

COUNTY COUNCIL REGULAR MEETING – APRIL 8, 2002

The meeting was called to order by President, Charlie Canary.

I. ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 4/08/02 AGENDA

Mr. Canary requested to make the following changes:

- Move Superior Court #1 request to follow the Johnson County Library
- Report from Plexus following Superior Court #1
- Sonoco Flexible Packaging following Plexus
- Add a request from Pleasant Township Assessor (Plat Map Maintenance Fund) following Electronic Map Generation

Mrs. Young requested to add the following to the agenda:

- New Business – Discussion of line item for Safe Keeping of County Inmates

Mr. West moved to approve the agenda as presented including the additions. Mr. Mason seconded the motion that carried unanimously.

V. APPROVAL OF 3/11/02 MINUTES

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

VI. PUBLIC COMMENTS

There were no public comments.

VII. APPOINTMENTS:

Alcoholic Beverage Commission Board (ABC)

Mr. West read a letter from David Pollard from White River Township who is interested in serving on the board.

Mr. Pollard addressed the Council expressing his interest in serving on the board.

Mr. Dennis read a letter and distributed a resume from Richard (Dick) Huber, M.D. who is also interested in serving on the board.

Mrs. Young moved to table the request until the May Council meeting. Mr. Mason seconded the motion that carried six to one, Mr. West voted nay.

VIII. JOHNSON COUNTY PUBLIC LIBRARY- CAPITAL PROJECTS FUND

Beverly Martin, Johnson County Public Library Director, appeared to discuss the proposed plan by the Library Board to continue with the eighth year of their Library Capital Projects Fund. According to Section 6 of IC 20-14-13 once the Library Board has passed a resolution adopting a proposed plan for the fund, the County Council must then hold a public hearing and either reject or approve the plan. The Library Board will hold a public hearing and meeting to adopt the Library Capital Projects Fund Plan on April 16, 2002. She requested that the County Council hold a public hearing on the plan at the May 13th Council meeting.

SUPERIOR COURT NO. 1 – (132)

Raymond Kickbush, Special Judge for the State of Indiana vs. Ronald Shanabarger case appeared to request an additional appropriation in the amount of \$225,000.00. Judge Kickbush explained an indictment was filed in June of 1999 against Ronald Shanabarger for murder. The case has been pending since 1999, in January of 2002 the Supreme appointed Judge Kickbush to the case. The trial is scheduled to begin April the 25th and 26th to select the jurors from Huntington County and begin on April 29th. The defendant is entitled to a sequestered jury. The prosecutor is requesting life without parole in this case. Judge Kickbush reviewed the following estimated expense summary to the Council.

Defense Cost:

-Expert Witness	\$ 20,000.00
-Investigator	\$ 15,000.00
-General Expenses	
travel, exhibits, shipping,	
mileage, copies, phone	
depositions	\$ 18,750.00
-Attorney Fees	\$ 85,000.00
-Paralegal-Law Clerk	<u>\$ 10,000.00</u>
Total	\$ 148,750.00

Jury Expense for Trial:

-Jury Pay	\$ 9,000.00
-Lodging	\$ 18,785.00
-Lunches	\$ 1,700.00

COUNTY COUNCIL REGULAR MEETING – APRIL 8, 2002-(Cont.)

-Dinners	\$ 4,000.00
-Breakfasts	\$ 230.00
-Van Rentals (2)	\$ 1,600.00
-Entertainment	\$ 2,000.00
Total	\$ 37,315.00

Court Expense:

-Motel/meals in Huntington	\$ 500.00
-Gasoline (two vans)	\$ 150.00
-Judge Motel Room	\$ 1,500.00
-Extra Security-Van Drivers	\$ 5,000.00
-Extra Bailiff Cost (24hrs)	\$ 5,000.00
Total	\$ 12,150.00

Current Unpaid Bills \$ 30,000.00

Judge Kickbush explained the total estimated costs are \$228,215.00 and he is requesting \$225,000.00.

Mrs. Young asked if any of the money is for overtime of county employees. Judge Kickbush stated that he plans on paying the employees based upon contractual services not overtime.

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

#132-301.0 – Professional Services \$225,000.00

REPORT FROM PLEXIS

Deborah Shutta, Auditor, explained that she had asked for a representative from Plexis to report and clarify to the Council some of the issues pertaining to the Geographical Information System (GIS) conversion that was discussed in February.

Tim Lacey, GIS Production Manager from Plexis, appeared explaining that in 1997 the county contracted with Beam, Longest, & Neff (BLN) to do data conversion of the plat maps, the GIS department at BLN is now the Plexis Group. The source maps were sent from the county to the company to convert the information. They completed the major conversion of the project in late 1999. They compared discrepancies in all nine townships within the plat map numbers and sent the problems to the county to resolve; which has been done. After all the edits were made upon the drawings it was then decided that the county switch GIS platforms from Genamap to Autocad in 2000. Over the next six to eight months the funds were appropriated, software installed, and training took place. All the townships were migrated to Autocad and delivered to the county, however Franklin, Pleasant, and White River were the last to be completed in June 2001. All the parcels were up to date as of October of 1999. The plat mapping office is in the process of updating all the parcels that could not be done at the time of the conversion.

Discussion was held on why there were some subdivisions and parcel splits that were not on the maps at the time Beam, Longest, & Neff took the maps.

SONOCO FLEXIBLE PACKAGING – CF-1

Jim Dixon, a representative from Sonoco, appeared to request approval of the Compliance with Statement of Benefits Form (CF-1). He reported that the company has complied with the Statement of Benefits (SB-1). The company estimated the number of additional employees to be 25 and have actually hired 40 new employees.

After some discussion, Mr. Mason moved to approve the CF-1 as requested. Mr. Wright seconded the motion that carried unanimously.

APPROVAL OF THE SALARY ORDINANCE (144) AMENDMENTS

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

#140-124.0 - \$23,117.00 to \$24,275.00 (1-14-02)	
#209-118.0 - \$22,664.00 to \$24,988.00 (4-01-02)	
#124-129.1 - \$20,050.00 to \$22,106.00 (3-11-02)	
From: #124-128.0 – Correctional Officer	(\$ 1,200.00)
From: #124-127.9 – Correctional Officer	(\$ 500.00)
To: #124-129.1 – Administrative Clerk	\$ 1,700.00

SHERIFF – (105)

From: #105-128.6 – Dispatcher	(\$ 474.31)
To: #105-127.4 – Claims Clerk/Receptionist	\$ 474.31

Mr. Waltz seconded the motion that carried unanimously.

JUVENILE ACCOUNTABILTY-COMM CORRECTIONS-(355)

Mrs. Young moved to table the request of \$10,000.00 for Professional Services until the May Council meeting per Community Corrections request. Mr. Mason seconded the motion that carried unanimously.

REGIONAL GANG GRANT – (270)

Michelle Murray, Prosecutor's Office Manager, appeared to request a transfer of \$3,557.20 from vehicles to insurance to reimburse the county general fund for insurance.

COUNTY COUNCIL REGULAR MEETING – APRIL 8, 2002-(Cont.)

Mr. Waltz moved to approve the transfer as requested. Mrs. Young seconded the motion that carried unanimously

From: #270-415.0 – Vehicles (\$ 3,557.20)
To: #270-144.0 – Insurance \$ 3,557.20

GUN PROSECUTION GRANT 10/1/01 – 9/30/04 (effective 1/1/02) (341)

#341-110.0 – Deputy Prosecutor \$40,000.00 \$ 40,000.00

PRETRIAL DIVERSION PROGRAM – (286)

#286-112.0 – Deputy Prosecutor (Gun Grant) \$10,000.00 \$ 10,000.00

(see Council minutes 3/11/02)

Robert Seet, Deputy Prosecutor, appeared to request the approval of a new deputy that was denied at the March Council meeting. He commented the Prosecutor has been very aggressive with grant positions and the diversion funds. The Prosecutor expressed to him that he would be able to pay a portion of the salary (\$10,000.00) through the diversion program, however would not be able to pay for the benefits.

Discussion was held on the benefits being paid from a discretionary fund vs. county general.

Mr. Dennis moved to approve the request as presented. Mr. Mason seconded the motion.

The questioned was raised of how many votes does it take to approve a new position.

John P. Wilson, Council Attorney, reported that to create a new position it would take five votes.

Mr. Waltz moved to amend the motion to have the benefits be paid from the Prosecutor's discretionary fund. Mr. Waltz withdrew his motion and moved to table the request until the May Council meeting. The motion was defeated due to a lack of a second.

Deborah Shutta, Auditor, commented if the request is approved to be retroactive to January 1, 2002 the employee that is being paid currently could not receive both salaries. The grant would either need to reimburse the general fund or the grant funds would have a surplus amount. She noted that the benefits could be paid from the excessive grant funds for the first year. The grant was effective as of October 1, 2001.

Mr. Mason noted he was not in favor of the request to be retroactive to January 1, he would agree to April 1, 2002.

Mrs. Young moved to table the request until the May Council meeting. Mr. West seconded the motion that carried four to three, Mr. Waltz, Mr. Dennis, and Mr. Wright voted nay.

COUNTY EXTRADITION – (211)

J. D. Richards, Sheriff, appeared to request an additional appropriation in the amount of \$15,000.00.

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

#211-200.0 – Claims \$ 15,000.00

COUNTY MEDICAL CARE FOR INMATES – (903)

Sheriff Richards appeared to request an additional appropriation in the amount of \$10,000.00.

Mrs. Young moved to approve the request as presented. Mr. West seconded the motion.

Mr. Waltz expressed concern that \$195,000.00 has been approved for Hospital & Medical in the County General's Fund and why an additional appropriation would be needed in April.

Sheriff Richards commented he would prefer to use this fund first before using the County General money.

Mr. Mason stated that he felt the \$195,000.00 should be used first.

Mrs. Young withdrew the motion. Mr. West concurred.

LAW ENFORCEMENT CONTINUING EDUCATION – (306)

Sheriff Richards requested an additional appropriation in the amount of \$5,000.00 for training.

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

#306-300.0 – Claims \$ 5,000.00

COMPUTER SERVICES – (141) tabled from 3/11/02 (see 3/11/02 minutes)

Robert Norris, Computer Director, appeared to request an additional appropriation in the amount of \$33,000.00 for computers. The Council requested at the March meeting for Mr. Norris to check if reimbursement would still be made from the State if the funds were approved from the Cumulative Capital Development Fund. Mr. Norris reported that he received information from Claudia Spears, Financial Management from the Family and Social Services Administration, and she advised the preferred funding for Child Support computer hardware should be from the general fund or a general computer fund.

Mr. Waltz questioned if the general computer fund could be construed as the Cumulative Capital Development Fund.

COUNTY COUNCIL REGULAR MEETING – APRIL 8, 2002-(Cont.)

Mr. Norris responded he did not think that Ms. Spears meant the Cumulative Capital Development Fund.

Mrs. Young moved to approve the request as presented. Mr. West seconded the motion.

Mr. Waltz commented he still was not convinced that Cum Cap couldn't be used.

Brenda Jones-Matthews, Clerk, appeared stating she also spoke with Claudia Spears and Ms. Spears did say the funds must be expended from the County General Fund.

The motion carried unanimously.

#141-410.0 – Office Equipment \$ 33,000.00

BOARD OF COMMISSIONERS – (122)

Larry Vandenberg, Fair Board Member, appeared to request an additional appropriation in the amount of \$5,000.00 for 4-H Premiums.

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

#122-391.0 – Social Service Contracts (4-H Premiums) \$ 5,000.00

CUMULATIVE CAPITAL DEVELOPMENT – (254)

Mr. Vandenberg appeared to request an additional appropriation in the amount of \$106,500.00 for fairground improvements. The request also included a portion for the money to purchase property for a new entrance off of Highway 144.

Mrs. Young stated that according to statute the Council must have the appraisals and approve a resolution to purchase property and the Council was not presented with either of them.

Mr. Vandenberg explained the Board of Commissioners and their attorney have appraisals of the property. He noted that one appraisal was for \$114,000.00 and the other was \$110,000.00. The property owner agreed to \$112,000.00.

Mr. Mason suggested removing the amount of money for the entrance and discuss the other request of funds.

Mr. Vandenberg reviewed the following requests for maintenance and expansion projects.

<u>Maintenance</u>	
-New Roof Herring Hall	\$17,000.00
-Misc. Painting to Facilities	\$10,000.00
-Re-Work Drainage in Grandstand	\$ 6,000.00
-Add Additional Camping Spots	\$ 5,000.00
-Water Utilities Upgrade	\$ 6,000.00
Total	\$44,000.00

<u>Expansion Projects</u>	
-Build New Restrooms/Showers by Horse Arena Area	\$18,000.00

Mr. Mason moved to approve \$44,000.00 for maintenance and \$18,000.00 for expansion projects. Mr. Waltz seconded the motion.

Mr. Wright asked if the restrooms by the grandstand would be updated and if the new restrooms could be equipped for children.

Mr. Vandenberg responded the new restrooms would be close to the grandstand restrooms and he would check on equipping the facility for children. They plan to upgrade the old restrooms in the future.

Mr. West asked if there has been a traffic flow study done on the week of the Fair.

Tom Shively, Fairgrounds Parking Policeman, appeared and reported his study on the traffic flow problems with having only two entrances. He explained how they would reroute the traffic if the new entrance were approved.

Mr. Vandenberg introduced the Fair Board Members that were present at the meeting.

The motion carried unanimously.

#254-430.2 – Fairgrounds Improvements \$ 62,000.00

AUDITOR'S PLAT MAP MAINTENANCE – (904)

ELECTRONIC MAP GENERATION – (905)

Deborah Shutta, Auditor, requested additional appropriations for social security, PERF, overtime, and equipment. She explained the social security and PERF are needed for a deputy's salary and the additional money paid to the Pleasant Township Assessor's First Deputy. The overtime is to continue the updating of the database and clean line work. The money for equipment is to purchase a new plotter for mapping; half of the funds would be paid from the Plat Map

COUNTY COUNCIL REGULAR MEETING – APRIL 8, 2002-(Cont.)

Maintenance and the other half from the Map Generation Fund a total of \$9,200.00. The request of \$1,000.00 for claims would be used to purchase ink cartridges, paper, and repair costs.

Mr. Waltz moved to approve the requests as presented. Mr. West seconded the motion that carried unanimously.

#904-161.0 – Social Security	\$ 4,000.00
#904-171.0 – PERF	\$ 2,600.00
#904-199.0 – Overtime	\$ 4,000.00
#904-440.0 – Equipment	\$ 4,600.00
#905-210.0 – Claims	\$ 1,000.00
#905-440.0 – Equipment	\$ 4,600.00

AUDITOR’S PLAT MAP MAINTENANCE – (904)-PLEASANT

Mrs. Young moved to approve the transfer of funds request from Pleasant Township Assessor.

From: #904-216.0 – Supplies	(\$ 215.40)
To: #904-310.0 – Professional Services	\$ 215.40

Mr. Mason seconded the motion that carried unanimously.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

Fees for Sheriff Sales

Mr. Mason moved to table the request until the May Council meeting. Mrs. Young seconded the motion that carried unanimously.

Approval of Resolutions to Transfer Funds from the Cumulative Capital Development Fund

2002-01 (To County General)

2002-02 (To County Family & Children Fund)

Vickie Jones, Director of the Johnson County Division of Family & Children, appeared to request the approval of resolution #2002-02. She explained that due to the increase in population and serving more children their fund is in need for a temporary loan to meet their cash flow problems. She requested an amount of \$500,000.00 and would re-pay the loan in June and December. Ms. Jones noted that if they could not re-pay the funds until December she would need to amend the resolution.

Ms. Jones noted that in 1993 and a number of years later the Johnson County Division of Family & Children did have a healthy balance in their fund and they chose to have the interest earned revert to the County General Fund instead of their fund.

Mrs. Shutta explained the temporary loan for general fund would be the negative amount at the end of April and October and re-payment would be in May and November.

Mr. Waltz asked if the county has a substantial amount of money invested in Certificate of Deposits. Mrs. Shutta responded that the County Treasurer would need to respond to the amount of funds, however she did note that a large amount of them are not County General money.

Mr. West moved to approve both Resolutions #2002-01 & #2002-02. Mr. Dennis seconded the motion that carried unanimously.

Discussion of line item for Safe Keeping of County Inmates

Mrs. Young commented she feels a line item should be created in order to keep better track of how much is expended for the inmates. The bills are currently being paid from the Hospital & Medical line item. If approved then money could be shifted into the new line item. An average of three years of expenses for safe keeping of inmates has been approximately \$106,000.00.

Mr. Waltz moved to create a new line item #124-392.0 (Safe Keeping of County Inmates). Mrs. Young seconded the motion that carried unanimously.

Mrs. Young noted she would talk to the Sheriff on the shifting of funds.

Gun Prosecution Grant/Pretrial Diversion Program

Mr. Mason moved to re-consider the request that was tabled earlier in the meeting. Mr. Waltz seconded the motion that carried unanimously.

Mr. Dennis noted that the request to table until the May Council meeting would be in the middle of the State of Indiana vs. Shanabarger case.

COUNTY COUNCIL REGULAR MEETING – APRIL 8, 2002-(Cont.)

Mr. Dennis moved to approve the requests as presented including the creation of line items for the benefits for the first year are paid from the gun grant fund, effective April 1, 2002. The benefits could be discussed in October for future payments. Mr. Mason seconded the motion that carried unanimously.

#341-110.0 – Deputy Prosecutor \$20,077.00 (salary \$40,000.00)
#341-142.0 – Social Security \$ 1,920.00
#341-143.0 – PERF \$ 1,945.00
#341-144.0 – Insurance \$ 1,554.00
#286-112.0 – Deputy Prosecutor \$ 5,020.00 (salary \$10,000.00)

Johnson County Commissioners Major Project List

Mr. West noted that the Council received an updated list of projects as of 3/15/02 and asked Mr. Waltz if he could request from the Commissioners written materials regarding the Animal Shelter Renovation in the amount of \$550,000.00. He also would like to have more information of the East/West Corridor in the amount of \$1 million.

Mr. Waltz concurred and would report back to the Council.

Mrs. Young commented she appeared before the Board of Commissioners concerning medical insurance issues and she informed the Council she was not in attendance representing the County Council.

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