

TRUSTEE'S NOTES
WHITE RIVER TOWNSHIP BOARD MEETING
NOVEMBER 29, 2011

ATTENDEES: Greg Rainbolt, Peggy Young, David Pollard

Mary Sue Kane, Jody Veldkamp, Dann Veldkamp, Dick Huber, Bill Heller

Greg Rainbolt welcomed everyone to the board meeting. First order of business was the Pledge of Allegiance which was led by Peggy Young.

Greg Rainbolt: I just want to let everyone know that Mr. Messick, the trustee, is sick tonight. He will not be able to make it. Our next order of business is approval of the WRT Board Meeting Minutes. Do I hear a motion to approve WRT Board Meeting Minutes?

Peggy Young: I make a motion to approve the August 9th, October 4th, and October 18th minutes.

Dave Pollard: I second.

Greg: Having a first and a second do I hear any discussion on the WRT Board Meeting Minutes?

Hearing none I will ask for a vote for approval of the August 9th, October 4th and October 18th

WRT Board Meeting Minutes. All those in favor indicate by saying aye (all board members said Aye). We have 3 Ayes and no Nays. So October 18th, October 4th and August 9th, 2011 WRT Board Meeting Minutes are approved. Thank you. The next order of business is the WRT 2011

-09 Resolution - Township Salaries. Do I hear a motion to consider?

Peggy: I make a motion.

Greg: Do I hear a second?

Dave: Ok, second.

Greg: Having a first and a second do I hear any discussion on WRT 2011 -09 Resolution establishing the salaries of the township?

Dave: Yes, I want to adjust the investigator's pay from \$35 to \$20 per case.

Greg: Peggy do you have any discussion on that matter?

Peggy: My only discussion would be why do we have someone listed? I don't want to be tied to that individual if they don't... On our last, on the previous one we did not have a name listed.

Greg: Right and according to Mark what I have been told is that that was a requirement to have them listed for Workman's Comp purposes.

Peggy: So is he an employee?

Greg: A contractual employee of the township.

Dave: Ok that is my exact point. He is not an employee he does contractual work in essence.

May I demonstrate? I know you are a homeowner.

Greg: Right.

Dave: If you have somebody come to your home to do work what is probably the first thing you do? You want to know if they have insurance don't you?

Greg: Right.

Dave: If they are contractual people they should provide their own Workman's Comp Insurance, it should not be the responsibility of the township to do that. That is my second point on that.

Peggy: So you are asking if he provides the certificate of insurance.

Dave: Yes.

Peggy: Do we know that?

Greg: According to the minutes I read and the instructions from Mark he is covered under the Workman's Comp just as we are when we come to a board meeting.

Peggy: But we are an employee. He is a subcontractor.

Dave: Right.

Peggy: So if I subcontract somebody to come to my house and do work and they are on their way over and they get hit, they come to me and my insurance would pay for that?

Greg: I couldn't answer that. I just can answer what was stated in the minutes was that he considered him an independent contractor for the township.

Dave: Do you mind me asking that question?

Greg: Yes but since the trustee is unable to be here tonight you know I can't answer that question now, none of us can.

Peggy: I would say to strike the name.

Dave: And I would say to adjust the pay.

Greg: With him not being here...

Peggy: Because even on this one when he was a member the assistants aren't even listed, the investigator is not even listed, the trustee's name is not even listed. The only members listed on here are the township board members and this is back in 2010.

Dave: Ok.

Peggy: And then I don't have ours from December or January. Whatever form it is, form 17.

Greg: Oh that we approved this year?

Peggy: Yes.

Greg: I have that.

Peggy: Do we have the names listed on it and all of that?

Dave: No the names are not in there. It is listed as a yearly salary, it is not listed per hour. I think on that one that you are looking for.

Peggy: I'm just looking at the names. I don't think we had names listed.

Dave: No we didn't.

Peggy: I just don't want to be tied to...

Dave: I understand that we cannot dictate who he uses and I don't care, well I do care but I mean it is not my responsibility but what if he lists just one name and then ends up having four or five other people? That is not right and it puts the township in a liable situation they don't need to be in.

Greg: I would have to go into the book to find that resolution, the salary resolution.

Dave: This is the salary resolution we are talking about right here.

Peggy: But I want to see the current one. We are being told that names need to be listed and I don't believe names were listed on the last one.

Greg: I believe you are correct in assuming that.

Peggy: I'm not assuming.

Bill Heller: Can I ask a question from the peanut gallery here?

Greg: Yes.

Bill Heller: Does the individual in question here get both a salary and a per case amount?

Peggy: They get a per case.

Greg: They get a per case.

Bill Heller: So there is no requirement about the time of their work?

Greg: No.

Bill Heller: Hours to be worked during the course of the week or anything like that?

Greg: No.

Bill Heller: They would be an independent contractor, they would get a 1099.

Greg: Right.

Peggy: So would that individual have to provide a certificate of insurance, I think that is the question that has been posed.

Dave: That is my point.

Bill Heller: You might want to ask them to provide that, yes. A liability policy for the benefit of the township.

Jody Veldkamp: Likewise it would seem that Mark could decide in the middle of the year to change because it is just an independent contractor or he could bring on six of them a year, you set the budget as to how much he can spend.

Dave: Yes he is limited on what he can spend, that is not my concern. My concern is the amount of liability that the township could incur just by what you said.

Greg: I'm just going by what the trustee had told me that the investigator had to be named on the salary.

Peggy: I'm saying just strike it.

Dave: Well they approved the one before without the name being on it.

Greg: I understand that and I'm almost certain that there was no name on that.

Dave: There is.

Peggy: No not that one, the current one. Our names are listed but the investigator was not listed.

Dave: Oh.

Greg: There was a per case amount. So I would move for tonight to ...

Peggy: Again come back for another meeting and discuss this.

Dave: Can we table this or is it something that has to be done, that I don't know either.

Greg: We can vote this down and we can entertain to add another meeting before the end of the year or we can strike the name and adjust that and if we find out we need to make another meeting to take care of that we will have to do it.

Dave: If you think that is appropriate I would do it.

Greg: Because this is our function, this is our function to set salaries and stuff.

Dave: I know that. If you think that is appropriate I would make a motion that we strike the name from the investigator and we adjust it from \$35 per case to \$20 per case. I would make that motion.

Dr. Huber: I would like to make a comment. I don't have any idea what that investigator does. He has to go to the homes doesn't he?

Peggy: Only if it is prudent, correct?

Dave: Yes.

Peggy: I mean if somebody comes in he wouldn't just send an investigator just to send. This is me; if it needs to be investigated it should be investigated.

Dave: It has to be per statute, it has to be.

Peggy: Right. But if you look at the guidelines and they don't meet those guidelines you should not send an investigator out just to pay him \$35. That is my point.

Dr. Huber: My concern would be if you try to go cheap, cheap, cheap, you're going to get possibly some bad, bad, bad investigation.

Dave: He is already using this person, Dr. Huber.

Dr. Huber: What?

Dave: He is already using this person that he has listed here so we are not going to get anybody any different than what we got right now.

Jody: Unless they decide not to take 20 bucks.

Dr. Huber: You can't get a repairman to come to your home for 20 bucks.

Dave: I can get 10 people to do the job that this man is doing.

Mary Sue Kane: I will say that sometimes the investigator has to go back to the home two or maybe three times because we always ask the people do you know if you are going to be home, is there any time that you are going to be gone. Well they say I don't think so but then they go and there is nobody there or they may be sleeping and he knocks on the door, he calls them and nobody answers.

Peggy: So he gets \$35 for that?

Mary Sue: It does not matter if he goes one time or three times.

Greg: Actually what I understand is that each time he goes he gets paid that is what I've been informed.

Dave: If he goes three times he gets paid three times?

Greg: Yes, that is what I have been informed.

Dave: Thank you. I would like to ask that question.

Greg: And not everybody needs to be investigated. You know maybe if he can make a phone call or something but if he makes a trip I believe he is to be paid for that.

Dave: Have you looked at the process pretty well Greg?

Greg: No I haven't.

Dave: Well I looked at it pretty close, not meticulously but pretty close and I do know and I'm sure you will verify this, if I'm telling something that isn't true please tell me. He has the obligation to do a lot of investigation prior to sending the investigator out and I understand and in fact he has said himself that many many many cases gets denied before the time comes for the investigator to

go out which means he does not use the investigator anyway. So every case does not get one. It is only the cases that need it.

Mary Sue: Correct.

Peggy: It is pretty thorough the investigation that happens here before an investigator is sent out.

Mary Sue: Normally when an investigator is sent out it is because we think there is a good possibility that they would be approved and so we want to go in and verify there is not other people living in the household, they don't have a car or a motorcycle that they could sell and use for their rent or whatever, they may have a collection of things that they could actually sell. But if we know that somebody is going to be denied then we don't send him unless we just need to be reinforced, I mean we send them out if there is a safety concern. Somebody will tell me that they have holes in their floor this type of thing that is a real health concern and we are obligated to contact the Health Department if there are unsafe living conditions.

Peggy: Would you send somebody out to investigate first and then you call the Health Department?

Mary Sue: Yes.

Dave: I think they do a good job with that, I really do. Dr. Huber you said you can't get anybody to do that for \$20, do you know what the qualifications are to do that? Do you what the qualifications are to be an investigator?

Dr. Huber: I don't know.

Greg: High school graduate and over 18 years old.

Dave: A high school graduate or GED, 18 years of age, lives in the community. It does not take a doctor's degree.

Dr. Huber: But you want a good investigation if you send somebody out.

Dave: Well he is using this guy right now so you know.

Jody: I recall that they were paying \$40 and that guy quit and Mark cut the pay to \$35 and I believe it is still Geoff Sutton, right?

Dave: No.

Mary Sue: Yes it is.

Dave: I'm sorry, what was the question?

Jody: The current investigator actually took the job at a lower rate than the previous investigator.

Dave: That is Geoff yes.

Greg: Actually no, it has been \$35 all year long.

Peggy: But there was a previous investigator that did not quit though, Jack Sandlin.

Dave: But that man provided his own insurance, No. 1.

Jody: We are not providing insurance for him.

Dave: Yes we are. That is my complaint.

Peggy: He is talking about Workman's Comp.

Jody: If the law says a contract employee in this situation is covered under Workman's Comp, I think you should do it.

Greg: I don't have that answer.

Dave: That is what we have to find out.

Greg: My thing, my suggestion is that basically we have here what we have been working on all year long except there is a name listed under the investigator and I would like to make it remain the same. That is my...

Peggy: That is your one vote.

Greg: That is my one vote yes. I will go along with striking the name but that is my one vote.

Dave: Are you calling for a vote then?

Greg: No we can have further discussion.

Peggy: Can you tell like give me a little background as to why you would like to drop the per case, what's your reasoning.

Dave: No. I is because you don't have to have a highly qualified individual, you don't have to pay him a whole bunch of money because he does not have to have, it is not rocket science what they do. In fact, you pretty well dictate what they do don't you?

Mary Sue: I will tell you I would not go on an investigation.

Dave: Well you would not go period if they paid you \$100, I understand that.

Mary Sue: I would not go.

Dave: But there are many people that would go out there for 20 bucks.

Peggy: I mean personally I would think I would want somebody that has police powers going out there.

Dave: And he does not have. He does not even have the power to investigate. You know if the person applying and you know this answer too, if the person is applying and they have a criminal record...

Peggy: How do we find that out?

Dave: He can't find that out. If he is a licensed private investigator, he could find that out.

Peggy: Do we do background checks?

Dave: I doubt it.

Mary Sue: I will tell you most people will tell you right up front if they have been arrested and what they have been arrested for. I don't know of any case that anybody, they will tell you everything. I don't know of any problem that there has ever been with that. But I don't know.

Greg: So Dave you suggested that you would like to lower to \$20 per case?

Dave: Yes.

Greg: Is that what you are saying?

Dave: Yes.

Greg: Ok. Peggy do you have any thoughts on this, any discussion on this?

Peggy: Has Geoff Sutton been the investigator for years or is he relatively new?

Greg: No just probably the past few months, correct?

Mary Sue: Correct.

Peggy: Who was prior?

Greg: I believe it was Drake investigations.

Peggy: So he is a P.I., this Drake investigations?

Mary Sue: I can't tell you, I don't know that.

Dave: Geoff is also a fulltime employee of the Pleasant Township trustee which does not enter into it as far as that goes.

Greg: Right. As far as that I don't think we have any say.

Peggy: No, do we know what other investigators, what the going rate is?

Greg: I don't have that. All I know is that this is what we are operating under this year is the \$35 per case.

Dr. Huber: Call some of the other trustees.

Greg: We can change this weekly, I mean we can change this at every meeting this salary.

Jody: This will be effective the first of January anyway, so you can have another meeting and discuss this with the trustee.

Dave: I have one other question then.

Greg: Ok.

Dave: In all of our budget meetings when we established a price for anything or established a budget amount you recall we could always lower it but we could never raise it. Would that be the case here too? If we lower the salary would we be capable of raising it back up?

Greg: Yes we can change this salary resolution at every meeting. This is our function you know to set.

Peggy: I believe Mr. Higgins' office suggested that we could possibly put number of hours. So we could say that the maximum number of hours of the caseworkers or assistants.

Greg: Yes we can change...

Dave: He is limited to \$4000 total anyway.

Greg: Right, that is the budgeted amount for next year and anything to do from \$4000 per case if we wanted to which we are not going to do.

Peggy: Well I was talking something completely different. I was talking about the clerks. We could put up to or a combined total of 30 hours per week. Is that what you work now?

Mary Sue: We work 2 days, 7 hours, 14 hours a week each, so 28 hours but normally it is 30, I won't say normally but a lot of times we will stay over or have to come in early.

Peggy: So a combined 30 hours per week would be fair?

Mary Sue: It should be yes.

Dave: Would that allow you to take your earlies and your lates, when you have to come in early and when you have to stay late?

Mary Sue: It would be pushing it. I mean we may have to tell the people no we can't, you have to come in during this time and we don't like to do that because we don't want them to have to take off work to come in and do it.

Peggy: Ok.

Dave: They are either \$13,000 or \$14,000 I forget which it is, total amount is \$14,000 isn't it?

Peggy: I say strike the name.

Dave: I made the motion; I hope you can continue to proceed with that.

Greg: Reducing...

Peggy: Reducing the \$35 to \$20.

Dave: And reducing the name.

Peggy: Then next month or when we have our next meeting we can always raise it.

Greg: Right.

Peggy: A motion has been made, second.

Dave: Thank you.

Greg: Ok we have a first and a second; do I hear any further discussion on that? We have a first and a second now let's take a vote on the salary resolution with striking the name of the investigator and lowering ...

Peggy: Should that be two separate motions?

Greg: The motion is just to approve this so we can change this, actually I believe we can change it however we want to. So we are going to strike, is that...

Dave: That is the motion I made was to strike the name and lower the price.

Greg: And lower the price to \$20 per case and we have a first and a second on that. So I will put that to a vote. All those in favor of this salary resolution with striking a name and \$20 per case indicate by saying Aye (Peggy and Dave said Aye). All those against say Nay (Greg said Nay). So with being 2 Ayes and 1 Nay, salary resolution passes as amended. So we will need to sign that. Ok. The next order of business, that takes care of that. The next order of business is WRT Resolution 2011-10. Resolution is for transfer of funds. Peggy do you want to read this resolution? (Peggy read WRT Resolution 2011-10). Do I hear a motion for this resolution?

Peggy: I make a motion.

Dave: I second.

Greg: Having a first and second do I hear any discussion on this resolution?

Peggy: The name is misspelled, "secretary" is misspelled.

Greg: Basically this is just a transfer from the township general fund to the township assistance fund for technical purposes I guess for the budget. That was explained at the last meeting and it will be up to the DLGF whether we can do this but we will sign this resolution so that WRT 2011-10 Resolution has been, have I taken a vote?

Peggy: No you have not taken a vote yet.

Greg: So I will call for a vote for WRT Resolution 2011-10. All those in favor indicate by saying Aye (all board members said Aye). Three Ayes, the resolution passes. The next order of business is do we have any other business to come before the board?

Dave: I have some questions but can't answer without having him here to answer, so I will hold on to those.

Greg: It is something that maybe we can discuss too?

Dave: Well one I already got the answer to. That was taken care of. We are going to talk some more about this investigator anyway, you can bet on that.

Greg: Right.

Dave: So that is ok.

Greg: The salary resolution that was passed that is what he is going to have to live with and if he wants to come to the board and discuss anything further maybe in private and then bring it to a public meeting he will have to do that. You know we can't do it without him here so we will just do

it that way and basically all we did was lower the per case amount than what we are operating under right now.

Dave: That is effective next year right, not now?

Greg: Right and we can change this, we can change this whenever you know when he gets back and he gives proof that we need something with a name on it.

Peggy: I guess I would like to know as you brought up you know what all is entailed in an investigation, how many hours does the investigator spend, how many minutes does the investigator spend.

Mary Sue: I know when we get the report back he goes thru each room and he goes thru the cupboards, the refrigerator making sure there is food in the house. If we have anything that did not get returned to us he reiterates that we have to get that back before we can close the case. You know we may tell the people we send them home with a piece of paper telling them that they have to bring back maybe a child's birth certificate, just different documents and the investigator will usually reiterate that to them that they have to get that back and if they don't it would be a reason that they could be denied. So he basically goes to the house, goes over any questions that we have.

Peggy: It is a pretty detailed write up?

Mary Sue: It is probably a two page write up, you know.

Bill Heller: Are there questions?

Mary Sue: It has questions, maybe somebody will have a real expensive collection of something and they will look thru that and kind of itemize what is there and what maybe possibly could be sold.

Bill Heller: What I'm saying is that any investigator whether experienced or not has sort of a check list or something to go on so the same items would be covered on each visitation.

Mary Sue: Correct.

Bill Heller: So they respond to those questions.

(end of cassette)

Dave: We really don't know what is going on. I attempted to myself personally attempted to investigate the investigation and was denied for privacy reasons and I'm still working on that.

Bill Heller: Well you should be able to know what the tasks are that are performed in these investigations because that would not have a name on it, that is just standard operating procedures and I would hope that that is written down somewhere.

Greg: Right. I'm not aware, I have not seen that and that is a good idea. I do have questions about sending an investigator out and there might be, I have not looked thru the files, there might be a case number with each investigation attributed to that and I know there is room for some openness on that. I guess what I'm trying to say is I would like to know more about it because you can say hey I just sent 20 investigations out, how are we to know...

Mary Sue: What we do is when an investigation is sent out we have a log and we write down who the person is and when we get the investigation back we write down the date that we get the investigation back so it is kind of a check and balance situation so we know it was sent and we know we get it back.

Peggy: You are under the assumption that if an individual goes to the place and they are not there that is not considered...

Mary Sue: I'm not sure on the pay of it, I really don't know.

Greg: That is what I need more clarity and when the trustee gets back or when I can call him on the phone I need more clarity because you know you can raise that \$20 per case because you know he was not there, that can go up to \$60 real quick or \$100 or whatever.

Peggy: I think you know if they are not there then you get X amount of dollars just for going there but there could be something like that couldn't there? I mean if you go and no one is there.

Dave: Who is responsible for that, if you make an appointment?

Peggy: You still have to pay somebody for doing that.

Mary Sue: We don't ever let the people know exactly when they are coming.

Dave: You don't?

Mary Sue: No because if there was somebody else living in household, if they have another vehicle they could leave with it.

Peggy: So they don't really tell you everything.

Mary Sue: A lot of them will tell you more information on certain things but there have been cases where you go out and they have a big collection of something. There could be a car sitting out there or a motorcycle that they say needs to be fixed but they could still try to sell it.

Greg: Ok, do we have anything else?

Peggy: I make a motion to adjourn.

Greg: I have a motion to adjourn. Do I have a second?

Dave: I second.

Greg: I have a first and a second, all those in favor to adjourn the meeting say Aye (all board members said Aye). Meeting is adjourned.