

DEKALB COUNTY COMMISSIONERS' MEETING
February 11, 2019

Commissioners Present: President Donald D Grogg
 Vice President Jacqueline Rowan
 Vice President William Hartman

Others Present: Auditor Jan Bauman
 Attorney James P McCanna

MATTER OF HUMAN RESOURCES/PTO PROPOSAL

PTO was discussed. The Task Force is very interested in making a County-paid short term disability and/or long term disability policy added to employee benefits. Carryover was discussed.

Jacqueline Rowan made a motion to approve the Paid Time Off (PTO) policy with changes and retroactive to January 1, 2019. William Hartman seconded, and all approved.

Paid Time Off Policy

The County provides full time Exempt and Non-Exempt employees with paid time off (PTO) benefits in lieu of the traditional benefits of paid vacation, personal days and sick days. Elected Officials and part time employees are not eligible.

PTO is intended to allow employees paid time off from work for reasons such as vacation, personal illness, family illness, medical appointments, religious or ethnic holidays, or personal or family business. County scheduled holidays, bereavement leave, jury duty and Worker's Compensation leave are separate from the PTO policy and are not including in the employee's earned and accumulated PTO amount.

PTO may be taken by an employee, with the prior approval of his or her supervisor (Department Head/Elected Official) in accordance with the DeKalb County government's payroll procedure and in compliance with any State and Federal regulations or requirements. PTO may be taken, at such times and in such increments, as best accommodates the employee's schedule with a few departmental exceptions including staffing requirements and business needs. Department Heads/Elected Officials will enforce this policy fairly/equitably and treat each employee in a non-discriminatory manner.

The amount of PTO to which an employee is entitled for a PTO Leave Period (as defined below) is determined by the employee's length of continuous service as a full time employee as of the beginning of the PTO Leave Period. An employee's first PTO Leave Period will begin on the six (6) month anniversary day of his or her continuous service. An employee's later PTO Leave Periods will begin on the first day following each anniversary of the commencement of his or her continuous service as a full-time employee throughout such period. PTO leave is only available to full-time employees and is earned according the following schedule:

Earning PTO Schedule

<u>Continuous Service at Beginning of PTO Leave Period</u>	<u>Length of PTO Leave Period</u>	<u>Workdays* of PTO Available</u>
6 months	6 months	5 days
1 complete year	1 year	10 days
2, 3 or 4 complete years	1 year	15 days
5, 6, 7, 8, or 9 complete years	1 year	20 days
10, 11, 12, 13 or 14 complete years	1 year	25 days
15, 16, 17, 18 or 19 complete years	1 year	30 days
20 or more complete years	1 year	35 days

****Definition of 'Workdays'***

1 PTO Day = Regularly scheduled 7 hour per day employees = 7 hours

1 PTO Day = Regularly scheduled 8 hour per day employees = 8 hours

1 PTO Day = Regularly scheduled 9 hour per day employees = 9 hours

1 PTO Day = Regularly scheduled 10 hour per day employees = 10 hours

1 PTO Day = Regularly scheduled 12 hour per day employees = 12 hours

PTO for a PTO Leave Period accrues on the first day of the PTO Leave Period but does not accrue in whole or in part before that date, even though it is based on continuous service completed as of such date. Thus, for example, the 5 PTO days for the first PTO Leave Period is available beginning on the first day of such period (i.e., after 6 months or approximately the 182nd day of the employee's continuous service). In general, PTO must be used in the PTO Leave Period to which it applies and it may not be carried over to a later PTO Leave Period. Any PTO left unused at the start of the next PTO Leave Period due to extenuating business circumstances may be carried over and taken in the first half of the next PTO Leave Period **ONLY** with the approval of the DeKalb County Commissioners. Notice to that effect shall be made to Payroll in a timely manner. Except as provided in the preceding sentence, PTO for a PTO Leave Period will be forfeited on the last day of such period, to the extent not used on or before such date (Use it or Lose It).

No PTO leave shall be earned while an employee is on unpaid leave of absence, except for instances where it is required by law such as Family Medical Leave Act (FMLA) and certain military leaves. Current and continuous employment time shall be used in determining the amount of eligible earned PTO for use.

In general, all PTO leaves must be approved in advance by your Supervisor. Except in the case of emergencies, such as illness, PTO leaves of less than three consecutive workdays should be approved by your Supervisor at least three days before taking the leave and PTO leaves of three consecutive workdays or more should be scheduled at least 30 days in

advance. Because each department has different busy times of year, PTO leaves may be approved on a more limited basis at that time. Employees are expected to manage their PTO balances and plan use of PTO during non-peak operational times.

PTO pay shall be equal to the employee's regular current rate of pay at the time PTO is taken and does not include overtime or any special forms of compensation. If a holiday recognized by the County falls during your scheduled PTO Leave Period, you will receive holiday pay for that day and will not lose that day from your PTO balance. PTO is NOT counted as hours worked for the purposes of calculating overtime.

PTO must be taken in minimum increments of ONE HOUR (60 minutes) for all employees. Employee absences that occur after all available PTO has been used will be unpaid and subject to discipline under the attendance policy.

Exempt, non-elected salaried employees shall follow the same schedule and guidelines outlined above and if they have a question about whether a certain absence should apply against their PTO balance are to check with their Supervisor.

Employees are not entitled to pay in lieu of taking PTO leave, except that terminating employees are entitled to be paid for all earned, unused PTO that has not previously been forfeited.

A full time employee who separates from employment with DeKalb County for any reason shall be paid for no more than their unused PTO that had been awarded at their last anniversary date. The payout shall be calculated on the employee's current rate of pay at the time of separation and will be included in their final paycheck.

If an employee separates from County employment and is rehired within three months of their separation date, their original anniversary/full time hire date is reinstated. They will not, however, be returned any unused PTO which had already been paid out upon separation and must wait until their next anniversary/full time hire date to receive any PTO. When an employee separates from County employment BUT is rehired after three months of their separation date, they are given a 'new' date of hire and will start over on the PTO Earning Schedule as a New Hire.

If an employee transfers between departments within the County, the employee's balance of unused vacation leave shall be transferred to the new department unless used by the employee prior to the effective date of transfer.

If a full time employee becomes a part time employee, the employee's unused PTO will be paid out in accordance with the Termination section above **in the County's next payroll run**. Once becoming a part time employee, the employee is ineligible for PTO. If a full time employee becomes an elected official, the employee will be paid out in accordance with the Termination section above **in the County's next payroll run**. Once becoming an elected official, they no longer are eligible for PTO. Should an elected official be hired as a full time employee, they shall receive credit for the years of service as an elected official and will

become eligible for PTO. Should an elected official be hired as a part time employee, they are ineligible for PTO.

In an effort to recruit qualified, experienced high level employees, the Commissioners reserve the right and ability to negotiate PTO benefits.

Transition:

As of January 1, 2019, the Paid Sick Leave Policy will be eliminated. All accrued sick days that current employees have earned at the time of transition to PTO will be placed in an individual transition sick ‘repository’ for each employee. Sick days in this ‘repository’ can be used for any reason and must be used or lost within five years of the date of transition. Sick days in the ‘repository’ will not be paid out at termination of employment for any reason.

As of January 1, 2019, the Vacation and Perfect Attendance (P/L) Days policies will be eliminated. All current employees as of January 1, 2019, were awarded their 2019 vacation days (earned in 2018); however, that time will be calculated, prorated and awarded based upon a proration equation using the difference between the commencement of the new PTO Policy (January 1, 2019) to the employee’s date of full time hire/employment (anniversary date). See Below:

Calendar vs. Anniversary Day PRORATION

Month Full Time Started	# of Prorated Days Received
December	5
November	5
October	4.5
September	4
August	3.5
July	3
June	2.5
May	2
April	2
March	1.5
February	1
January	0.5

Examples of the proration

Employee A was awarded ten days of vacation on January 1, 2019. Employee A’s full time hire date is July 15, 2017. The ten days of vacation are rescinded and replaced with three days of PTO. On Employee A’s anniversary date of July 15, 2019, employee will receive 15 days of PTO to be used by July 15, 2020.

Employee B was awarded twenty days of vacation on January 1, 2019. Employee B's full time hire date is November 8, 2003. The twenty days of vacation are rescinded and replaced with five days of PTO. On Employee B's anniversary date of November 8, 2019, employee will receive 30 days of PTO to be used by November 8, 2020.

Employee C was awarded fifteen days of vacation on January 1, 2019. Employee C's full time hire date is February 22, 2010. The fifteen days of vacation are rescinded and replaced with 1 day of PTO. On Employee C's anniversary date of February 22, 2019, employee will receive 20 days of PTO to be used by February 22, 2020.

Should an employee have a special circumstance (ex. vacation already scheduled/deposits made/already paid using their 2019 vacation time), exceptions will be made on a case by case basis. Department Heads/Elected Officials should bring these to the attention of the Commissioners for review.

At the end of this transition year 2019, all employees will return to a full eligibility rate on their full time employment hire date (anniversary date). There will no longer be a need to prorate PTO after the transition year. New hires (from January 1, 2019) can start to accrue at the full PTO rate for which they are eligible no matter what month or date they start working.

Donald D. Grogg – President
Jacqueline R. Rowan – Vice President
William L. Hartman – Vice President

Attest: Jan Bauman, Auditor

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Although the policy is retroactive to January 1, 2019, the policy will not be implemented until a department head meeting can be held to explain the new policy and new timesheet.

The Task Force will be looking next at various types of closures—weather and other emergencies.

Community Corrections has hired an administrative assistant.

MATTER OF HYLANT'S LIABILITY INSURANCE QUOTE

Daniel Schmitz, Nikki Galbraith, and Travis Thompson presented the liability insurance quote they prepared for the Commissioners' consideration.

MATTER OF CENTRAL COMMUNICATIONS AND SICK LEAVE POLICY

President Grogg told Director Bill Hunter that the Commissioners just voted into effect a new PTO policy retroactive to January 1, 2019, which will supersede the current handbook policy regarding vacation and sick time. The new policy will trump everything.

Mr. Hunter stated his thoughts on the sick leave policy and how he believes it is being misinterpreted. How much time has each employee actually accrued that will go into the PTO repository?

Attorney McCanna disagreed with Mr. Hunter's interpretation. He said there appears to be an ambiguity in the handbook, however, there is a limiting factor within the handbook as well as the longstanding practice of the Sheriff's Department which is different. Mr. McCanna explained the policy as he believes it was intended. The Commissioners make the ultimate decision.

Commissioner Hartman said he believes the practice of the Sheriff's Department has set a precedent for all Class II employees.

Mr. Hunter further stated that the policy is discriminatory and not fair to the employees at Central Communications.

MATTER OF COMMUNITY CORRECTIONS

Most of the roof is under tar paper, and shingling should be done this Saturday. There is concern over when the building will have heat. President Grogg will call NIPSCO to have the meter set as soon as possible.

Commissioner Hartman wondered if they are confident that the shingles will seal and not pop up in the spring. Steve Fetters said one day in the sun will seal them right up.

The next progress meeting will be on February 14.

The grant request format is completely different this year. Kellie Knauer is working on the new budget.

An ordinance needs to be set up to receive the CHANGE Academy school funding. Kellie Knauer will send Attorney McCanna all necessary documentation as a basis for the ordinance.

MATTER OF HYDROTECH CHANGE ORDER #2

Jacqueline Rowan made a motion to approve Hydrotech Change Order #002 for a credit of \$5,597 to the jail roof project contract. William Hartman seconded, and all approved.

MATTER OF PERSONAL PROPERTY REVIEW CONTRACT WITH NEXUS

In 2017, the Commissioners approved a contract with Nexus for personal property audit reviews. They wanted to have the Assessor come back in a year to say how it is going. Assessor Sheila Stonebraker is pleased with the progress Nexus has made. Between July 2017 and Oct 2018, over \$137,000 in taxes and penalties have been billed. A little of \$136,000 has been collected. Another \$1,250.34 needs to be processed. Close to 100 properties have been reviewed. Some companies are not turning in enough on their personal property returns. Some companies turn in more. The review of the returns corrects the errors. Eventually there will come a time when there will not be any more returns to review. President Grogg asked if a time limit can be put on the contract instead of having an indefinite timeline in contract. The contract expires annually if either party wants to end the agreement, but if no one says anything, the contract continues.

Ms. Stonebraker said it takes a keen eye and experience to do these audits and that her staff would not do as well as Nexus.

The Commissioners would like Ms. Stonebraker to come back in a year to convey further progress of the audit reviews.

MATTER OF MINUTES

Jacqueline Rowan made a motion to approve minutes dated February 4, 2019. William Hartman seconded, and all approved.

MATTER OF CLAIMS

William Hartman made a motion to approve Special Claims for the week of February 11, 2019 as written. Jacqueline Rowan seconded, and all approved.

MATTER OF PAYROLL

Jacqueline Rowan motioned to approve payroll for the period January 22-February 4, 2019. William Hartman seconded, and all approved.

The Commissioners are going with the County's interpretation of sick time which includes Payroll's re-calculations of the Central Communications employees' sick time. Mr. Hunter's figures did not agree with Payroll's calculations. Payroll's calculations will be used when the PTO Repository is implemented. The two employees with negative values for leave time used this pay period will either have to pay the County back or use vacation time.

MATTER OF HIGHWAY

The CCMG Grant Agreement has been received and was presented to the Commissioners for approval. William Hartman made a motion to approve the Local Roads and Bridges Matching Grant Agreement, EDS #A249-19-LG180302. Jacqueline rowan seconded, and all approved. It is the \$1,000,000 grant that was awarded in Fall of 2018.

Next, Ben Parker presented the Advertisement to Bid 2019 Road Resurfacing Projects. The basis of the road resurfacing bid is broken down into three projects: 1) County Road 61, Town of Butler Limits to the Intersection of County Road 16; 2) County Road 61, from County Road 16 to Hamilton Town limits; and 3) County Road 60 from County Road 11A to County Road 327. Bids are to be in by March 1st and opened on March 4th at approximately 11:00 a.m. Jacqueline Rowan made a motion to authorize Ben Parker to advertise for bids. William Hartman seconded, and all approved.

A guard rail was damaged on County Road 427 South in the amount of \$4,500.

Small Structure #17 located on County Road 16 west of County Road 13 was damaged. Ben Parker does not know who did it. One of his drivers noticed the damage.

MATTER OF FAWN CREEK PERFORMANCE BOND

William Hartman made a motion to accept the Fawn Creek Performance Bond in the amount of \$19,300. Jacqueline Rowan seconded, and all approved.

MATTER OF COURTHOUSE SECURITY

Mark Barklay of All Secure Group explained that they revamped the plans, so not to damage the marble in the courthouse. The height has been increased so not to feel so enclosed.

Jacqueline Rowan made a motion to approve the Security System #QE-020119-1B, issued February 11, 2019 for the Courthouse with All Secure Group, LLC, and William Hartman seconded an all approved.

All of the locks will be changed. Only a few will have keys to the new locks. Visitors' badges can be issued for individuals who need to work in the courthouse for a period of time, such as State Board of Accounts. Other operating procedures were discussed. It is going to be a learning curve and will need to be perfected over time.

MATTER OF TRAVEL REQUESTS

William Hartman made a motion to approve the following travel requests:

- 1) Lauren Deitsch (HR) to travel to Fort Wayne on February 21 for a Labor & Employment Law Seminar. Estimated cost of \$18.24 to be paid from the Commissioners' budget.
- 2) Ben Parker and Joe Harrison (Highway) to travel to West Lafayette for Purdue Road School March 4-7. Estimated cost of \$966 to be paid from the Commissioners' budget.
- 3) Cheryl Lynch and Emily Engel (Health Dept) to travel to Fort Wayne on February 21 for the Love Your Heart Expo. No expenses will be charged.
- 4) Todd McCormick, Mathew Haber, and Thomas Olinske (Sheriff's Dept) to travel to Jasper April 8-12 for Instructor Development training. Estimated cost of \$950 to be paid from the Commissioners' budget.
- 5) Dave Cserep, Angie Ireland and Dave Bundy (Sheriff's Department) to travel to Indianapolis March 4-5 for the Indiana Sheriffs Association Winter Conference. Estimated cost of \$1,206 to be paid from the Commissioners' budget.
- 6) Amended travel request for Amy Demske (Council) to allow meal cost of up to \$64 for AIC Legislative Conference on February 5-6 to be paid from the Commissioners' budget.

Jacqueline Rowan seconded, and all approved.

MATTER OF ANNUAL AGREEMENT WITH TURF ONE FOR LAWN CARE

Jacqueline Rowan made a motion to approve the agreement with Turf One LLC for the three application lawn care program for 2019 at \$180 each. William Hartman seconded, and all approved.

MATTER OF COUNTY HOME REPORT FOR JANUARY 2019

The Commissioners acknowledge receipt of the January 2019 County Home Report.

MATTER OF AFFIDAVIT TO CORRECT OWNERSHIP OF REAL ESTATE

Jacqueline Rowan made a motion to authorize Auditor Bauman to sign the Affidavit to Correct Ownership of Real Estate Subject to Easement. William Hartman seconded, and all approved.

MATTER OF OTHER DISCUSSION

Other discussion included the following topics: 5-year capital needs list requested by Council at budget time; food inspection schedule; Defense Logistics Agency email to Don Grogg, HB1052, round-a-bout at CR 427 and CR 11-A, trails to Steuben County, Secretary of State SB570 letter, jail tour possibility, and Williams County Aquifer meeting coming up.

Jacqueline Rowan left the meeting at 2:23 p.m.

MATTER OF CHILLER FOR COURTHOUSE

The Commissioners received quotes from Trane and York and chose to go with the Trane quote. Motion made by William Hartman to approve Felger and Hart to change the chiller in the courthouse for \$138,300. Donald Grogg seconded and all approved.

Donald D. Grogg - President

Jacqueline R. Rowan – Vice President

William L. Hartman – Vice President

Attest: _____
Jan Bauman, Auditor