 1170-0381-22520 Uniforms/Other  
\$ 500.00 To 1170-00381-22000 Office Supplies  
\$ 500.00 To 1170-0381-22081 Kitchen

A motion was made by Tom Booe and seconded by Joe Whittington to approve the \$1,600.00 transfers.

Vote: 7-0

**Additional Appropriation****RESOLUTION 2020-15****County General - Ambulance**

1000-0301-15800 Paramedic	\$6,000
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**RESOLUTION 2020-16****County General - Ambulance**

1000-0301-15300 EMT – Basic	\$15,000
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**RESOLUTION 2020-17****County General - Ambulance**

1000-0301-22410 Medical Supplies	\$15,000
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A motion was made by Jim Mckee and seconded by Jim Hershberger to approve the Additional Appropriation requests. Vote: 7-0

**RESOLUTION 2020-18****County General – Circuit Court****An additional appropriation was requested for:**

1000-0232-33301 Psychiatric Medical	\$ 5,400
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A motion was made by Joe Whittington and seconded by Tom Booe to approve the Additional Appropriation request. Vote: 7-0

**Highway Dept – Radios & Equipment****1138-0000-44101 CCD - Equipment**

Pay for highway radios & equipment out of CCD.

A motion was made by Joe Whittington and seconded by Dale Clawson to approve the request to pay for radios and new equipment out of CCD-Equipment line item. Vote: 7-0

**Declaration of Fiscal Body to Adopt Kingman-Millcreek Public Library’s Annual Budget for Non-Binding Review**

A motion was made by Joe Whittington and seconded by Jim Hershberger to adopt the Annual Budget for Non-Binding Review when the conditions exist that require such binding review. Vote: 7-0

**Troy Township – CAPITAL IMPROVEMENT PLANS FOR 2021****Troy Twp. Trustee – Troy Stewart**

Due to Troy Township having met the threshold of doing a capital improvement Plan for the year 2021, by the township trustee and Advisory Board were all in agreement for the spending of excess funds of Twp. General \$57,869 for Park Expenditures and Cum Fire \$126,747 for Fire Dept. Expenditures.

A motion was made by Tom Booe and seconded by Jim Hershberger to accept the Troy Twp. Capital Improvement Plan for 2021 Budget Approval according to DLGF guidelines. Vote: 7-0

**Resolution 2020-19 to Provide for Reimbursement of Public Health and Public Safety Payroll Costs with CARES Act Funding**

The CARES Act reimbursement for public health and public safety payroll shall be receipted into [unit name] CARES Act fund; and

Thereafter, instead of moving expenditures from the originating fund to the CARES fund, a claim shall be created against the CARES Act fund for the amount, up to the payroll reimbursement amount, that [unit name] determines shall be receipted into the general fund. This claim must be supported by the public health and/or public safety payroll costs that have been expensed from the general fund or other appropriate funds and clearly documented in the records of [unit name]; and The money claimed shall be receipted into the general fund.

After the payroll reimbursement amount has been receipted into the general fund, the normal appropriation procedures shall apply to the expenditure of the reimbursement amount.

**A motion was made by Jim Hershberger and seconded by Bill Glover to approve the Resolution.** Vote: 7-0

**Amend - IT Contract Agreement - \$3,870 monthly**

Currently the Contract for the Courthouse is \$2,000 monthly.

Amend the Current Contract Agreement or do hourly rate for Jail/Sheriff Dept.

Due to COVID, more computers have been purchased requiring updates, servicing, etc.

**Courthouse - \$2,550**

**E-911 - \$ 210**

**EMS - \$ 360**

**Sheriff/Jail - \$ 750**

A motion was made by Jim Hershberger and seconded by Joe Whittington to approve the Amended Contract. Vote: 7-0

**Tom Booe**

He has collected quotes for the cost on putting a matching sign to the Jail on the Ambulance Building. The Council is in favor of the sign and that Cedit or Cum Cap Development funds are available.

**Quotes for EMS sign**

**Quote - Dawson Machining LLC**

**\$1,070 - installation included**

**Quote - Sign Solutions**

**\$7,724 - sign only**

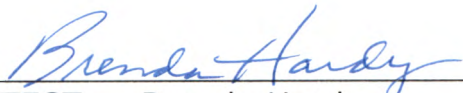
**\$8,794 - installation included**

**Large sign line the new jail - same company.**

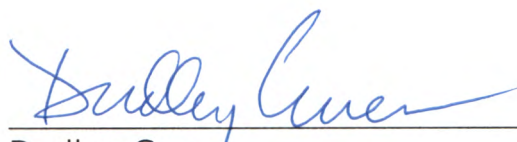
**THE NEXT MEETING WILL BE NOVEMBER 16, 2020**

**AT 9:00 A.M.**

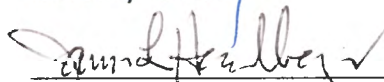
A motion was made by Dale Clawson and seconded by Tom Booe to adjourn the meeting. Vote: 7-0



ATTEST: Brenda Hardy  
Fountain County Auditor



Dudley Cruea

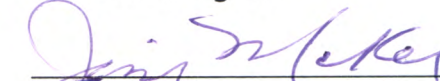


James Hershberger



Tom Booe

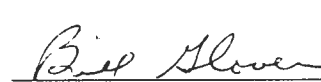
Joe Whittington



Jim McKee



Dale Clawson



Bill Glover

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RESOLUTION 2020-19

FOUNTAIN COUNTY COUNCIL AND FOUNTAIN COUNTY BOARD OF COMMISSIONERS  
RESOLUTION ESTABLISHING A PROCEDURE FOR CARES ACT REIMBURSEMENT OF  
PUBLIC HEALTH AND PUBLIC SAFETY PAYROLL COSTS

WHEREAS, on March 6, 2020 the Governor issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as a result of the coronavirus disease 2019 (COVID-19); and

WHEREAS, the State of Indiana, Office of Management & Budget, issued a letter on May 14, 2020, announcing a direct distribution of Coronavirus Relief Funds (CRF) from the United States Treasury that may be used for the limited purposes set forth in section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Initial guidance from the federal government required that each state may only reimburse expenditures directly related to addressing the COVID-19 pandemic; and

WHEREAS, the Fountain County Board of Commissioners signed the Coronavirus Relief Fund Acceptance Certification in a public meeting on June 15, 2020; and

WHEREAS, the US Department of Treasurer updated on September 2, 2020 the Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments, to include payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID19 public health emergency; and

WHEREAS, the Fountain County Board of Commissioners in a public meeting on October 19, 2020, did vote in favor of requesting the reimbursement of payroll expenses of employees in the public health and public safety departments; and

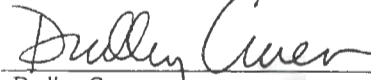
WHEREAS, a memo issued by State Board of Accounts on September 30, 2020, states that the governing body must adopt in a public meeting an ordinance or resolution that this alternative process will be used for at least part of the CARES reimbursement received from IFA for public health and/or public safety due to the declared health emergency;

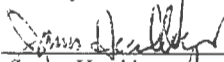
NOW, THEREFORE, BE IT RESOLVED by the Fountain County Board of Commissioners and the Fountain County Council:


- The CARES reimbursement for public health and public safety payroll will be receipted into the CARES Fund, fund number 8900 as guided by State Board of Accounts.
- A claim will be created against the CARES Fund for the amount of the reimbursement.
- The money claimed will be receipted into County General, fund number 1000.
- Once receipted into County General, normal appropriation procedures will apply.

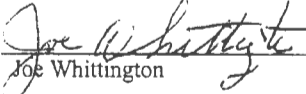
Passed and adopted this 19<sup>th</sup> day of October

COUNCIL

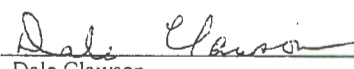
  
Dudley Cruca

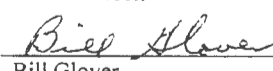
  
James Hershberger

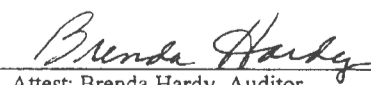
  
Tom Booe

  
Joe Whittington

Jim McKee

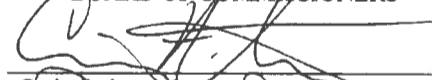
  
Dale Clawson

  
Bill Glover

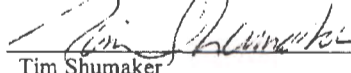
  
Attest: Brenda Hardy, Auditor

Passed and adopted this 19<sup>th</sup> day of October

BOARD OF COMMISSIONERS

  
Craig Stalter

  
Don Hesler

  
Tim Shumaker

## 2020-2021 Salary Ordinance 2020-11

### BE IT ORDAINED BY THE COUNCIL OF FOUNTAIN COUNTY, INDIANA:

An ordinance fixing the salaries and wages for the officials and employees for various departments of the County of Fountain for 2020-2021

The salary and wages of official employees for the community corrections department hosted by Fountain County, known as West Central Regional Community Corrections (WCRCC), hosted by Fountain County, shall not exceed:

Position Title	Longevity Earned	Pay		Hrs per week	Hourly Rate	2 Week Gross Pay	Fund(s)	FLSA Exempt Status
		01/01/2021 through 06/30/2021	Pay					
<b>Fund: IDOC Grant &amp; WCRCC Project Income</b>	<b>*Longevity</b>							
Executive Director (1)	20+ years = \$10,000	80,897	-	-	-	*3,111.42	Grant/PI	Excluded
Assistant Director (1)	20+ years = \$10,000	62,154	40	29.88		*2,390.53	Grant/PI	Non-exempt
Case Management Coordinator (1)	15 years = \$7,500	50,533	40	24.29		*1,943.52	Grant/PI	Non-exempt
Fiscal Manager (1)		36,793	35	20.21		1,415.05	Grant/PI	Non-exempt
Case Manager (x4) (previously termed Field agent)		38,317	40	18.42		1,473.68	Grant/PI	Non-exempt
Pre-trial Case Manager (1)		38,317	40	18.42		1,473.68	Grant/PI	Non-exempt
Client Services Coordinator (1)	10 years = \$5,000	43,223	35	23.74		*1,662.36	Grant/PI	Non-exempt
Monitoring Specialist (x3)		14.87	36/48	14.87		1,308.60	Grant/PI	Non-exempt
Monitoring Specialist (1)	20+ years = \$10,000	14.87	36/48	14.87		*1,714.65	Grant/PI	Non-exempt
Part-time Quality Assurance Coordinator (1)	20+ years = \$10,000	16.23	21	16.23		*1,087.71	Grant/PI	Non-exempt
Part-time Receptionist/Clerk (1)	10 years = \$5,000	13.52	25.5	13.52		*770.73	Grant/PI	Non-exempt
Part-time Counselors Coordinator (1)	5 years = \$2,500	16.23	Varies	16.23		*947.34	Grant/PI	Non-exempt
Part-time Fill in Monitoring Specialist (1)		13.52	Varies	13.52		Varies	Grant/PI	Non-exempt
Part-time Holdover Attendant (1)		8.00	Varies	8.00		Varies	PI	Non-exempt

**\*Appropriation for time worked in calendar year 2021.**

*\*Any wage increases/raises begin July 1 and run through June 30 of the following year*

*\*Payment of salaries are made via grant & project income. No County monies will support salaries for community Correction employees*

*\*Employees are paid 90% of base salary for first 90 days which is the introductory period of employment*

*\*Any and all wage increases decisions are set by WCRCC Advisory Board. No County monies support salaries for community Corrections.*

*\*Full Time employees earn \$2,500 increase in salary for longevity at the following intervals: 5, 10, 15, 20 years*

*\*Part Time employees earn \$1,200 increase in salary for longevity at the following intervals: 5, 10, 15, 20 years*

*\*Base salary total increases with any annual wage increase*

**\*FOUNTAIN COUNTY FLSA STANDARDS WILL BE FOLLOWED WHEN APPLICABLE**

**\*Part Time not to exceed 28 hour work week except for temporary/seasonal employees**

**\*Prior to filing any open employment position in the County, the Department Head seeking to fill the position shall notify the auditor of the vacancy and the Department Head's intention to fill said vacancy.**

**The Auditor shall then promptly notify the Commissioners and the Members of the Council giving them an opportunity to provide input prior to the vacancy being filled.**

**OVERTIME COMPENSATION AND COMPENSATORY TIME**

Each County position is designated either as EXCLUDED, EXEMPT, or NON-EXEMPT from federal and state wage and hour laws (such as the Fair Labor Standards Act [FLSA]); and employees holding such positions are treated accordingly:

Employees holding EXCLUDED positions include elected officials, their policymaking appointees, and their personal staff and legal advisors. These employees are not covered by the FLSA, and are not eligible for or entitled to receive overtime compensation or compensatory time off. The following positions within the County are considered Excluded and are not entitled to and shall not receive FLSA overtime compensation or FLSA compensatory time off:

- All Elected Officials
- Assessor's First Deputy (I.C. 36-2-16-8)
- Auditor's First Deputy (I.C. 36-2-16-4)
- Clerk's First Deputy (I.C. 36-2-16-9)
- County Attorney
- Deputy Prosecutor
- Public Defenders
- Recorder's First Deputy (I.C. 36-2-16-4)
- Sheriff's Chief Deputy (I.C. 36-2-16-4)
- Treasurer's First Deputy (I.C. 36-2-16-4)
- Sheriff's Matron (I.C. 36-8-10-5)

Employees holding EXEMPT positions are excluded from specific provisions of federal and state wage and hour laws, and are not entitled to and shall not receive FLSA overtime compensation or FLSA compensatory time off. The following positions within the County are considered Exempt and are not entitled to and shall not receive FLSA overtime compensation or FLSA compensatory time off:

- Ambulance Director
- Community Corrections Director
- Highway Supervisor
- Fountain/Warren Regional Dispatch Director

Employees holding NON-EXEMPT positions, whether hourly or salaried, are entitled to overtime pay or compensatory time off under the specific provisions of federal and state laws. All positions within the County except those listed under Excluded or Exempt are considered Non-Exempt and are entitled to overtime pay or compensatory time off.

- All other County positions not designated as Excluded or Exempt

**2021 Salary Ordinance**

Presented to the County Council of Fountain County, Indiana, on the 19th day of October 2020.

AYE

*Dudley Cruea*

DUDLEY CRUEA

*Jim Hershberger*

JIM HERSHBERGER

JOE WHITTINGTON

JAMES MCKEE

DALE CLAWSON

BILL GLOVER

TOM BOOE

NAY

DUDLEY CRUEA

JIM HERSHBERGER

JOE WHITTINGTON

JAMES MCKEE

DALE CLAWSON

BILL GLOVER

TOM BOOE

ATTEST:

*Brenda Hardy*

BRENDA HARDY

FOUNTAIN COUNTY AUDITOR