

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2001

The meeting was called to order by President, Richard Mason.

I. ROLL CALL

The following members were present: Charles Canary, Ron West, Richard Mason, Keith Wright, Brent Waltz, and Pam Young. John P. Wilson was present as the Council's Attorney.

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 2/12/01 AGENDA

Mr. Canary moved to approve the agenda as presented including the addition of two transfers of funds from the Juvenile Detention Center and Adult Probation. Mr. West seconded the motion that carried unanimously.

V. APPROVAL OF 1/8/01 MINUTES

Mrs. Young moved to approve the minutes as presented with two corrections on page eight. The county named should be "Hendricks" and the amount changed to \$4,981,000.00. Mr. Canary seconded the motion that carried unanimously.

VI. PUBLIC COMMENTS

There were no public comments.

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2001 – (Cont.)

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

Mr. Dennis moved to approve the following requests as presented.

APPROVAL OF THE SALARY ORDINANCE (144) AMENDMENTS

#101-113.7 - \$24,257.00 to \$20,953.00 (1-1-01)	
#101-115.1 - \$23,101.00 to \$20,953.00 (1-1-01)	
#105-127.2 - \$21,673.00 to \$18,722.00 (1-30-01)	
#117-132.0 - \$30,292.00 to \$24,923.00 (1-1-01)	
#123-119.0 - \$20,681.00 to \$21,714.00 (1-1-01)	\$ 1,033.00
#124-162.0 - \$21,818.00 to \$22,909.00 (2-21-01)	\$ 936.35
#125-112.0 - \$23,200.00 to \$21,043.00 (1-8-01)	
#127-114.0 - \$22,756.00 to \$20,641.00 (1-1-01)	
#128-118.0 - \$18,758.00 to \$19,696.00 (1-29-01)	\$ 938.00
#134-114.0 - \$25,469.00 to \$23,101.00 (1-1-01)	
#140-115.2 - \$22,664.00 to \$23,799.00 (1-3-01)	
#140-124.7 - \$22,664.00 to \$23,799.00 (1-13-01)	
#140-119.0 - \$26,519.00 to \$22,909.00 (1-1-01)	
#140-119.1 - \$20,681.00 to \$18,758.00 (1-1-01)	
#140-122.3 - \$23,799.00 to \$22,664.00 (1-1-01)	
#140-123.3 - \$23,799.00 to \$22,664.00 (1-1-01)	
#140-123.7 - \$23,799.00 to \$22,664.00 (1-1-01)	
#140-124.1 - \$24,988.00 to \$22,664.00 (1-1-01)	
#202-116.0 - \$32,057.00 to \$33,660.00 (2-8-01)	\$ 1,603.00
#206-131.0 - \$24,339.00 to \$23,181.00 (1-25-01)	
#286-111.0 - \$22,095.00 to \$23,200.00 (1-1-01)	\$ 1,105.00

SUPERIOR COURT NO. 3 - (134)

From: #134-114.0 – Assistant Court Reporter/Bailiff	(\$ 2,368.00)
To: #134-117.0 – Part-time Clerical	\$ 2,368.00

MAGISTRATE COURT – (136)

From: #136-113.1 – Proceedings Supp. Court Reporter	(\$ 1,300.00)
To: #136-115.0 – Criminal Court Reporter	\$ 1,300.00

REDUCTION - CIRCUIT COURT – (131)

#131-114.0 – Part-time Clerical Assistance	(\$ 500.00)
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REDUCTION – SUPERIOR COURT NO. 1 (132)

#132-114.0 – Law Clerk/Bailiff	(\$ 500.00)
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REDUCTION – SUPERIOR COURT NO. 2 (133)

#133-119.1 – Clerical Assistants	(\$ 500.00)
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REDUCTION – SUPERIOR COURT NO. 3 (134)

#134-117.0 – Part-time Clerical	(\$ 500.00)
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MAGISTRATE COURT – (136)

#136-175.0 – Part-time	\$ 2,000.00
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HEALTH DEPARTMENT – (210)

From: #210-119.0 – Office Manager	(\$ 5,000.00)
To: #210-361.0 – Professional Services	\$ 5,000.00

JUVENILE DETENTION CENTER – (140)

From: #140-312.0 – Building Repair & Maintenance	(\$15,389.56)
To: #140-205.0 – Operating Supplies	\$ 3,000.00
To: #140-207.0 – Preventive Maintenance Supplies	\$ 3,000.00
To: #140-440.0 – Office Equipment	\$ 2,958.00
To: #140-441.0 – Maintenance Equipment	\$ 6,431.56

SUPERIOR COURT NO. 1 – (132) ADULT PROBATION

From: #132-170.3 – Probation Officer	(\$ 1,238.81)
To: #132-199.0 – Overtime	\$ 1,238.81

Mr. Wright seconded the motion that carried unanimously.

SAFE COMMUNITIES GRANT – (359)

Deana McMurray, Community Corrections Director, appeared to request an additional appropriation in the amount of \$10,000.00 for professional services. She explained the money was approved by the Council last year but not used and was reverted back into the fund at the end of the year.

Mr. Dennis moved to approve the request as presented. Mr. Wright seconded the motion that carried unanimously.

#359-310.0 – Professional Services	\$ 10,000.00
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COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2001 – (Cont.)

CIRCUIT COURT – (131)

K. Mark Loyd, Circuit Court Judge, appeared to request additional appropriations for overtime and jury expenses in the amount of \$26,500.00 for the State of Indiana vs. Fernando Griffith trial. He anticipates the Court incurring a total of \$47,800.00 in expenses for this case.

Mrs. Young moved to approve the amounts as requested. Mr. West seconded the motion that carried unanimously.

#131-199.0 – Overtime	\$ 1,500.00
#131-391.0 – Jury Expenses	\$ 25,000.00

FRANKLIN TOWNSHIP ASSESSOR – (111)

Rita Sievertson, Franklin Township Assessor, appeared to request an additional appropriation in the amount of \$4,034.00 for a deputy that had an upgrade in salary approved in the fall of 2000.

Mr. Dennis moved to approve the request as presented. Mr. Wright seconded the motion that carried unanimously.

#111-112.0 – Deputy	\$ 4,034.00
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HIGHWAY – (204)

John Price, Highway Director, appeared to request a five-year Step increase for an employee that was hired 1-3-96.

Mr. Wright moved to approve the request as presented. Mr. Waltz seconded the motion that carried five to two, Mrs. Young and Mr. Mason voted nay.

#204-149.0 – Truck Driver – \$27,085.00 to \$28,174.00 (1-3-01)	\$ 1,089.00
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CUMULATIVE BRIDGE – (206)

Mr. Price requested that line item #206-125.0(Equipment Operator) receive a five-year Step increase based upon a hire-in date of 1-5-96.

Mr. West commented this type of request is one of the issues that the Council is going to discuss following the meeting. Mr. West moved to table the request until the March Council meeting. Mr. Dennis seconded the motion that carried unanimously.

Mr. Price requested the re-classification of line item #206-121.0 (Engineer Assistant I to Engineer Designer). He explained they currently have a designer in the road division and the requested position (Engineer Assistant) in bridge department does basically the same type of work and is not classified the same. The employee that was the Engineer Assistant I took the position of Engineer Designer in the road division leaving the requested re-classification position vacant. The individual that applied for the job has worked for the county since 1994, part-time and full-time. He also has a bachelor's degree in math physics and engineering. Mr. Price stated that both positions should be classified the same.

Mrs. Young asked why wouldn't the individual with the degree be selected for the Engineer's Designer in the road division since it is a higher-grade job.

Mr. Price responded because the employee that is taking the job has more seniority and has worked with both bridges and roads in the past.

Mr. Dennis moved to approve the request as presented. Mr. Waltz seconded the motion that carried five to two, Mr. Canary and Mrs. Young voted nay.

#206-121.0 – Engineer Assistant I to Engineer Designer – Re-classification from PAT IV to PAT III - \$30,531.00 (2-22-01)

REGIONAL GANG GRANT (4/00 to 3/01) – (295)

Lance Hamner, Prosecutor, appeared to request a transfer of funds of \$2,300.00 in the Regional Gang Grant for operating supplies.

Mr. Dennis moved to approve the request as presented. Mr. Wright seconded the motion that carried unanimously.

From: #295-415.0 – Vehicles	(\$ 2,300.00)
To: #295-215.0 – Operating Supplies	\$ 2,300.00

VICTIM ASSISTANCE PROGRAM – (1/1/01-6/30/01) - (305)

Mr. Hamner requested a salary ordinance amendment and additional appropriations for the Project Director from \$26,322.00 to \$31,110.73. He stated the grant is federal monies and authorizes and specifies that the salary be \$31,110.73.

Mr. Dennis moved to approve the request as presented. Mr. Wright seconded the motion that carried six to one, Mrs. Young voted nay.

#305-111.0 – Project Director \$26,322.0 to \$31,110.73	\$ 4,788.73
#305-142.0 – Social Security	\$ 446.91
#305-143.0 – PERF	\$ 467.36
#305-144.0 – Insurance	\$ 139.00

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2001 – (Cont.)

Jack Matthews, Maintenance Director, appeared to request an additional appropriation of \$280,000.00 for County Buildings Renovation. He explained that \$203,000.00 is to re-place the Annex and Wright buildings roofs.

Mrs. Young questioned if bids will be received for the re-placement of the roofs. Mr. Matthews responded “yes”. He explained he received an estimate from a roofer to determine the approximate amount to request.

The remainder of the funds would be used as follows:

• Carpet for Annex First Floor	\$23,768.63
• Carpet for Courthouse 3 rd Floor	\$25,000.00
• Re-Key Buildings in Courthouse Complex	\$ 8,400.00
• Remodel North Annex 1 st Floor for Adult Probation	<u>\$19,000.00</u>
Total	\$76,168.63

Discussion was held on whether to wait until bids were received for the roofs or to appropriate the funds at this time.

Mr. Waltz moved to appropriate \$76,168.63 in the Cumulative Capital Development Fund.

Mr. West asked what is the total amount of funds needed to clean the mold and remodel the Annex North. Mr. Matthews did not have an amount. Mr. West asked if the Board of Commissioners have considered selling the building. James Rhoades, Commissioner, responded if there is someone that is willing to pay the amount needed for the building then the Commissioners might consider it. William Walker, Commissioner, responded he feels the location of the building is definitely a plus since it is so close to the Courthouse Complex.

Mr. Dennis seconded the motion that carried six to one, Mr. West voted nay.

Mr. Waltz moved to appropriate \$203,000.00 to replace the Annex and Wright buildings roofs. Mr. Dennis seconded the motion that carried unanimously.

#254-418.0 – County Buildings Renovation \$ 203,000.00

COURTHOUSE SECURITY – (126) (tabled)

J. D. Richard, Sheriff, appeared to request a five-year Step increase for #126-110.0 with a hire-in date of 1-4-96.

Mr. Wright moved to approve the request as presented. Mr. Dennis seconded the motion that was not approved by a three to four vote, Mr. Mason, Mr. Canary, Mrs. Young and Mr. West voted nay.

SHERIFF – (105)

Sheriff Richards requested to increase a new hire to Step II (six months) based upon previous experience (#105-188.1).

Mrs. Young distributed information she compiled reflecting Step increases for prior experience.

Mr. Waltz moved to approve the request as presented. Mr. West seconded the motion that carried five to two, Mr. Canary and Mrs. Young voted nay.

#105-188.1 – Deputy – Request for Step II on a new hire (1-2-01)
\$28,663.00 to \$30,095.00

COUNTY EXTRADITION FUND – (211)

Mrs. Young moved to approve an additional appropriation in the amount of \$15,000.00 for extradition. Mr. Canary seconded the motion that carried unanimously.

#211-200.0 – Claims \$ 15,000.00

SUPERIOR COURT NO. 1 (132)

Motion was made by Mr. Waltz to approve an additional appropriation in the amount of \$4,516.00 for Assistant Court Reporter. Mr. Wright seconded the motion that carried unanimously.

#132-118.0 – Assistant Court Reporter \$ 4,516.00

REDUCTION – ADULT CHILD MENTAL HEALTH – (129)

Mr. Canary moved to approve a reduction of \$10,898.00 for the amount paid to Adult Child Mental Health based upon the actual amount of assessed valuation for the county. Mrs. Young seconded the motion that carried unanimously.

#129-100.0 – Claims (\$10,898.00)

JAIL – (124)

Sheriff Richards requested twelve (12) correctional officers including an additional appropriation of \$231,336.00. He stated this would give the department three additional CO’s per each shift. The amount of training for new CO’s would take approximately eighty (80) hours and the new portion of the jail is scheduled to open the first of March. He emphasized that he needs additional staff in order to open the jail.

Mr. Waltz stated that according to the experts, their recommendation of staffing does not include needing to hire twelve (12) additional correctional officers. Sheriff Richards responded their recommendation was not correct.

Mrs. Young commented the architectural design of the jail expansion was to minimize additional staffing.

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2001 – (Cont.)

Joe Barger, Jail Commander, appeared stating that the expert's recommendations did not include the three control areas of the jail, which will need three individuals to operate 24 hours a day.

Mr. Canary expressed concern that the current CO's are not getting their breaks and lunch hours due to staffing according to the Sheriff's Department.

Mr. Waltz commented he would like to understand the jail consultant's number of CO'S required to operate the new jail and how they arrived at that.

Mrs. Young stated a great deal of time was spent last year re-organizing the current staff so that there were five CO's per shift. Some of the CO's were doing clerical work and positions were added to handle the paper work. She was under the impression that only four additional CO's would be needed once the jail is opened. Also, according to the report she received from the Sheriff's Department there were two recreational CO's and now there is only one. She commented that another issue is what is going to be the maximum population of inmates held at the jail.

Mr. Barger responded one of the recreational officers quit and the person they hired is transporting prisoners to the Courthouse.

Mr. Wright asked what is the number of staff needed to ensure safety and scheduling of the shifts.

Sheriff Richards responded he needs all the CO's requested for safety and security or the new portion of the jail does not open.

Mr. Waltz requested that the Council Attorney draft a letter to Julie von Arx (jail consultant) and the architect of the jail requesting additional information concerning staffing for the next Council meeting.

Mr. Dennis commented the Council needs to review such a request because this could affect future budget issues such as pay increases for all county employees.

Mr. Wright moved to approve four (4) correctional officers. Mr. Waltz seconded the motion that carried unanimously.

#124-128.6 – Correctional Officer (new) \$22,664.00	\$ 19,278.00
#124-128.7 – Correctional Officer (new) \$22,664.00	\$ 19,278.00
#124-128.8 – Correctional Officer (new) \$22,664.00	\$ 19,278.00
#124-128.9 – Correctional Officer (new) \$22,664.00	\$ 19,278.00

SHERIFF-DISCUSSION CONCERNING CHANGES IN THE SHERIFF'S PENSION/DISABILITY PLAN

Elaine Beaty, vice-president from McCready and Keene, Inc., appeared explaining the firm provides actuarial services for the Sheriff's Retirement Plan for merit officers. When the Merit Act was passed back in 1971 it established a merit board that enabled retirement plans to be established for merit officers. The changes that have been made to the State Statute have been permissible not mandatory to allow for improvements. Johnson County's plan was established in 1984 and there has only been one change to allow officers to continue earning benefits passed their first twenty years of service. The Statute clearly requires the plan to cover retirement benefits, death benefits, and disability benefits. The plan must provide the disability benefits in one of two ways; the plan insures itself and provides annual funding or uses an insurance contract. The Indiana Sheriff's Association and the America United Life established in 1971 a contract to tailor a policy around the needs of the plan. Johnson County opted when the plan took affect to use the established insurance policy and continue to do so. The policy has not been updated since it was drafted in 1971. Ms. Beaty explained that Sheriff Richards asked if changes could be made to the policy such removing the obligation of it being through an insurance contract and rather self-insurance. Under an insurance contract an officer would be entitled to 50% of their salary as his benefit with a cap of \$1,000.00 per month for disability. This is becoming a problem because of the increase of salaries throughout the years. The Sheriff's primary concern at this time is to upgrade the disability benefit. The amount of additional funds needed for the disability benefit would be 1.3% of the payroll of merit deputies (approx. \$20,000.00).

Mr. Dennis questioned if this could be offered to the merit deputies and if they chose to be on the plan then they could pay for it. Ms. Beaty responded "no" because this is a defined retirement plan and has to be offered to everyone. The plan could be funded by two sources the county and the employee.

Deborah Shutta, County Auditor, noted that the merit deputies are currently covered under the county's long-term disability plan. They receive 66% of their salary until they are no longer determined disabled. Ms. Beaty responded she did not realize the merit deputies were covered under the county's plan.

The consensus of the Council is that the current plan of the merit deputies needs to be reviewed to see if upgrading the Sheriff's Pension Plan would even benefit the employees.

VIII. OLD BUSINESS

Resolution on the Bidding for Professional Services by the Johnson County Council

(See minutes 1/8/01 for the resolution)

Mr. Waltz suggested the following amendment to the resolution:

2. Any professional service contract approved by the Johnson County Council that exceeds, or reasonably be expected to exceed, ten thousand (\$10,000.00) in any single fiscal year must have had requests for proposals sent to more than one service provider.

Mr. West proposed the amount to be \$5,000.00 instead of \$10,000.00.

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2001 – (Cont.)

After some discussion, motion was made by Mr. West to approve the resolution changing the amount from \$10,000.00 to \$5,000.00. Mr. Canary seconded the motion that carried five to two, Mr. Wright and Mr. Mason voted nay.

Mr. West moved to approve the resolution as amended. Mrs. Young seconded the motion that carried six to one, Mr. Mason voted nay.

Approval of invoice for Waggoner, Irwin, Scheele

Mr. Mason commented at the last Council meeting he was asked to contact the firm to ask why the review took so many hours. According to them the reason was due to the rewriting of job descriptions, adding and deleting several times, and telephone reviews with the employees.

Mrs. Young moved to approve the invoice of \$1,000.00 as presented. Mr. Canary seconded the motion that carried five to two, Mr. Wright and Mr. Dennis voted nay.

IX. NEW BUSINESS

Juvenile Probation request for payment of two mileage claims over the 90 days from date of travel

Mr. Dennis moved to approve the request as presented. Mr. Wright seconded the motion that carried unanimously.

Electronic Funds Transfer

Janice Richhart, County Treasurer, appeared to request the approval for the Auditor of the State to send county distributions by Electronic Funds Transfer (EFT) for the following reasons:

1. There is no waiting on the mail to deliver the county's checks.
2. Checks are immediately deposited into the county's account.
3. Earn interest immediately, when deposited to an interest earning account.

Mr. Waltz moved to approve the request as presented. Mrs. Young seconded the motion that carried unanimously.

SALARY ISSUE (see minutes 1/8/01)

Mrs. Young commented she has not received a copy of the correspondence that was to be mailed to the former employee from the Council's attorney.

Mr. Wilson responded he would forward a copy to Mrs. Young

Highway – Offset Intersection Study Priority List and Curve Re-alignment List

John Price, Highway Director, appeared and distributed to the Council a priority list of offset intersection and curve re-alignment. He reviewed the list with the members. He noted that discussion has been made on perhaps the earned interest money received from tax collections be deposited into the highway funds for the project.

Mr. Mason requested for this issue to be placed on the March 12th County Council meeting.

Interlocal Agreement – Drainage Board and The Town of Trafalgar

John P. Wilson, Council's Attorney, commented he does not know if the Board of Commissioners have approved this agreement and he has some questions on the drainage issue.

Mrs. Young noted she thought the Commissioners approved this agreement.

Mr. Wright moved to table the agreement until the March Council meeting. Mr. Waltz seconded the motion that carried unanimously.

Council Correspondence

Additional Appropriations:

Mr. Wilson informed the Council that the State Board of Accounts has changed their opinion of the amount of votes needed for approval of an additional appropriation. The State Board of Accounts received a revised letter dated January 5, 2001 from the Attorney General stating "additional appropriations do not need a three-fourths (3/4) vote but a simply majority to pass".

Mr. Dennis thanked the Council's attorney for his efforts in this matter.

Mr. Mason briefed the Council of letters he received from the State of Indiana Legislators concerning the Resolution #2000-4 mailed by the Auditor pertaining to per diem for Solid Waste Management Board members. Also, that John Price, Highway Director, sent letters to State Representatives concerning the gas tax and the cutting of highway funding.

Mrs. Young moved to adjourn the February 12th County Council meeting. Mr. Waltz seconded the motion that carried unanimously.

SALARY COMPENSATION DISCUSSION

The Council held discussion among themselves in regards to the current salary schedule and on what changes should be made. They set a date for a Special Meeting to be held on February 20th at 6:00 pm at the Royal Oak Country Club for Department Heads and Elected Officials to speak.