

BE IT REMEMBERED THE HENRY COUNTY COUNCIL OF HENRY COUNTY, INDIANA, met at the Henry County Courthouse Circuit Courtroom, in the City of New Castle, Indiana on January 27, 2022 at 6:00 p.m. with the following members present: Betsy Mills, Chad Malicoat, Harold Gray, Harold Griffin, Peggy Stefandel, Susan Huhn, Kyle Allen, Debra Walker, Henry County Auditor, and Attorney Joel Harvey.

The meeting was opened with a prayer led by Harold Griffin and the Pledge led by Betsy Mills.

A motion was made by Susan Huhn and seconded by Betsy Mill to appoint Chad Malicoat for Council President. Motion carried 3/3 Kenon Gray abstained.

A motion was made by Peggy Stefandel and seconded by Harold Griffin to appoint Kenon Gray as Council President. Motion carried 6/1 Chad Malicoat abstained.

A motion was made by Betsy Mills and seconded by Kenon Gray to appoint Susan Huhn as Council Vice President. Motion carried unanimously.

Susan Huhn introduced Kyle Allen, he was appointed to replace Clay Morgan who resigned December 31, 2021.

A motion was made by Betsy Mills and seconded by Harold Griffin to approve the minutes of the December meeting. Motion carried unanimously.

Cory Murphy gave an EDC update. The Food & Beverage Committee met and had 32 applications totaling approximately \$13.3M. 3 projects were eliminated, the purpose of the meeting was to confirm the process of how to score the projects. The committee will meet February 7th, 8th, 15th and 21st from 5:30 p.m. – 8:30 p.m. in the Courthouse old Circuit Courtroom. They will bring the final projects to the March council meeting and will have the scorecards to each councilmember before the meeting.

Cory Murphy also informed the council that Boars Head is wanting to expand and will need to come to the council for bond approval, they will not be asking for a tax abatement. He would like to set up a joint meeting between Commissioners, Council and the RDC Board to discuss this issue.

A motion was made by Betsy Mills and seconded by Chad Malicoat to allow Cory Murphy to work with Joel Harvey to set the joint meeting up. Motion carried unanimously.

Additional Appropriations were presented from the County Commissioners and Henry County Solid Waste District. Auditor Debbie Walker explained the purpose of the additional appropriations were because of the Henry County Solid Waste District budget was not advertised in a timely manner, and the budgets for the County and Solid Waste District were taken back to the 2021 budget. There is enough in cash reserves to cover this additional appropriation and there will only be a loss of approximately \$200,000.00. DLGF and SBOA helped walk us through the process of how to do the additional. It was discussed why the money was taken from the Commissioners Insurance fund. The budget was reduced to the 2021 amount and since the insurance fund had a large balance it was easier to take from there and then replace it with the additional appropriation. Susan Huhn asked if they could deny this additional and then approve one for next month that would reduce each line item then be replaced. Auditor Walker explained that would be a lot of work and open up room for error and taking it from all or one to reduce the budget is the same. Auditor Walker ran some quick numbers and there will be approximately \$4M in cash reserves left after doing this additional.

A motion was made by Susan Huhn and seconded by Betsy Mills to approve the additional appropriation for the Henry County Commissioners in the amount of \$1,933,782.00. Motion carried 6/1 Chad Malicoat abstained.

A motion was made by Susan Huhn and seconded by Betsy Mills to approve the Additional Appropriation for Henry County Solid Waste in the amount of \$54,457.00. Motion carried unanimously.

Winifred Price, Kevin McCurty and Ryan from Baker Tilly explained the New Castle Henry County Public Library is going to do a \$10.6M Bond to update the Library. This will be a 25 year bond that will not have an impact on their tax rate. They will need the Council's approval for the bond but the county will not be obligated to pay any of the bond. They will be back before the council in March for their approval.

A motion was made by Chad Malicoat and seconded by Betsy Mills to pay Kim Carnes \$746.00 of unused sick time, she retired from the county January 7, 2022 with 20+ years of service. Motion carried unanimously.

A motion was made by Susan Huhn and seconded by Betsy mills to pay Cindy Pitts \$4,172.94 of unused sick time, she is retiring on January 31, 2022 after 20+ years of service. Motion carried unanimously.

Joe Copeland is applying for Community Crossing Grant. This grant is a 75/25 match and the 25% will come from the LOHUT funds.

Kenon Gray and Susan Huhn gave an update on the ARP funds. After the committee met last week it was decided to pay premium pay to full time employees, \$400,000 to purchase ambulances, \$50,000 for a Grant Writer, \$1,000,000.00 for sewer

line to the new jail, \$10,000.00 for \$1,000 signing bonus for 10 new jail employees and \$8,700.00 for assessment of county buildings and repairs that need to be done.

A motion was made by Chad Malicoat and seconded by Betsy Mills to approve Resolution 2022-1 An Ordinance Authorizing the Expenditure of Coronavirus Local Fiscal Recovery Funds for Premium Pay. Motion carried unanimously.

ORDINANCE 2022-1

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS FOR PREMIUM PAY

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”), was enacted on March 11, 2021; and

WHEREAS, ARP, among other things, established a Coronavirus Local Fiscal Recovery Fund, which provides for the disbursement of revenue from the United States Treasury to local governmental units to assist local governmental units in remedying the negative fiscal impacts stemming from the COVID 19 Public Health Emergency; and

WHEREAS, the Coronavirus Local Fiscal Recovery Fund, established under 42 U.S.C. § 803, provides for distribution of revenue to counties; and

WHEREAS, revenue received from the Coronavirus Local Fiscal Recovery Fund may only be utilized for the specified purposes set forth in 42 U.S.C. § 803 (c); and

WHEREAS, one of the permitted uses of funds received is to “respond to workers performing essential work during the COVID 19 Public Health Emergency by providing premium pay to eligible workers of the ... county”; and

WHEREAS, Henry County, Indiana wishes to provide "premium pay" to a number of its employees who are “eligible workers," who performed "essential work" as those terms are defined in 42 U.S.C § 803; and

NOW THEREFORE, BE IT ORDAIANED, by the Henry County Council, as follows:

1. Any current full- time employee of the County working in the Emergency Medical Service Department, Health Department, Sheriff's Department (categorized as Protective Occupations and Law Enforcement), or in the Henry County Jail (categorized as Protective Occupations and Law Enforcement or Special Occupations), who worked at least one thousand two hundred fifty hours (1,250) hours between March 22, 2020, and December 31, 2020, shall receive a one- time payment of three hundred eighty- five (385) hours of premium pay at the rate of thirteen dollars (\$ 13.00) per hour.

2. Any current full-time employee of the County working as courthouse maintenance, in the E911 Department or in the Community Corrections Department, who worked at least one thousand two hundred fifty hours (1,250) between March 22, 2020 and December 31, 2020, shall receive a one-time payment of one hundred hours of premium pay at the rate of thirteen dollars (\$13.00) per hour.

3. Any other current employee of the County, who worked at least one thousand two hundred fifty (1,250) hours between March 22, 2020, and December 31, 2020, shall receive a one- time payment of one hundred (100) hours of premium pay at the rate of ten dollars (\$10.00) per hour.

4. The payment made to any employee of the Emergency Medical Service Department shall be reduced by the sum of seven hundred dollars (\$700) to account for additional compensation previously provided to such employees as a result of the Emergency Medical Service Department's receipt of an ARP Rural Payment.

5. The payment made to any employee who took a voluntary furlough during 2020 shall be prorated based upon the number of weeks the employee was furloughed during 2020.

6. For purposes of calculating the number of hours worked, pre-arranged, paid vacation days shall be considered as hours worked.

7. Elected officials, volunteers, part-time employees, employees who are exempt from overtime compensation under the Fair Labor Standards Act, and any employee who primarily worked remotely during the period of March 22, 2020 to December 31, 2020, shall not be eligible to receive premium pay.

8. The total amount of premium pay paid pursuant to this Ordinance shall not exceed the sum of six hundred thousand dollars (\$600,000.00). In the event the County Auditor determines that more than six hundred thousand dollars (\$600,000.00) is necessary to make the payments described in this Ordinance, premium pay shall not be made to any

employee until such time as the Board of County Commissioners and County Council modify this Ordinance and the County's written plan for the expenditure of revenue received under 42 U.S.C. § 803.

9. The employees that are receiving premium pay pursuant to this Ordinance are determined to be "eligible workers" as that term is defined by 42 U.S. C. § 803 (g) (2).

10. The County Auditor and County Treasurer are hereby authorized to make payment to the "eligible workers" in the amounts described in this Ordinance in a lump sum (less any applicable withholdings).

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage.

ALL OF WHICH IS ORDAINED this ____ day of _____, 2022.

PASSED this _____ day _____, 2022, by a vote of _____ (ayes) to _____ (nays).

COUNTY COUNCIL OF HENRY COUNTY, INDIANA

President

ATTEST:

Debra G. Walker, County Auditor

A motion was made by Susan Huhn and seconded by Chad Malicoat to approve Commissioners Resolution 2022-01-26-001 A Resolution Amending Henry County's Written Plan for the Expenditure of Coronavirus Local Fiscal Recovery Funds. Motion carried unanimously.

RESOLUTION NO.: 2022-01-26-001

A RESOLUTION AMENDING HENRY COUNTY'S WRITTEN PLAN FOR THE EXPENDITURE OF CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS

WHEREAS, the American Rescue Plan Act of 2021 ("ARP"), was enacted on March 11, 2021;

WHEREAS, ARP, among other things, established a Coronavirus Local Fiscal Recovery Fund, which provides for the disbursement of revenue from the United States Treasury to local governmental units to assist local governmental units in remedying the negative fiscal impacts stemming from the COVID 19 Public Health Emergency; and

WHEREAS, the Coronavirus Local Fiscal Recovery Fund, established under 42 U.S.C. § 803, provides for distribution of revenue to counties throughout the United States.; and

WHEREAS, revenue received from the Coronavirus Local Fiscal Recovery Fund may only be utilized for the specified purposes set forth in 42 U.S.C. § 803 (c); and

WHEREAS, on November 17, 2021, the Board of Commissioners of Henry County adopted Resolution 2021-11-17-013, in which it established a written plan for expenditure of sums received through the Coronavirus Local Fiscal Recovery Fund and allocated the sum of one million dollars (\$1,000,000.00) to contribute to the cost of improving the sanitary sewer line that will serve the new Henry County Jail and Rehabilitation Center; and

WHEREAS, the Board of Commissioners wishes to amend the written plan for expenditure to provide for additional uses of revenue received through the Coronavirus Local Fiscal Recovery Fund.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Henry County, Indiana, as follows:

1. Henry County hereby adopts the written plan for expenditure of revenue received from the Coronavirus Local Fiscal Recovery Fund, as set forth on the attached "Exhibit A."
2. The remaining sums received by Henry County through the Coronavirus Local Fiscal Recovery Fund may be utilized for any of the purposes set forth in 42 U.S.C. § 803 (c). The written plan for expenditure will be amended from time to time as determined by the Board of Commissioners of Henry County in advance of any other expenditures.

REPEALER: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful, or which by operation of law shall be deemed unenforceable, shall be omitted, but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

ADOPTED BY THE BOARD OF COMMISSIONERS OF HENRY COUNTY, INDIANA, THIS ____ DAY OF _____, 2022.

ATTEST:

County Auditor

APPROVED, by the County Council of Henry County, Indiana, this _____ day _____, 2022, by a vote of _____ (ayes) to _____ (nays).

COUNTY COUNCIL OF HENRY COUNTY, INDIANA

President

ATTEST:

Debra G. Walker, County Auditor

WRITTEN PLAN FOR EXPENDITURE OF FUNDS RECEIVED THROUGH THE CORONAVIRUS LOCAL RECOVERY FUND

The sums received by Henry County, Indiana from the Coronavirus Local Fiscal Recovery Fund, shall be utilized for the following purposes:

1. \$ 1,000,000.00 to contribute to the cost of a new sanitary sewer line that will service the Henry County jail (42 U.S.C. § 803 (c) (1) (D)) (authorized in Resolution 2021-11-17-013);
2. \$ 600,000.00 for premium pay to certain employees of Henry County, Indiana, as described in an Ordinance to be adopted by the Henry County Council (42 U.S.C. § 803 (c) (1) (B));
3. \$ 10,000.00 as a hiring bonus for new employees accepting employment as jail officers at the Henry County Jail and Rehabilitation Center after such facility is opened (42 U.S.C. § 803 (c) (1) (A));
4. \$ 50,000.00 to retain an employee whose job duties will consist of selecting and writing grant applications on behalf of Henry County in part, to obtain additional funds for the purpose of addressing the negative effects of COVID-19 (42 U.S.C. § 803 (c) (1) (A));
5. \$ 400,000.00 to obtain one or more ambulances for use by the Henry County Emergency Medical Service (42 U.S.C. § 803 (c) (1) (A)); and
6. \$ 8,700.00 to obtain an assessment of the physical condition of certain buildings owned by Henry County for the purpose of determining any necessary modifications or repairs to the buildings, including repairs or modifications necessary to respond to the public health emergency with respect to COVID-19 (42 U.S.C. § 803 (c) (1) (A)).

Exhibit A

A motion was made by Chad Malicoat and seconded by Betsy Mills to approve the following Liaison Appointment:

Abatement Committee	Chad Malicoat and Peggy Stefandel
Assessor	Peggy Stefandel
Auditor	Chad Malicoat
Clerk & Voter Registration	Peggy Stefandel
Commissioners	Kenon Gray
Community Corrections	Kyle Allen
Coroner	Betsy Mills
Correctional/Detention/Jail	Kenon Gray, Susan Huhn, Chad Malicoat
Drug Abuse & Mental Health	Kenon Gray, Kyle Allen Peggy Stefandel
Eastern IN Region Plan Com.	Betsy Mills
Economic Development Corp.	Kenon Gray Council President (back-up: Betsy Mills)
Extension Office	Susan Huhn
Health Department	Kenon Gray
Highway Department	Kenon Gray
Insurance	(ad hoc) Kenon Gray
Job Classification/Salary Advisory	Chad Malicoat, Betsy Mills, Kyle Allen
Juvenile Detention Alt's (JDAI)	Kenon Gray,
Memorial Park	Susan Huhn
Planning Commission	Kenon Gray
Probation	Kyle Allen
Prosecutor	Kyle Allen
Public Defender	Kyle Allen
Public Safety LIT	Harold Griffin, Susan Huhn, Chad Malicoat
Recorder	Peggy Stefandel
Redevelopment (RDC)	Chad Malicoat
Sheriff's/911	Harold Griffin
Solid Waste Management	Kenon Gray
Surveyor	Kyle Allen
Treasurer	Betsy Mills
Unified Courts	Kyle Allen
Veteran's Office	Kyle Allen

Motion carried unanimously.

A motion was made by Chad Malicoat and seconded by Susan Huhn to approve the 2022 meeting dates and times of the County Council. Meeting times have changed to 3:30 p.m. unless there is a public hearing and the meetings will be changed to the evening. Meeting dates are as follows:

February 24; March 24; April 28; May 26; June 23; July 28; August 25; September 22; October 27; November 17; December 22.

Motion carried unanimously.

It was discussed by the council if appointments to boards should be advertised so other could apply for the position.

A motion was made by Susan Huhn and seconded by Betsy Mills to change the policy to advertise appoints and to be done in a timely manner. Motion carried 6/1 Peggy Stefandel voted no.

Susan Huhn did not intend for the last motion to be made the way that she made it.

A motion was made by Chad Malicoat and seconded by Susan Huhn to rescind the last motion that Susan Huhn made. Motion carried unanimously.

A motion was made by Chad Malicoat and seconded by Susan Huhn to make a policy to appoint appointments in a timely manner and it is not required to advertise for them but is an option. Motion carried unanimously.

A motion was made by Chad Malicoat and seconded by Betsy Mills to appoint Scott Hayes to the RCD Board. Motion carried unanimously.

A motion was made by Susan Huhn and seconded by Betsy Mills to appoint Nancy Cook to the New Castle Henry County Public Library Board. Motion carried unanimously.

A motion was made by Betsy Mills and seconded by Susan Huhn to appoint Phyllis Rolland to the Spiceland Township Library Board. Motion carried unanimously.

A motion was made by Susan Huhn and seconded by Betsy Mills to appoint Gene Clark to the Alcohol & Tobacco Board. Motion carried unanimously.

A motion was made by Chad Malicoat and seconded by Betsy Mills to appoint Donna Tauber and Jessica Feltz to the Henry County Tourism Board of Directors. Motion carried unanimously.

A motion was made by Chad Malicoat and seconded by Betsy Mills to adjourn. Motion carried unanimously.

Kenon Gray, President

Harold Griffin

Susan Huhn

Chad Malicoat

Peggy Stefandel

Kyle Allen

Betsy Mills

Attested by: Debra G. Walker, Auditor