

COUNTY COUNCIL REGULAR MEETING – MARCH 13, 2000

The meeting was called to order by President, Daniel Dennis.

I. ROLL CALL

The following members were present: Pam Young, Keith Wright, Richard Mason, Edgar Zehr, and Charles Canary. Charles Littleton was not present. John P. Wilson was present as the Council's Attorney.

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 3/13/00 AGENDA

Mr. Wright moved to approve the agenda as presented. Mr. Zehr seconded the motion that carried unanimously.

V. APPROVAL OF 2/14/00 MINUTES

Mr. Mason made a motion to approve the minutes as presented. Mr. Wright seconded the motion that carried unanimously.

VI. PUBLIC COMMENTS

There were no public comments.

VII. PERSONNEL AMENDMENTS

HEALTH

John Bonsett, director, appeared to request to hire in a new employee as a PAT III, Step IV, then increase it to a Step V after six months. The request of the increased step is due to her twelve years experience working part-time at the health department. The prospective new employee is also a registered environmental health specialist, certified pool operator, and is standardized for food service programs. She also has experience working for IDEM and the State Health Department.

Mr. Mason moved to approve the request as presented. Mr. Wright seconded the motion, which carried unanimously. Mr. Mason also motioned to approve the six month increase for the new hire. Mr. Wright seconded the motion, which also carried unanimously.

#210-115.5 - Hire-In PAT III Step IV (after 6 months Step V) \$31,428.00 (6-15-00)

HIGHWAY

John Price, Highway Director, appeared to request an amendment to the Council's cut off date for a step increase for one of his employees whose anniversary date is January 2nd. Mr. Price specified several reasons for this request, including the work performance of the employee.

Mr. Mason stated that he would like to know how many employees would be affected if the cut off date was changed from December 31st to the first working day in the new year.

Mr. Mason then made a motion to table this request until the April Council meeting. Mrs. Young seconded the motion, which carried unanimously.

SUPERIOR COURT #1/ ADULT PROBATION

Richard Pfifer, Chief Probation Officer, appeared requesting an upgrade from a COMOT III to a COMOT II. He then explained the increased workload and responsibilities for this position. Mr. Pfifer also stated he lost an employee from this position who had seven years experience to another county office where they are a COMOT II.

Mr. Canary moved to send the current revised job description to the consultants for review. Mr. Wright asked if the motion could be amended to add that the cost for the consultants to be paid out of an Adult Probation line item. Mr. Canary concurred. Mr. Mason seconded the motion that carried unanimously.

PROSECUTOR

Mr. Mason noted that the personnel committee met and has discussed many of the Prosecutor's requests. He made a motion to approve the following requests:

#327-119.0 - Deputy Prosecutor (new) \$50,000.00 SO \$50,000.00
(Must have two years trial experience, including having tried two homicide cases)
#327-120.0 - Deferral/Diversion Assist.(new)\$18,355.00COMOT III Step I \$18,355.00
#118-114.0 - Child Support Enf Case Worker (new) \$18,355.00 COMOT III Step I

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Mr. Wright seconded the motion, which carried unanimously.

Lance Hamner, Prosecutor, was present to answer any questions regarding his requests. Discussion was held on the Practicing Intern position. Since this position would be doing work for both the County and the City of Greenwood, Mrs. Young stated that an interlocal agreement needed to be created. Mr. Mason moved to table the request until an interlocal agreement and job description is completed. Mr. Canary seconded the motion that carried unanimously.

The request for the Special Services contract was motioned by Mr. Mason to be transferred out of the Professional Service line item. Mr. Canary seconded the motion as follows:

From: #286-113.0 – Special Services	(\$ 5,000.00)
To: #286-343.1 - Professional Services	\$ 5,000.00

Motion carried unanimously.

The last request from the Prosecutor was to upgrade the classification for the Office Administrator. Mr. Hamner withdrew the request until more information could be compiled.

MUSEUM

Mary Ann Plummer, Museum Director, appeared to request a job classification upgrade (#125-112.0). The employee has experience working at the museum as well as a master's degree in archeology.

Mr. Mason made a motion to deny the request as presented. Mr. Wright seconded the motion that carried unanimously.

Mr. Canary then made a motion to keep the classification as a PAT V and increase the hire-in step to a Step II, with the 6 month increase to a Step III. Mr. Mason seconded the motion that carried unanimously.

JUVENILE DETENTION CENTER

Since no one from the Juvenile Detention Center was present to go over their requests, Mr. Wright asked if they could go ahead and address their requests. He stated that the most of requests are for minor changes to the job classifications and that they wanted to know who they should send the revisions to - the consultants or the personnel committee? Mr. Wright suggested that if they were minor adjustments, such as title changes, the department should make the revisions and submit it to the personnel committee.

Mr. Mason moved to have the Juvenile Detention Center to prepare a rough draft of the job description amendments and submit them to the personnel committee. Mr. Wright seconded the motion, which carried unanimously.

COUNTY MISDEMEANANT

The request was withdrawn.

VIII. PRESENTATION BY THOMAS M. CARUSILLO, ESQ., STATE ATTORNEY, INDIANA PUBLIC DEFENDER COMMISSION

Mark Loyd, Circuit Court Judge, appeared to talk about Johnson County's consideration of the establishment of a Public Defender Commission. The Public Defender Commission and/or Board would oversee the implantation of public defender services. Once a board is established and has followed certain criteria, then the county would be reimbursed by the Commission. Judge Loyd then introduced Mr. Carusillo, staff attorney for the Indiana Public Defender Commission.

Mr. Carusillo explained that he was there to talk about the Public Defense Fund. This fund was created in 1989 by the legislature. At that time, it was designated solely to reimburse counties in death penalty cases. However, in 1993, the legislature amended the statute to reimburse counties in non-death penalty cases. In order to qualify for the reimbursement, the county must comply with the standards set by the Public Defender Commission. The two primary standards being the case load of Public Defenders and their compensation levels. The statute was amended again in 1997, which increased the reimbursement level to forty percent.

Currently, the Public Defense Fund has 37 counties participating. For a county to become eligible for the reimbursement, it must create a local Public Defender Board. This Board needs to be established by ordinance and be passed by the Commissioners. The Board must consist of three members; two of whom is appointed by the judges, one appointee from each political party and the third member being a Commissioner. Once established, the Board will create a comprehensive plan which describes how indigent defense services will be provided within the county. He then noted that he had several sample plans and how it could be created.

Mr. Carusillo explained how by joining this program, the county would realize a net savings. He then handed out to all council members a County Summary Sheet as of 2/2/00. The summary showed the name of the county, population, date eligible, system, and the amount of reimbursements since 1997. Mrs. Young asked if the money for reimbursements is guaranteed funds? Mr. Carusillo responded that it is not guaranteed, but the legislature is very favorable of this program. A projection has been submitted to the legislature, who is aware of the increasing costs and they are supportive. He also noted that once you join the program, you can get back out at any time.

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IX. SALARY ORDINANCE AMENDMENTS, ADDITIONAL APPROPRIATIONS, REDUCTIONS, & TRANSFERS:

APPROVAL OF THE SALARY ORDINANCE (144) AMENDMENTS:

Mr. Wright made a motion to approve the following salary amendments as follows:

#103-113.0 - \$19,272.00 to \$18,355.00 (2-16-00)
#103-113.3 - \$18,355.00 to \$19,272.00 (3-27-00)
#108-119.0 - \$23,781.00 to \$20,542.00 (2-22-00)
#114-113.0 - \$16,601.00 to \$17,428.00 (4-4-00)
#115-113.1 - \$16,601.00 to \$17,428.00 (4-7-00)
#124-128.5 - \$22,220.00 to \$23,332.00 (3-9-00)
#131-113.1 - \$22,648.00 to \$22,648.00 (2-4-00)
#140-122.5 - \$23,332.00 to \$22,220.00 (1-18-00)
#140-120.3 - \$23,221.00 to \$24,382.00 (3-13-00)
#140-124.7 - \$24,498.00 to \$22,220.00 (3-13-00)
#209-125.0 - \$11,892.00 to \$11,326.00 (1-27-00)
#219-112.0 - \$21,929.00 to \$16,601.00 (2-28-00)
#219-113.2 - \$18,300.00 to \$17,439.00 (2-28-00)
#219-113.0 - \$19,227.00 to \$16,601.00 (2-28-00)

Mr. Zehr seconded the motion that carried unanimously.

Mrs. Young had a question about the #117-100.0 line item. Her question was concerning the classification and the step increase (6 months). If the classification is still a PAT, then do they go by the grid for the step increase amount? If so, the next would equal \$45,150.00. Mrs. Young also asked if the Commissioners have discussed this with anyone. Noone could recall having a discussion with the Commissioners on this specific issue.

Dave Hirschle, Planning Director, appeared to give his input on the salary increase. He stated that when he was hired, he was given a letter by Joe Pitcher, County Attorney with the Commissioners logo on it which gave him a hire-in salary of \$43,000.00 and a possible step up to \$46,000.00 after six months. When the six months were up, he sat down with the Commissioners for a performance review. The Commissioners decided to allow him the full step increase to \$46,000.00. Mr. Mason stated that the Commissioners were given a salary range to hire in a new Director. They hired in someone at a salary below the range. Mr. Mason also stated that it was commented to him, that they hired in at a lower salary and would have a six month probation period. After further discussion, Mr. Zehr made a motion to table this request until next meeting. Mr. Wright seconded the motion that carried unanimously.

BOARD OF COMMISSIONERS - (122)

Brenda Jones-Matthews, Clerk, appeared to address the transfer request. It is for new voting machines and two new dot matrix printers. Mrs. Young moved to approve the transfer as presented. Mr. Wright seconded the motion that carried unanimously.

From: #122-260.0 – Election Supplies (\$ 4,000.00)
To: #122-440.0 – Office Equipment \$ 4,000.00

JOHNSON COUNTY FAMILY COURT - (353)

Judge Loyd, Circuit Court, appeared to address the new Family Court (pilot program). He noted that a change needed to be made changing the Administrator position to a Family Court Case Manager. Mrs. Young asked if once the funding ceases for this program, will this new position still be needed? And if so, could it be down-graded? Judge Loyd responded that the position would still be needed and that it could be down-graded. Mr. Wright moved to approve the request as presented. Mr. Mason seconded the motion, which carried unanimously.

#353-113.0 – Family Court Case Manager \$24,434.00 \$ 24,434.00
#353-142.0 – Social Security \$ 1,869.00
#353-143.0 – PERF \$ 1,955.00
#353-144.0 – Insurance \$ 1,000.00
#353-145.0 – Salary/Benefit Adjustment \$ 5,000.00
#353-258.0 – Law Books \$ 500.00
#353-303.0 – Pauper Legal Services \$ 5,000.00
#353-323.0 – Travel & Education \$ 3,500.00
#353-411.0 – Office Equipment \$ 1,400.00

Judge Loyd also asked that a council member become a member of the advisory board that he plans to create to oversee this particular project.

COURT IMPROVEMENT GRANT/CASA - (344)

Judge Loyd also addressed this request. He stated that previously a budget has not been prepared for this particular project. So at this time, he requested that the budget be approved and in the future, it will be submitted during budget time. Mr. Wright moved to approve the request as presented. Mr. Mason seconded the motion that carried unanimously.

#344-114.0 – Part-Time Clerical Assist. \$ 6,000.00
#344-215.0 – Misc. Office Supplies \$ 500.00
#344-258.0 – Books \$ 1,000.00
#344-301.0 – Professional Services \$ 3,762.00
#344-323.0 – Travel & Education \$ 2,600.00

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#344-411.0 – Office Equipment \$ 750.00

Judge Loyd commented on the Juvenile Detention Center's Annual Report, stating that it should be correct.

PROSECUTOR DEFERRAL PROGRAM - (327)

Mr. Canary made a motion to approve the request as presented. Mr. Wright seconded the motion that carried unanimously.

#327-220.0 – Books \$ 1,500.00
#327-311.0 – Franklin Police Department \$ 1,017.73

SUPERIOR COURT NO. 2 - (133)

Judge Emkes appeared to answer any questions regarding the amounts requested. These additional amounts are needed for the upcoming death penalty case of Michael Overstreet. She stated that all of these amounts are estimates and that if any money is left over then it would be given back or if more money is needed she would be back to request it (an update would be given as needed). She then continued to explain how she came up with these estimated amounts. Judge Emkes also withdrew her request of \$200.00 from Office Supplies (#133-215.0).

Mr. Wright moved to approve the amounts as requested with line item #133-215.0 omitted. Mr. Mason seconded the motion that carried unanimously.

#133-119.1 – Clerical Assistants \$ 1,500.00
#133-199.0 – Overtime \$ 5,000.00
#133-301.0 – Professional Services \$ 6,800.00
#133-303.0 – Pauper Legal \$ 50,000.00
#133-391.0 – Jury Expenses \$ 65,100.00
#133-440.0 – Office Furniture/Equipment \$ 300.00

Mr. Dennis noted that Judge Emkes needed approval for travel expenses that were passed the 90 day limit so it could be paid. Mr. Wright moved to allow the expense to be paid. Mr. Mason seconded the motion, which carried unanimously.

JAIL - (124)

Sheriff J.D. Richards appeared asking for his request to be tabled until April's council meeting. Mr. Mason moved to approve the request of tabling the overtime request until April's council meeting. Mr. Zehr seconded the motion that carried unanimously.

Sheriff Richards then continued to address the grant positions for two deputies. The grant was for three years, ending 12/31/00. After some discussion, it was resolved that this needed to be submitted for April, since it is for new employees.

Sheriff Richards informed the council that grants are available for county sheriff departments and jails. The amounts could range anywhere from \$5,000.00 to \$20,000.00 and would go into the general fund. The reimbursements are for housing foreign born inmates.

Mr. Dennis asked if the new business pertaining to Sonoco could be addressed next before the old business. Mr. Wright motioned to amend the agenda. Mr. Mason seconded the motion that carried unanimously.

A representative from Sonoco Flexible Packaging (formally Morrill Press) appeared to review the Statement of Benefits for Tax Abatements. Mr. Wilson stated that he reviewed the filing and everything seemed to be in order. Mr. Canary moved to approve the abatement. Mr. Wright seconded the motion that carried unanimously.

X. OLD BUSINESS

SHERIFF - APPROVAL OF THE REVISED SHIFT DIFFERENTIAL COMPENSATION FOR SHERIFF DEPUTIES (TABLED)

Sheriff Richards passed out a handout to all members regarding the restructuring methods for compensating the different shifts. Mrs. Young moved to approve the shift differential compensation. Mr. Mason seconded the motion that carried unanimously.

DISCUSSION OF THE 2% PERFORMANCE PAY (TABLED)

Mr. Zehr stated he contacted several departments and compiled their suggestions regarding the guidelines about the 2% performance pay. He then read aloud the major points that need to be included in the guidelines. They are as follows: employee must have completed one year of service by January 1, 2000; adjustments must be capped at 4% per individual base salary as of January 1, 2000; adjustments will not be awarded to those employees who depart before the disbursement date; and any payment made should be paid on the last pay of June and December 2000.

Mr. Zehr also suggested that an evaluation form be used to help distribute the 2% performance pay. He noted that the time period for this adjustment should be 1999, that it could be used to correct past salary discrepancies, and it should not be based on longevity alone. He stressed these are only suggested guidelines and that each department could choose any of these evaluations, but they must tell the council how they calculated their distribution.

Mr. Zehr then suggested that the council appoint a member to be a liaison for all departments to answer questions. One last thing he commented on was that a conflict may occur with the salary ordinance and the 4% salary cap for the adjustment. Mr. Wilson concurred and replied that an amendment could be made to the salary ordinance.

Marla Hash, County Assessor, appeared stating that at budget time the council told department heads and elected officials that they could distribute the 2% how they saw fit. She then asked if elected officials and department heads would ever have

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any say so about running their offices. She also commented that all departments should not be treated the same as far as the guidelines went.

Mrs. Young stated that all departments should be contacted to get their suggestions for the guidelines. She also stated that the salary ordinance has been passed and that guidelines have already been set, at least for 2000. Mr. Dennis responded that the ordinance could be amended.

Clerk, Brenda Jones-Matthews commented that she felt that the guidelines were just that, guidelines. She didn't think that the department heads or elected officials had to follow them. She stated that she evaluates her employees every year and would continue to do so. The elected officials/department heads are the ones who evaluate their employees, who know the work performance of their employees; therefore, they should be the ones who should determine the 2% distribution for their employees. Mrs. Jones-Matthews also stated the 2% should be used for an incentive and a merit, not a salary booster.

Ms. Hash concurred that the department heads/elected officials should be allowed to give the 2% accordingly. Mr. Canary commented he thought that was the whole idea, to have the department heads/elected officials calculate the distribution, not to have the council dictate it.

Mr. Mason expressed his thoughts on the matter such that it should be mandatory not to pay an employee their additional if they leave employment before a certain date and that it should be paid twice a year. As far as the rest of it, it should be left up to the office holder to determine. However, that officeholder would take responsibility for their decision.

Mr. Zehr stated it should be mandatory that all office holders let the council know what evaluation method they used to base their calculations.

Mrs. Young stated that this all started out as a performance pay. How can you have a performance pay without a performance system to follow? She continued to say that she is all in favor of a performance pay if it is implemented correctly with a uniform system.

Discussion was held concerning changing the pay from twice a year to one time year. The pay would be given at the last pay in December and it would be for the performance done in the year 2000. It was also brought up if the performance evaluation should be based on the year 1999 or 2000. At last it was concluded to pay the 2% all at once. It will be paid on the first pay in July (Auditor's office needs to provide a deadline for the claims to be submitted) and an evaluation form must be on file for each employee in their department.

Mr. Mason motioned to table the guidelines until the next council meeting. Mr. Wright seconded the motion that carried unanimously.

XI. NEW BUSINESS

Mrs. Young asked if the personnel committee had an updated report on the structure of the committee and/or its future? Mr. Mason commented that he would like to stay on at least one more month to finish up on the current salary amendments. He stated he and the other two members would try to have something ready for the next council meeting.

AUDITOR'S FINANCIAL REPORT

Discussion was held concerning the Auditor's financial report. Mrs. Young commented on some of the figures and had suggestions for additional revenue sources. Mr. Wright also had several questions pertaining to the figures.

APPROVAL TO TRANSFER SURPLUS FUNDS FROM GENERAL OBLIGATION BOND 1996 TO COUNTY GENERAL

Mr. Mason motioned to approve the transfer as presented. Mr. Zehr seconded the motion that carried unanimously.

CONTRACT FOR PROFESSIONAL SERVICES FOR THE JOHNSON COUNTY COUNCIL

Mr. Wilson presented each member an amended contract for administrative services. The wording that is in bold print denotes the changes. Mrs. Young spoke of another firm that she felt was comparable to Curtis L. Coonrod and was lower in costs. Mr. Canary stated that he didn't understand why a firm was needed, what the firm was going to do, or why bids weren't taken. Mrs. Young concurred that she didn't really know why a firm should be hired to do work that the council should be doing.

Mr. Zehr felt like this was going to be a win-win situation. He stated that this firm could either reinforce the work that the county fiscal officers were already doing or they could give an opinion on how to improve it. If the council doesn't agree with the way the firm operates, then it stops paying them and seek help elsewhere.

Taxpayer, Ron West, appeared commenting on how the council was operating. He didn't feel like an outside firm needed to be hired to do their work. He felt like the money could be spent on better things.

Mrs. Young asked if since the council was going to determine the type of services that the CPA firm needed to provide, shouldn't it be in the contract. Mr. Dennis replied it could be done as part of the motion. She also asked about travel time and phone calls, how were they going to be charged?

Mr. Mason stated that his job was to do the best job he possibly could, including using all the human resources available to him. He would be in favor of hiring any firm that would be helpful in particular areas as needed. He does not intend to hire someone to duplicate the work of the Auditor, but feels a firm such as this could be beneficial in other areas.

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Mr. Mason moved to approve the contract as presented with one exception; in the hourly rates there will be no travel time. He also included that the firm's beginning work would be to create a fiscal plan. Mr. Zehr seconded the motion that carried four to two. Mrs. Young and Mr. Canary voted nay.

Mr. Dennis related that Diane Black had called him regarding Leadership Johnson County. on April 12th from 3:30 to 4:30. If anyone is interested they need to contact her.

There being no further business, Mr. Mason moved to adjourn the meeting. Mr. Wright seconded the motion that carried unanimously.