

## **COUNTY COUNCIL REGULAR MEETING – SEPTEMBER 10, 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 9/10/01 AGENDA**

Mr. Mason requested to add a transfer from the Juvenile Detention Center to the agenda and delete under "Old Business" the request of approval of an Interlocal Agreement for the Town of New Whiteland and Johnson County. Mr. Canary moved to approve the agenda as presented including the request from Mr. Mason. Mr. Dennis seconded the motion that carried unanimously.

### **V. APPROVAL OF 8/13/01 MINUTES**

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

### **VI. PUBLIC COMMENTS**

There were no public comments.

### **VII. ADOPTION OF THE 2002 BUDGETS**

Mr. Dennis moved to adopt the 2002 budgets as completed on the budget hearings second reading. Mr. Wright seconded the motion.

Tracy Day, WIC Coordinator, appeared to request an amendment to their 2002 budget. She explained that at the second reading the salaries were not addressed. At the first reading the salaries were reduced to 2% and at the second reading she amended a few line items however the salaries were not brought back up to the 4% increase to coincide with the Health Departments salaries.

Mr. Dennis suggested that the amendment should be requested at the January Council meeting because other departments have contacted him concerning their budgets and amendments. Ms. Day concurred.

Mr. Canary commented that concerning the approval of the 2002 budget, the county would be spending more money than the projected receipts. He knows that the county does have a surplus but he is having a difficult time in allowing the budgets to be approved as revised. He feels the Council can balance the budget with additional reductions.

Mr. Waltz stated he would be voting against the 2002 budget as it currently stands because of the deficit spending. The overall financial state of the county is very strong as far as the surplus, however when you spend more than you bring in that could put a financial strain on the county in the future.

Mr. Wright commented he understands what Mr. Canary and Mr. Waltz is saying, however if the county reduces the budget by \$750,000.00 to balance it the Council would have to deny all additional appropriations next year. Mr. Waltz noted that if the budget were approved he would be making a motion to freeze all additional appropriations for the first six months in 2002.

Mr. Mason commented that the deficit spending has been an on going process for several years and feels the surplus should be used to fund the shortfall for next year. He did agree that the additional appropriations for the first six months of next year should be for emergencies only. He noted that the surplus has grown from \$488.00 in December of 1999 to approximately \$3.7 million and has been told it will be more. He is in favor of passing the budget as is and using the surplus for the shortfall and work on alternative revenue sources for the future.

Mr. Canary stated he does not want to use the surplus for ongoing expenses regardless of how much the Council holds on any additional appropriations. The Council needs to make a commitment to explore alternative revenue sources.

Discussion was held on the County Adjusted Gross Income Tax (CAGIT) distributions on whether it will continue to grow or due to the economy decline.

Mr. West commented he feels that there is some funding mechanisms available to fund the 2002 budgets and then move forward for additional revenue. He suggested that the Computer Department's budget be paid from the Cumulative Capital Development Fund; use the .01 from the Bridge Fund that the Commissioners agreed to, and remove the courthouse security.

Mr. Dennis commented the Jail has been a big impact on the 2002 budget; several committees have worked very hard to estimate the additional costs. The part that seems to be underestimated was the staffing at the jail. He also noted the Computer Department is part of the Board of Commissioners budgets and they would need to agree to such a change.

A vote was taken on the motion that was denied three to four, Mr. West, Mr. Canary, Mr. Waltz, and Mrs. Young voted nay.

Mr. Waltz moved to take a ten-minute recess. The motion died for a lack of a second.

Mr. Canary asked the Commissioner present, William Walker if the Council could remove the Computer Department from the County General Fund and fund it from the Cumulative Capital Development Fund for one year and divert some interest to the General Fund.

**COUNTY COUNCIL REGULAR MEETING – SEPTEMBER 10, 2001 – (cont.)**

Mr. Walker responded he could not agree to something without the approval of the other Commissioners.

Mrs. Young noted the Computer Department could be deleted from the budget and addressed after the first of the year.

Mr. Mason commented if the Commissioners would not agree to the Computer Department being paid from the Cumulative Capital Development Fund then the Council would have to appropriate the budget from the surplus, what is the difference.

Mrs. Young stated the Cumulative Capital Development Fund has an ongoing revenue and funding the Computer Department is an allowable expense and shows the Council is trying to be fiscally responsible.

Mr. Dennis commented the Commissioners are already giving \$300,000.00 from the Cumulative Capital Development Fund to purchase the vehicles for 2002.

Mr. Wright felt that the CCD fund needs to grow for future capital projects instead of issuing bonds at the expense of the taxpayers.

Mr. Waltz moved to approve the 2002 budgets with the following changes:

- Delete department #126 (Courthouse Security) \$57,180.00
- Delete the new line item #137-115.0 (Juvenile Court Secretary) \$22,441.00
- Freezing non-emergency additional appropriations for the remainder of 2001 thru June 30, 2002. (emergency-defined as department operations would cease)

Mr. Dennis commented he does not feel the Courthouse Security should be eliminated. Mr. Canary concurred with Mr. Dennis.

The motion died for a lack of a second.

Mr. West moved to approve the 2002 budgets with the following changes:

- Delete the Computer Department and request from the Commissioners to fund the department from the CCD fund.
- Use the .01 from the Bridge Fund

The motion died for a lack of a second.

Discussion was held concerning using money from other funds to fund the 2002 budgets. Some members thought it was a good idea, others disagreed.

Mrs. Young noted that at second reading she stated that she could not approve a deficit spending budget for 2002 and had a plan to balance it. She had proposed removing the Computer Department and the 2% salary increases a total of \$500,000 worth of cuts. She noted the interest revenue and using .01 from the bridge fund was part of her proposal at the second reading.

Mr. Mason noted the Council was given the opportunity to delete the 2% salary increase at the second reading and that was not done. He does not think it is fair to say to the office holders we now are removing the 2%.

Mrs. Young suggested the Council adopt the 2001 budget with a few exceptions.

The Council members voiced their difference of opinions on whether to use the surplus vs. using other funds for the 2002 budgets.

Mrs. Young suggested some options to fund the budgets in the future such as using some bridge money due to reassessment and adopting an EDIT tax. She thinks that the county needs to seriously review restructuring the workforce through attrition.

Mr. Wright moved for a five-minute recess. Mr. Waltz seconded the motion that was approved by consensus.

Sheriff Richards requested to remove the two new correctional officers that were requested for the 2002 budget to help with reductions in the budgets. The Council reported that the new positions were removed at second reading.

Mr. Waltz moved to adopt the 2002 budgets as completed as the budget hearings second reading with the following amendments:

- Delete from the Recorder's Budget a portion of the 200's & 300's series line items for one year only and the expenditures be paid from the Recorder's Perpetuation Fund
- Delete the new line item #137-115.0 (Juvenile Court Secretary) \$22,441.00
- Delete the line item #126-111.0 (Courthouse Security) \$25,440.00
- Use \$.01 from the Cumulative Bridge Fund
- Request from the Commissioners to divert interest from some funds to County General
- Freezing non-emergency additional appropriations for the remainder of 2001 thru June 30, 2002. (emergency-defined as department operations would cease)

Mr. West seconded the motion.

Mr. Wright requested that the Board of Commissioners and the Sheriff respond to the proposed motion.

William Walker, Commissioner, appeared stating the Board approved early in the day for .01 of the Bridge rate be used for County General. He stated the Commissioners would have to discuss the diversion of the interest.

**COUNTY COUNCIL REGULAR MEETING – SEPTEMBER 10, 2001 – (cont.)**

Mr. Waltz stated if the Commissioners do not approve the interest to be diverted then the difference would have to come from the surplus.

Jean Harmon, Recorder, appeared stating that she would agree to take all the 200's and 300's line items from the Perpetuation Fund for one year only.

Sheriff Richards appeared pleading that the Courthouse Security officer not be removed from the budget because of the safety of the public and the other officer. He feels the last thing that should be deleted is public safety.

Mr. Canary concurred with the Sheriff.

Tim Davis, Park Superintendent, appeared requesting to reduce two lines to make up half the amount of the security officer's salary that was deleted and asked if any other department present could help with the other half. He felt that the safety of the Courthouse Complexes is very crucial to the employees.

#128-224.0 – Cleaning Supplies –remove \$7,500.00  
#128-343.0 – Insurance – remove \$5,000.00

James Hidgon, Juvenile Detention Center Director, appeared to reduce his budget by \$6,500.00 to help keep the security officer.

#140-199.0 – Overtime – remove \$3,000.00  
#140-121.0 – Part-time Laundry – remove \$5,500.00

Sheriff Richards also appeared to reduce his budget by \$5,000.00 to keep the security officer.

#124-309.0 – Hospital & Medical –remove \$5,000.00

Mr. Waltz amended his motion to include the requested reductions and leave the security officer #137-115.0 in the 2002 budget. Mr. West seconded the amendment.

- Delete from the Recorder's Budget all the 200's & 300's series line items for one year only and the expenditures be paid from the Recorder's Perpetuation Fund
- Delete the new line item #137-115.0 (Juvenile Court Secretary) \$22,441.00
- Use \$.01 from the Cumulative Bridge Fund
- Request from the Commissioners to divert interest from some funds to County General
- Freezing non-emergency additional appropriations for the remainder of 2001 thru June 30, 2002. (emergency-defined as department operations would cease)
- #128-224.0 – Cleaning Supplies –remove \$7,500.00
- #128-343.0 – Insurance – remove \$5,000.00
- #140-199.0 – Overtime – remove \$3,000.00
- #140-121.0 – Part-time Laundry – remove \$5,500.00
- #124-309.0 – Hospital & Medical –remove \$5,000.00

The motion carried unanimously.

Mrs. Young left the meeting.

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

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

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

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

- #101-113.7 - \$22,001.00 to \$20,953.00 (08-26-01)
- #124-128.8 - \$22,664.00 to \$23,799.00 (09-12-01)
- #124-127.3 - \$23,685.00 to \$24,870.00 (09-12-01)
- #131-115.0 - \$23,101.00 to \$22,441.00 (08-01-01)
- #132-119.0 - \$22,001.00 to \$20,953.00 (08-09-01)
- #140-119.1 - \$18,758.00 to \$19,696.00 (09-19-01)
- #204-127.0 - \$23,181.00 to \$24,339.00 (10-02-01)
- #210-116.2 - \$33,660.00 to \$27,693.00 (08-20-01)
- #322-113.0 - \$19,567.00 to \$20,157.00 (09-27-01)
- Assessing Level II Certification:
- #112-112.0 - \$25,402.00 to \$25,902.00 (07-01-01) \$ 250.00
- #112-113.0 - \$22,756.00 to \$23,256.00 (07-01-01) \$ 250.00
- #112-113.2 - \$22,756.00 to \$23,256.00 (07-01-01) \$ 250.00

Mr. Wright seconded the motion that carried unanimously.

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

**MAGISTRATE COURT – (136)**

From: #136-113.1 – Proceedings Supp Court Reporter (\$ 2,800.00)  
From: #136-114.0 – Assistant Court Reporter (\$ 1,200.00)  
To: #136-199.0 – Overtime \$ 4,000.00

**COUNTY COUNCIL REGULAR MEETING – SEPTEMBER 10, 2001 – (cont.)**

**PLANNING & ZONING – (117)**

From: #117-150.0 – Part-time (\$ 1,500.00)  
To: #117-331.0 – Printing \$ 1,500.00

**PARK – (128)**

From: #128-112.0 – Horse Park Manager (\$ 17,900.00)  
To: #128-119.1 – Part-time \$ 3,500.00  
To: #128-199.0 – Overtime \$ 5,200.00  
To: #128-231.0 – Vehicle Maintenance Supplies \$ 1,500.00  
To: #128-303.0 – Professional Services \$ 1,000.00  
To: #128-325.0 – Operating Expenses \$ 5,000.00  
To: #128-352.0 – Equipment Leases \$ 1,700.00

**MUSEUM – (125)**

From: #125-112.0 – Curator (\$ 2,157.00)  
To: #125-113.0 – Clerical Assistants \$ 2,157.00

**JUVENILE DETENTION CENTER – (140)**

From: #140-205.0 – Operating Supplies (\$ 1,000.00)  
To: #140-440.0 – Office Equipment \$ 1,000.00  
From: #140-210.0 – Office Supplies (\$ 1,546.00)  
To: #140-440.0 – Office Equipment \$ 1,546.00

Mr. Wright seconded the motion that carried unanimously.

**MUSEUM – (125)**

Mr. Dennis tabled the request for an additional appropriation in the amount of \$1,500.00 for utilities with a motion. Mr. Canary seconded the motion that carried unanimously.

**WIC – (215)**

Tracy Day, WIC Coordinator, appeared to request a transfer of funds and additional appropriations for the October thru December budget. She noted that line item #215-217.0 (Office Supplies) needed to be increased to \$950.00.

Mr. Canary moved to approve the requests as presented and the difference of \$475.00 be included on the next month's agenda because of advertising requirements and Ms. Day will not have to attend the meeting. Mr. Dennis seconded the motion that carried unanimously.

From: #215-217.0 – Office Supplies (\$ 1,876.51)  
To: #215-172.0 – PERF \$ 1,876.51

#215-111.0 – Registered Nurse \$ 8,539.00  
#215-112.0 – Coordinator \$ 8,519.00  
#215-113.0 – Office Manager \$ 5,772.00  
#215-113.2 – Clinic Assistant \$ 4,420.00  
#215-113.1 – Registered Dietitian \$ 3,120.00  
#215-161.0 – Social Security \$ 2,323.00  
#215-172.0 – PERF \$ 2,179.00  
#215-114.0 – Insurance \$ 2,861.00  
#215-217.0 – Office Supplies \$ 475.00  
#215-322.0 – Postage \$ 75.00  
#215-323.0 – Travel & Training \$ 33.00  
#215-330.0 – Printing \$ 25.00  
#215-340.0 – Equipment Repair & Maintenance \$ 186.00  
#215-372.0 – Rent/Utilities \$ 1,871.00  
#215-350.0 – Professional Services \$ 3,100.00

**SUPPLEMENTAL JUVENILE PROBATION – (296)**

Mr. Wright explained he spoke with the Chief Juvenile Probation Officer and she was not able to attend. They have received the grant money and deposited it into their fund. Mr. Wright moved to approve the request as presented. Mr. Dennis seconded the motion that carried unanimously.

#296-310.0 – Professional Services \$ 6,000.00

**PROSECUTOR DEFERRAL PROGRAM – (327)**

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

#327-415.0 – Trafalgar Police Department \$ 600.00

**S.T.O.P GRANT – (340)**

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

#340-110.0 – Deputy Prosecutor \$40,410.00 \$ 20,205.00  
#340-110.1 – Legal Assistant/Paralegal \$21,979.00 \$ 10,989.50

**VICTIM ASSISTANCE CRISIS INTERVENTION – (342)**

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

#342-110.0 – Program Director \$33,000.00 \$ 16,500.00

**COUNTY COUNCIL REGULAR MEETING – SEPTEMBER 10, 2001 – (cont.)**

**VICTIM ASSISTANCE GRANT – (305) (7-01-00 thru 6-31-01)**

Lance Hamner, Prosecutor, appeared to explain the request was approved in 2001 however was not motioned to be retroactive back to 7-01-00.

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

#305-111.0 – Project Director	\$ 1,231.94
#305-142.0 – Social Security	\$ 116.88
#305-143.0 – PERF	\$ 111.77

**VICTIM CRISIS INTERVENTION – (338) (7-01-00 thru 6-31-01)**

Mr. Hamner noted the request is because of the same reason as the Victim Assistance Grant of not being approved retroactive back to 7-01-00.

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

#338-111.0 – Project Director	\$ 1,537.18
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**\*Request that the benefits from the Victim Assistance Grant (#300) be paid from the County General Fund (\$2,732.00)**

Mr. Hamner explained he is trying to get this grant in line with the others where the grant pays for the salaries and the county pays the benefits. The work that the employees are doing is Federally required and feels the least the county can do is pay for the benefits.

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

**PLEASANT TOWNSHIP ASSESSOR – (112)**

Donna Zelner, Pleasant Township Assessor, appeared to request additional appropriations for office supplies (\$300.00) and utilities (\$3,400.00).

Mr. Canary noted that with the new policy on additional appropriations was the \$300.00 for office supplies an emergency. Mrs. Zelner responded it is needed to purchase film to take pictures of new housing and she did not have the funds within her budget to transfer.

Mr. Dennis moved to approve the requests as presented. Mr. West seconded the motion that carried four to two, Mr. Wright and Mr. Waltz voted nay.

#112-213.0 – Office Supplies	\$ 300.00
#112-373.0 – Utilities	\$ 3,400.00

**SUPERIOR COURT NO. 1 (132)**

Kevin Barton, Superior Court No. 1 Judge, appeared to request additional appropriations due to expenses incurred in connection with two cases, State v. John Beauchamp and State v. Ronald Shanabarger. He did withdraw the request for overtime in the amount of \$2,000.00 at this time, however he may need to return later in the year for overtime. The jury expenses request of \$45,000.00 was done in anticipation of sequestering the jury for approximately a month however the Shanabarger case has been postponed until next year. He lowered the amount to \$5,000.00. Judge Barton lowered the professional services request of \$65,000.00 to \$50,000.00. The additional appropriation is requested in order to cover public defender services, anticipated legal and investigative fees. He noted the public defender of the court is currently on maternity leave and he requested to have supplemental money to hire a public defender in her absence.

Mr. Dennis questioned why the public defender was still being paid when she is on maternity leave. Judge Barton responded they are paid a monthly salary based upon a contract.

Deborah Shutta, Auditor, noted that fund #299 (Pauper Legal Services) has approximately \$3,800 and could be requested. Also, fund #308 (Jury Pay) has approximately \$20,000.00 and any court could ask for an appropriation on either fund.

Mr. Dennis moved to approve the following appropriations and suggested Judge Barton request from the other funds if additional money is needed.

#132-301.0 – Professional Services	\$ 25,000.00
#132-391.0 – Jury Expenses	\$ 5,000.00

Mr. Canary seconded the motion that carried unanimously.

**SHERIFF – (105) & JAIL – (124)**

Mr. Wright moved to approve the following transfers as submitted.

From: #105-128.7 – Dispatcher	(\$ 3,000.00)
From: #105-128.1 – Dispatcher	(\$ 3,000.00)
To: #105-163.1 – Data Entry Part-time	\$ 6,000.00

Mr. Waltz seconded the motion that carried unanimously.

**COUNTY COUNCIL REGULAR MEETING – SEPTEMBER 10, 2001 – (cont.)**

Mr. Wright moved to approve the following transfers as submitted.

From: #124-125.0 – Correctional Officer	(\$ 141.09)
From: #124-125.2 – Correctional Officer	(\$ 5,321.80)
From: #124-126.1 – Correctional Officer	(\$ 137.17)
From: #124-126.2 – Correctional Officer	(\$ 143.97)
From: #124-127.1 – Correctional Officer	(\$ 2,302.27)
From: #124-127.2 – Correctional Officer	(\$ 3,616.83)
From: #124-127.5 – Correctional Officer	(\$ 134.37)
From: #124-127.8 – Correctional Officer	(\$ 3,132.86)
From: #124-128.1 – Correctional Officer	(\$ 1,071.62)
From: #124-128.2 – Correctional Officer	(\$ 1,407.78)
From: #124-162.0 – Salary Cook	(\$ 390.12)
From: #124-163.0 – Vacation Cook	(\$ 1,075.00)
To: #124-165.0 – Overtime	\$ 18,874.88

Mr. Waltz seconded the motion that carried unanimously.

Sheriff Richards appeared to request the following additional appropriations into the Sheriff's budget:

#105-390.0 – Dues & Subscriptions	\$ 5,000.00
#105-322.0 – Postage	\$ 2,500.00
#105-331.0 – Equipment Repair & Maintenance	\$ 4,500.00
#105-440.0 – Office/Other Equipment	\$ 2,000.00
#105-392.0 – Professional Services	\$ 5,000.00
#105-323.0 – Travel & Training	\$ 11,000.00

Sheriff Richards explained that money has been shifted in several line items this year and has left the requested line items short.

Discussion was held on whether the line items need the money that was borrowed since there is only three months left in the year. The Council feels some line items still have money to transfer next month.

Mr. Dennis moved to approve the following additional appropriations:

#105-322.0 – Postage	\$ 2,500.00
#105-323.0 – Travel & Training	\$ 2,500.00

Mr. Waltz seconded the motion that carried five to one, Mr. Mason voted nay.

Sheriff Richards requested additional funds in the Jail's budget for operation supplies (\$10,000.00) and miscellaneous equipment (\$7,800.00).

Mr. Dennis suggested perhaps some of these expenses could be paid from the Jail Expansion Bond Issue.

Sheriff Richards stated he did not feel the bond issue could pay for items that are needed such as cleaning supplies and toiletry items.

Mr. Canary noted that a few line items in the Jail's budget have money that can be shifted or transferred. Also, Mr. Canary suggested that Sheriff Richards request money to be appropriated from the #903 (Inmate Medical Fund) and transfer funds from the Hospital & Medical line item in the Jail's budget to the requested line items.

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

**IX. OLD BUSINESS**

**Approval of the Johnson County Police Retirement Updated Plan**

Mr. Dennis moved to approve the amendment to the Johnson County Police Retirement Updated Plan as submitted. Mr. West seconded the motion that carried unanimously.

**X. NEW BUSINESS**

**Association of Indiana Counties Award**

Deborah Shutta, Auditor, reported that Johnson County received one of the 2001 County Achievement Awards for Independence Park located in White River Township. The award will be presented at the AIC annual conference in Indianapolis on October 10<sup>th</sup>.

Mr. Dennis moved to request the Council's attorney draft a resolution recognizing the Johnson County Park for their achievement in this project. Mr. Canary seconded the motion that carried unanimously.

**Recess in Meetings**

Mr. Dennis asked the Council's attorney's opinion on whether the Council can legally move to recess during a meeting.

John P. Wilson, Council Attorney, reported that the Council could recess during the meeting however the Council couldn't recess a public meeting to hold an executive session. He observed the members during the recess earlier in the meeting and there was not an executive session held.

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

