

SWITZERLAND COUNTY COUNCIL

January 8, 2025

REGULAR MEETING – WEDNESDAY AT 5:00 P.M.

The Switzerland County Council met in regular session pursuant to law and by being duly advertised.

Those present: Todd Chase, Lance Collier, Mike Bear, Carrie Barwick, Kim Janssen, Scott Crandell and Mat Dutkiewicz. County Auditor, Gayle Sullivan.

Mat called the meeting to order and led the Pledge of Allegiance. Mat asked that everyone introduce themselves with the newly elected members.

#1 Approval of the Minutes from the following meetings:

- a. Regular meeting on December 11, 2024, -Todd made a motion to approve and Mike second. All in favor.
- b. Special meeting on December 3, 2024-Mike made a motion to approve and Lance made a second. All in favor.

#2 Formation of 2025 Council

Mat reads the rules that are to be done.

Scott Crandell nominated Lance Collier for 2025 president. Mat nominated Kim Janssen which she declined. All in favor.

Todd nominated Mat which he turned down. Mat nominated Kim and she accepts. All in favor.

#3 Old Business

None

4 New Business

- a. **Judge Coy-** spoke about the budgets, salaries and salary ordinance. Discussion was had about having the salary broke down into increments of hourly which he said isn't keeping with how the law works. Explained the form that are filled out within the office and the SBOA account that is sent to the Auditor's office. Said it was up to the elected official to set the hours that are worked in each office. Mat spoke about the salary ordinance hourly rate is based on a 40 hour a week and the commissioners are still working on the hours. Gayle spoke about the email that was received from NMC only working 36 hours. Mat suggested we speak to the county attorney. The Judge spoke again and quoted IC 36-2-5-11c about setting hourly rates and the council will no longer have the ability to say how many people are in an office. The elected officials determine the hours within the office. Discussion was had amongst the council as well. The Judge asked so that we are clear the appropriation that was for that position will get the full amount whether they work 72 or 80 and the attorney can discuss with the department heads or elected official.

- b. **Council Board Appointments-** Fire Chiefs Association-Kim nominated Scott and second by Carrie. All in favor. Personnel Advisory Committee-Todd nominated Mat. Lance-opposed. Todd, Kim, Mike, Carrie, Scott and Mat-yay. SIRPC-Mat nominated Todd and Kim second. All in favor. EMA-Mat nominated Mike. All in favor. SEIRD-Scott nominated Kim and Mat second. All in favor. School

Mike D

Attest:

Gayle Sullivan

Gayle Sullivan, Auditor
Switzerland County, Indiana

BOARD OF COUNCIL

January 27, 2025

SPECIAL MEETING –MONDAY AT 5:00 P.M.

The Switzerland County Board of Council met in special session pursuant to law and by being duly advertised.

Those present – Council: Lance Collier, Todd Chase, Mike Bear, Carrie Barwick, Scott Crandell, Kim Janssen and Mat Dutkiewicz. Auditor: Gayle Sullivan

Lance called the meeting to order with Sheriff Morton leading the Pledge of Allegiance.

Old Business: Salary Ordinance

Lance read a statement about the two issues with the salary ordinance, one being the salary/hourly positions and the second being the supplemental pay for the judge and prosecutor that was removed midterm. Article 7 section 19 of the constitution says that a judge's compensation shall not be diminished during their time in office. Lance spoke about the need for the two salaries being reinstated and the other issue of the hourly/salary that the council are caught in the middle of a fight between the county executive and the elected officials. The power of the Board of Commissioners is clear in the Indiana codes. They determine the operating hours of the county. The power of the elected officials is clear as well (Title 36 Article 2) they are in charge of operating of their office, employees and work load. Last September the county agreed to settle a court case involving operational authority at the county level among other things. In the agreement it stated "Board of commissioners may set courthouse hours but do not set office hours of other elected officials or their employees." Also says "Elected officials have authority over the number of hours to be worked and when by their employees." Personal opinion that there are contradictions between state statute and settlement agreement. Where does that leave county council? Power of county council in Indiana code is clear and council does not have a whole lot. 36-2-5-3 Council does not set office hours and does not have a say over office hours. Council's job is to prove to the state that we have the revenue to operate the county on an annual basis through the budget process. Council also has the power to fix the number of officers, deputies and other employees. Also says council has power to adopt schedules of compensation with all of that being in the salary ordinance. Fair Standard Labor Act from the Department of Labor in the minimum threshold is to be exempt or considered salary is \$680.00@ week or \$35,360.00. Lance states he is in favor of converting the majority of full-time employees to an hourly rate provided that the rate is correct. Elected officials and probation officers will remain salary along with leaving SCER the same. Also believe we should honor the settlement agreement that states the elected official set their office hours. If an employee works 36 hours, then he or she will be paid for those 36 hours at the correct rate however the council should appropriate enough money to cover 40 hours in each office. If the elected official keeps the office at 36 hours that additional money never leaves the general fund. Each council member will get a couple minutes to speak on this topic and will be done professional and will not be a shouting match.

Kim spoke next stating she does agree with Lance on a lot of the items. As a county we do need to go from salary and we do need to go hourly and there is a separation between the two. Pay should be for how many hours you work if you're not a salary employee. As far as rates with whatever the county was paying last year as salary you should not be making less money doing the same

and make it fair as far as an hourly wage. Lance made a motion to make the full-time employees hourly except for the elected officials and probation. That being clerk deputy, auditor 1 & 2, assessor deputy, treasurer deputy, recorder deputy, ISETS clerk, election deputy, IV-D administrator, office mgr.(prosecutor), victim asst., extension office mgr., court reporter and the payroll clerk will go to \$43,963.00(\$21.13). Reassessment deputy will go to \$43,963.00(\$20.65) and the jury admin to \$50,884.00(\$24.46). Carrie made a second. Yay-Lance, Carrie, Mike, Todd, Scott, Kim Nay-Mat

Time Sheets

The subject has been brought up about timesheets and if there are any records being kept with each employee's hours. The timesheets are kept in each office by the department heads/elected, the hours are transferred onto a voucher and turned into the Auditor's office.

Indigent Fund

This is a grant from the Community Foundation to the Nurse Manage Clinic for the indigent fund. The money was not all used last year and they would like to encumber the balance of \$785.00 back into this year's budget. Kim made a motion to allow the \$785.00 to be encumbered through June 2025 with Carrie making a second. All in favor.

Board Reports

None

Public Comments

Judge Coy speaks about the authority of hourly/salary. Discussion was had about the change and who has that authority. Lance spoke about trying to handle the situation the best he knew how. The council has no attorney at this time. The Judge discussed about what may or may not be right.

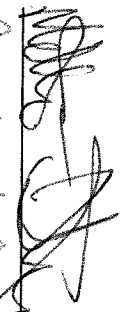
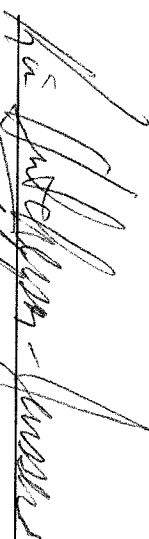



Vicky Hinman spoke about salary ordinance and the research she had done through Gateway over the last 8 years.

Mathew Conway spoke about the wage and time theft that has been on social media.

Kathy Slawson spoke about her employees and 36 hours versus 40 hours.

Tom Moore spoke about his salary and the EMA itself. Mat spoke about him speaking to his boss.

With nothing further Kim made a motion to adjourn and Scott made a second. All in favor. Meeting ended at 6:39 pm

	
Carrie J. Bensch	Kaye Sullivan - President
	
Scott Conway	Vicky Hinman
	
Lance	

Attest:



Gayle Sullivan, Auditor