

## COUNTY COUNCIL REGULAR MEETING – OCTOBER 9, 2001

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

### **I. ROLL CALL**

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

### **II. PLEDGE OF ALLEGIANCE**

### **III. INVOCATION**

### **IV. APPROVAL OF 10/9/01 AGENDA**

Mr. Mason requested to add under "New Business" an amendment to the salary ordinance and the Resolution for the Johnson County Park.

Mr. Wright moved to approve the agenda including the requests from Mr. Mason. Mr. Waltz seconded the motion that carried unanimously.

### **V. APPROVAL OF 9/10/01 MINUTES**

Mr. Canary moved to approve the minutes as presented. Mr. West seconded the motion that carried unanimously.

### **VI. PUBLIC COMMENTS**

There were no public comments.

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

#### APPROVAL OF THE SALARY ORDINANCE (144) AMENDMENTS

Mr. Wright moved to approve the following salary ordinance amendments as presented.

#104-113.2 - \$16,933.00 to \$17,777.00 (10-18-01)  
#109-113.0 - \$21,673.00 to \$18,722.00 (9-20-01)  
#124-126.3 - \$22,664.00 to \$23,799.00 (10-11-01)  
#124-128.7 - \$22,664.00 to \$23,799.00 (10-11-01)  
#124-128.6 - \$22,664.00 to \$23,799.00 (10-20-01)  
#124-128.2 - \$22,664.00 to \$23,799.00 (10-22-01)  
#124-128.1 - \$24,988.00 to \$27,550.00 (9-24-01)  
#124-128.9 - \$24,988.00 to \$22,664.00 (10-5-01)  
#105-128.1 - \$22,664.00 to \$23,799.00 (10-19-01)  
#105-128.7 - \$22,664.00 to \$23,799.00 (10-26-01)  
#131-169.2 - \$30,086.00 to \$26,075.28 (9-20-01)  
#140-123.9 - \$26,114.00 to \$23,117.00 (9-11-01)  
#202-117.0 - \$26,891.00 to \$25,579.00 (9-06-01)  
#204-124.0 - \$27,833.00 to \$24,770.00 (9-19-01)  
#204-133.0 - \$28,174.00 to \$23,181.00 (9-06-01)  
#204-160.0 - \$21,714.00 to \$18,758.00 (9-06-01)  
#202-113.0 - \$59,117.00 to \$54,000.00 (9-10-01)  
#353-113.0 - \$26,168.00 to \$22,441.00 (9-18-01)

Mr. Canary seconded the motion that carried unanimously.

#### **#105-127.4 - \$21,673.00 (Employee changing position on 9-24-01 within the county and has served three years in July of 2001) hire-in date: 7-16-98**

Mrs. Young noted that the salary schedule is still in place for the remainder of this year and the employee would not be entitled a step increase for changing positions. The correct salary should be \$20,641.00.

Mrs. Young moved to approve the salary for #105-127.4 at \$20,641.00. Mr. West seconded the motion that carried six to one, Mr. Wright voted nay.

#### **#327-120.0 - \$20,953.00 to \$25,000.00 (Request a change in the position from Legal Assistant/Paralegal to Administrative Assistant/Statistician)**

Michelle Murray, Prosecutor's Office Manager, appeared to explain the position has changed from a paralegal to a statistician.

Mrs. Young asked if there is a new job description for the position and how was the salary established. Mrs. Leach responded they have a job description at the office and the Prosecutor determined the salary amount. The employee has a four-year journalism degree.

Mr. Waltz moved to approve the request as presented. Mr. Wright seconded the motion.

Mr. West commented that he attended an Association of Indiana Counties (AIC) Council Seminar and one of the speakers talked about the Council needs to be careful approving salaries for the Prosecutor with similar job duties just because the Prosecutor has the available funds and is not using county general money. The speaker indicated the county could be liable for a discriminatory lawsuit because the Federal law provides for equal pay for equal work.

Mr. Wright noted the burden of proof lies upon the job descriptions.

**COUNTY COUNCIL REGULAR MEETING – OCTOBER 9, 2001 – (cont.)**

Mr. Waltz withdrew his motion and moved to table the request until a job description is provided to the Council. Mr. West seconded the motion that carried five to two, Mr. Wright and Mr. Dennis voted nay.

**#130-110.0 - \$23,200.00 to \$25,579.00 (New hire as of 10-01-01)**

Barry Barnett, Soil & Water Supervisor, appeared to discuss two items pertaining to the District Coordinator. A new individual was hired as the District Coordinator effective October 1, 2001 and they would like for the position to start out at a PAT V, Step V level in the amount of \$25,579.00. They believe the individual should begin at this rate because of previous work experiences, the current competition in the job market and the completion of both a Bachelor's and Master's degree. The second issue to discuss is the shortfall of \$7,673.64 in the line item due to money being paid to the former Coordinator for unused vacation, compensation and sick days upon leaving. He noted the account balance is \$1,724.66 and they could transfer money from overtime and part-time in the amount of \$2,975.68 and would need to request an additional appropriation for \$2,973.30.

Mr. Wright asked if the Soil & Water Board is satisfied with the 2002 approved salary for the District Coordinator. Mr. Barnett responded "no" the board would like to increase the salary for next year to \$29,000.00 and to transfer the funds from part-time to cover the increase.

Mrs. Young noted that based upon the current job descriptions the position is non-exempt and would need to be paid overtime and feels that accrued compensation should be avoided.

Mr. Mason commented if the transfers are approved then there will not be any overtime or part-time paid for the remainder of the year. He suggested that comp time not be given to this position either and perhaps the individual should be considered exempt.

Mr. Dennis moved to approve the salary of the District Coordinator at \$25,579.00 and to transfer \$2,975.68 from part-time and overtime to the position. Mr. Canary seconded the motion.

Mr. Wright asked William Walker, County Commissioner, if the board is reviewing or updating the personnel manual. Mr. Walker responded not at this time.

Mrs. Young asked if she could assume that there will not be any comp time given for the remainder of the year.

Discussion was held concerning overtime, comp time, and when the comp time needs to be used and not accrued.

Mr. Barnett indicated if other offices are using comp time within the same week then they would do the same.

Mr. Dennis stated that when Soil & Water returns in January to discuss an increase of salary for the District Coordinator the question is going to be has compensation been accrued.

The motion carried six to one, Mr. Wright voted nay.

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

**EMERGENCY MANAGEMENT –(127)**

From: #127-275.0 – Emergency Funds	(\$ 900.00)
To: #127-410.0 – Equipment	\$ 900.00

**ANIMAL SHELTER – (219)**

From: #219-113.2 – Deputy Warden	(\$ 1,500.00)
To: #219-199.0 – Overtime	\$ 500.00
To: #219-224.0 – Cleaning Supplies	\$ 1,000.00

**COURTHOUSE – (123)**

From: #123-118.0 – Salary Custodian	(\$ 550.00)
From: #123-113.2 – Salary Custodian	(\$ 1,270.00)
From: #123-122.0 – Salary Custodian	(\$ 5,320.00)
From: #123-115.0 – Salary Custodian	(\$ 920.00)
From: #123-360.0 – Equipment Repair & Maintenance	(\$10,000.00)
To: #123-114.0 – Part-time	\$18,060.00

Mr. Waltz seconded the motion that carried unanimously.

**WIC – (215)**

Mrs. Young moved to approve the following requests as presented.

From: #215-217.0 – Office Supplies	(\$ 667.05)
To: #215-410.0 – Equipment	\$ 667.05

#215-217.0 – Office Supplies	\$ 475.00
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Mr. West seconded the motion that carried unanimously.

**COUNTY COUNCIL REGULAR MEETING – OCTOBER 9, 2001 – (cont.)**

**PARK – (128) & PARK NON-REVERTING – (271)**

Tim Davis, Superintendent, appeared to request transfer of funds and additional appropriations for the Park and Park Non-Reverting funds. Mr. Davis thanked the Council for the Resolution for the Johnson County Park concerning Independence Park. He explained that he has transferred all the available funds within the budget specific line items however was short \$19,000.00 for utilities. A portion of the shortfall was due to the replacement of water lines at the Horse Park from frozen pipes in March.

Discussion was held concerning the possibility of Park-Non-Reverting paying a portion of the utilities.

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

From: #128-120.0 – Park Maintenance	(\$ 6,600.00)
To: #128-231.0 – Vehicle Maintenance	\$ 6,600.00
From: #128-122.0 – Horse Park Secretary	(\$ 176.00)
To: #128-351.0 – Utilities	\$ 176.00
From: #128-123.0 – Park Maintenance	(\$ 6,729.00)
To: #128-199.0 – Overtime	\$ 1,000.00
To: #128-351.0 – Utilities	\$ 5,729.00
#128-351.0 – Utilities	\$19,000.00
#271-210.0 – Supplies	\$10,000.00
#271-420.0 – Building & Land Improvement	\$15,000.00

Mr. West seconded the motion that carried unanimously.

**CIRCUIT COURT – (131)**

Mark Loyd, Circuit Court Judge, appeared to request a transfer of funds and an additional appropriation for professional services. He explained the additional funds of \$50,000.00 for professional services is due to the expenses incurred for the jury trial of State of Indiana v. Fernando Griffith.

Mr. Dennis moved to approve the requests as presented.

From: #131-114.0 – Part-Time	(\$ 6,300.00)
To: #131-115.0 – Assistant Court Reporter	\$ 6,300.00
#131-301.0 – Professional Services	\$50,000.00

Mr. Wright seconded the motion that carried unanimously.

**MUSEUM – (125)**

Mr. Dennis moved to approve the following additional appropriation as requested.

#125-342.0 – Utilities	\$ 1,500.00
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Mr. West seconded the motion that carried unanimously.

**BOARD OF COMMISSIONERS – (122)**

Mr. Dennis moved to approve the following additional appropriations as requested.

#122-303.0 – Professional Services	\$ 34,388.00
#122-342.0 – Professional Liability & Casualty	\$ 34,432.00
#122-392.0 – Care of Patients & Inmates	\$156,985.00

Mr. Wright seconded the motion that carried unanimously.

**SHERIFF – (105) & JAIL – (124)**

**Sheriff – Change of Trustee in the Police Retirement Plan**

Sheriff J. D. Richards explained that he is the trustee of the Johnson County Sheriff's Department Pension Fund and he would like to change the company that is managing the fund due to the poor performance.

Tom Jones, Attorney, appeared explaining the Sheriff has not been happy with the existing fiduciary (National City) due to the returns such as from 1994 to 1998 at 7% to 10%. Funds during that time were returning investments around 12% to 16%. They have spoken and had a presentation from A.G. Edwards on taking over the management of the fund.

Mr. Wright agreed that during most of the 1990's investment returns were very good and the fund should have been performing much better than reported.

Dean Abplanalp, representative from A. G. Edwards, appeared explaining how the firm would assume all the responsibilities as far as how the assets are allocated. A.G. Edwards does not invest the money; they will act as the agent for Johnson County and have several reputable companies to invest the funds. All the fees are in ninety basis points. He distributed and reviewed a performance evaluation on assets with the Council.

**COUNTY COUNCIL REGULAR MEETING – OCTOBER 9, 2001 – (cont.)**

Mr. Waltz moved for the authorization of the Sheriff to change the company that is managing the Sheriff's Retirement Plan. Mr. Wright seconded the motion that carried unanimously.

**Transfers, Reductions and Additional Appropriations**

Sheriff Richards requested to transfer funds from hospital/medical into food and operation supplies.

Discussion was held concerning how much the county might still owe for the keeping of inmates at other facilities (safe keepers).

Mr. Waltz moved to approve a transfer of \$45,000.00 for food and to table the request of a transfer of \$15,000.00 for operating supplies until the November Council meeting. Mrs. Young seconded the motion that carried unanimously.

From: #124-309.0 – Hospital/Medical	(\$ 45,000.00)
To: #124-258.0 – Food	\$ 45,000.00

Sheriff Richards requested reductions and additional appropriations in the Sheriff and Jail budgets. He did request to table the request of \$7,800.00 for miscellaneous equipment until the November meeting.

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

**REDUCTIONS:**

#124-309.0 – Hospital/Medical	(\$ 3,524.70)
#105-361.0 – Radio Maintenance/Contracts	(\$ 1,400.00)

**ADDITIONAL APPROPRIATIONS:**

#105-440.0 – Office/Other Equipment	\$ 524.70
#105-251.0 – Wearing Apparel	\$ 2,000.00
#105-392.0 – Professional Services	\$ 1,000.00
#124-450.0 – Communications Equipment	\$ 1,400.00

Mr. Wright seconded the motion that carried unanimously.

**VIII. OLD BUSINESS**

There was no old business.

**IX. NEW BUSINESS**

**Approval of the Sheriff's Contract for 2002**

Mr. Dennis moved to approve the contract as presented in the amount of an annual salary of \$88,409.00. Mr. West seconded the motion.

Mrs. Young commented the Council needs to carefully review the salary increases in the future for this position because the Sheriff could end up making more than the County Judges.

The motion carried unanimously.

**Request approval of Ordinance 2001-01 amendment to 98-03 (Establishing Fees for Copies of Electronic Maps)**

Deborah Shutta, County Auditor, explained that the original ordinance establishing electronic map fees did not provide for smaller maps. The county now has available an 8 1/2" x 11" copies and a price for direct costs has been determined.

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

**Discussion of Interest Revenue and Cumulative Bridge Revenue for Funding 2002 Budget**

William Walker, County Commissioner, requested that since the county has received a re-certification of the County Adjusted Gross Income (CAGIT) money and receiving an increase next year the Commissioners would like to keep the full tax rate for Cumulative Bridge. A one-cent (.01) amount was discussed previously to use for the County General Fund.

Mr. Waltz moved to revert the proposed one-cent (.01) Cumulative Bridge Fund. Mr. Dennis seconded the motion that carried unanimously.

**Cumulative Capital Development Fund**

Jack Matthews, Maintenance Director, appeared to request to use a portion of the appropriated funds that was for the roof at the Wright Building to replace the roof at the administrative offices at the Jail.

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

**Amendment to the Salary Ordinance for 2002**

Deborah Shutta, County Auditor, explained the amendment would allow elected officials and department heads to hire employees within each class if they have sufficient funds without needing to return to the Council for approval. She asked that the amendment be included on the November Council meeting for approval.

**COUNTY COUNCIL REGULAR MEETING – OCTOBER 9, 2001 – (cont.)**

**Resolution of the Johnson County Council Concerning Independence Park**

John P. Wilson, Council Attorney, read the following resolution for acceptance:

WHEREAS, the Johnson County Council is the fiscal body in and for the County of Johnson, State of Indiana; and

WHEREAS, the Johnson County Park Board of Directors is a duly organized body charged with the responsibility for administering the Johnson County Public Park System; and

WHEREAS, the Johnson County Park Board of Directors did cause to be established in White River Township Independence Park; and

WHEREAS, Independence Park is a 13.5 acre facility and the only all accessible playground area for persons with disabilities in the State of Indiana; and

WHEREAS, Johnson County will be awarded the AIC 2001 County Achievement Award as a result of the fine endeavors of the Johnson County Park Board of Directors, its members individually and staff; and

WHEREAS, it is entirely fitting that the Johnson County Park Board of Directors, its members and staff be recognized by this body for their fine work.

NOW THEREFORE, be it resolved by the Johnson County Council that the Johnson County Park Board of Directors, its members individually and its staff be and is hereby commended for its fine work in establishing and administering upon the parks system in and for the County of Johnson, State of Indiana and most especially, for its efforts in establishing, funding, and maintaining Independence Park in White River Township.

RESOLVED BY the Johnson County Council at the seat of government in and for said County on this the 9<sup>th</sup> day of October 2001.

Mr. Dennis moved to accept the Resolution. Mr. Canary seconded the motion that carried unanimously.

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