

**COUNTY COUNCIL REGULAR MEETING – FEBRUARY 11, 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 2/11/02 AGENDA**

Mrs. Young moved to approve the agenda as presented including the following additions:

- Under VIII. – Discussion regarding the Council's freeze on all non-essential additional appropriations
- Transfer – Superior Court No. 3
- Under Old Business – Special Meeting to Explore Alternative Revenue Sources
- Under Old Business – Discuss the letter to the Sheriff requesting quarterly reports on Commissary Funds
- Under New Business – Discussion regarding televised Council meetings

Mr. Waltz seconded the motion that carried unanimously.

**V. APPROVAL OF 1/14/02 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. APPOINTMENTS:**

**Alcoholic Beverage Commission Board (ABC)**

Mr. Dennis stated the ABC appointee for 2001 would not be able to serve on the board for 2002 because of traveling for his job.

Mrs. Young suggested that Charles Littleton might be interested. Mr. Canary will contact Mr. Littleton.

Mr. Canary requested the ABC appointment be included on the March Council meeting.

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

**Discussions regarding the Council's freeze on all non-essential additional appropriations**

Mrs. Young commented that the Council approved at the September 10, 2001 Council meeting to freeze non-emergency additional appropriations for the remainder of 2001 thru June 30, 2002 (emergency defined as department operations would cease). She questioned the requests on the agenda for additional appropriations and asked if this was still in effect or not.

Mr. Dennis commented that a few of the requests could not be requested until the first of the year.

Mr. Waltz stated he feels each request needs to be handled separately to determine if the request is vital for the function of the department.

Mr. Wright noted that it is very difficult to define an emergency appropriation; what might be an emergency for one is different for another.

After some discussion the Council decided to continue hearing the requests.

Mr. Mason moved to approve the following transfers as requested.

|                                                    |               |
|----------------------------------------------------|---------------|
| <u>EMERGENCY MANAGEMENT – (127)</u>                |               |
| From: #127-362.0 – Equipment Repair                | (\$ 750.00)   |
| To: #127-410.0 – Office Equipment (new)            | \$ 750.00     |
| <u>MAGISTRATE COURT – (136)</u>                    |               |
| From: #136-113.1 – Proceedings Supp Court Reporter | (\$ 1,050.00) |
| To: #136-199.0 – Overtime                          | \$ 1,050.00   |

Mr. Wright seconded the motion that carried unanimously.

**INSPECTION & TESTING – (276) (1/1/02)**

David Hirschle, Director of Planning, appeared to request a salary adjustment for the Building Inspector III/Engineer Assistant that was approved at the January Council meeting. He explained the position was lowered to \$28,850.00 and he failed to inform the Council that the amount did not include a 2% increase for 2002. The amended salary for 2002 would be \$29,427.00 effective 1/1/02.

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

#276-111.0 – Building Inspector III/Engineering Asst.(\$29,427) \$ 351.00

**COUNTY COUNCIL REGULAR MEETING – FEBRUARY 11, 2002 – (cont.)**

From: #276-142.0 – Social Security (\$ 113.00)  
From: #276-143.0 – PERF (\$ 113.00)  
To: #276-111.0 – Building Inspector III/Eng. Asst. \$ 226.00

**SUPERIOR COURT NO. 3 – (134)**

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

From: #134-114.0 – Assistant Court Reporter/Bailiff (\$ 2,000.00)  
To: #134-117.0 – Part Time Clerical \$ 2,000.00

**COMMUNITY CORRECTIONS – (209) 1/1/02-6/30/02**

Deana McMurray, Community Corrections Director, appeared to request approval of salary ordinance amendments due to new employees and shifting of employees.

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

#209-119.0 – Correctional Officer \$12,494.00 to \$13,775.00 (1/2/02)  
#209-125.0 – Correctional Officer \$11,899.00 to \$12,461.50 (2/7/02)  
#209-132.0 – Case Officer \$11,332.00 to \$12,461.50 (2/7/02)

**JUVENILE ACCOUNTABILITY – (355)**

Ms. McMurray requested an additional appropriation in the amount of \$32,691.00 for Professional Services. She explained the money is from a grant award that is monitored by James Higdon, Juvenile Detention Center Director, Suzanne Miller, Chief Juvenile Probation, and herself. The programs being provided are the Juvenile Detention Center Transition Program and the Choose to Change Program. They do anticipate three more years of funding.

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

#355-310.0 – Professional Services \$ 32,691.00

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

**DRUG FREE COMMUNITY FUND – (331)**  
#331-330.0 – Justice (in-car cameras) \$ 18,500.00  
**SAFE COMMUNITIES GRANT – (359)**  
#359-310.0 – Professional Services \$ 6,800.00  
**DUI-INDIANA GRANT – (354)**  
#354-310.0 – Professional Services \$ 23,958.00

Mr. Mason seconded the motion that carried unanimously.

**CUMULATIVE CAPITAL DEVELOPMENT – (254)**

Jack Matthews, Director of Maintenance, appeared to request an additional appropriation in the amount of \$2,585.00 to complete the Annex First Floor Carpet project.

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

#254-418.0 – County Buildings Renovation \$ 2,585.00

**CUMULATIVE BRIDGE – (206)**

John Price, Highway Director, appeared to request funding for Bridge #174. He withdrew the requests of funding for Bridge #613 and Structures because of the emergency repairs needed for Culvert F-015.

Mrs. Young asked why the amount for Bridge #174 has increased from \$373,292.00 in 2001 and the request now is \$410,000.00.

Mr. Price responded the increase is because of the cost of construction.

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

#206-466.0 – Bridge #174 \$410,000.00

**SOIL & WATER – (130) (2/21/02)**

Barry Barnett, Soil & Water Supervisor, appeared to request salary ordinance amendments for the District Director from \$26,091.00 to \$32,000.00 and the Assistant Director/Education Coordinator from \$21,054.00 to \$25,917.00. He explained the Board of Supervisors is requesting the District Director position be a salaried position and exempt from overtime pay by means of a written agreement. If approved they would need an additional appropriation in the amount of \$7,246.00 and they would transfer \$2,000.00 from the overtime line item to make a total of \$9,246.00 for the salary increases. He reviewed the letter that was sent to the Council addressing the reasons for the increases. They feel the amounts are comparable to other positions in the county with similar responsibility and accountability. When the Board was interviewing individuals for the District's Director position they realized the salary was not competitive in the job market. The employees are responsible for monitoring and administrating the Clean Water Indiana Funds and the Watershed Assessment Grant.

**COUNTY COUNCIL REGULAR MEETING – FEBRUARY 11, 2002 – (cont.)**

Mr. Wright asked how long was the Director's position vacant and how long was the former Director employed. Mr. Barnett responded the position was vacant approximately four months and the former employee had fourteen years in the position.

Mr. Wright commented if the former employee was there fourteen years at the current salary and the position was filled at the current amount he could not understand why the Board feels the salary is too low.

Mr. Barnett responded they are basing the salary increases on the responsibilities of the jobs. The former employee was continually frustrated because of the pay. The Board has requested several times in the past for a salary adjustment.

Mrs. Young noted that in October of 2001 the salary was increased for the new hire.

Mr. Mason suggested using a portion of the part-time funds to help supplement the increases. Mr. Barnett agreed to use \$3,600.00 of part-time money.

Mr. Dennis noted that three years ago the Council approved a full-time position for Soil & Water and allowed them to keep a majority of their part-time funds. He feels the Council has made a good faith effort to help Soil & Water.

Mr. West moved to approve the salary adjustments as requested and to transfer from #130-114.0 (part-time) \$7,246.00 and the transfer of \$2,000.00 from #130-199.0 (overtime). Mr. Mason seconded the motion.

After some discussion concerning whether the District Director can be legally exempt from overtime, Mr. Mason moved to table the request until next month. The motion died because of a lack for a second.

The original motion was defeated by a three to four vote, Mr. Wright, Mr. Waltz, Mrs. Young, and Mr. Dennis voted nay.

Mr. Mason moved to table the request until the March Council meeting. Mr. West seconded the motion that was defeated by a three to four vote, Mr. Wright, Mr. Waltz, Mrs. Young, and Mr. Dennis voted nay.

Mr. Wright moved to deny the request. Mr. Dennis seconded the motion that carried four to three, Mr. Mason, Mr. Canary, and Mr. West voted nay.

Further discussion was held on the reasons for the denial and what Soil & Water should do in the future concerning the salaries.

**PROSECUTING ATTORNEY – (108) 1/1/02**

Lance Hamner, Prosecutor, appeared to request a salary supplement increase for the Prison Deputy Prosecutor. He noted the majority of the salary is paid by the State of Indiana however he supplements the pay from the #108 and #327 budgets. A few years ago the salary was reduced by the State and Mr. Hamner added the supplement amount to the #108 budget. The deputy has not received a raise for several years and the proposed request is to make-up for not having an increase.

Mr. Waltz asked what is the level of compensation of the Prison Deputy. Mr. Hamner responded approximately \$51,000.00.

Mrs. Young noted that a supplement of \$6,540.00 is already appropriated for the Prison Deputy in the #108 budget. If the request is approved the total salary supplement for the deputy will be \$18,798.40.

Mr. Hamner responded the \$6,540.00 was the amount of funds that was reduced a few years ago from his salary and the request at this time is to compensate for salary increases.

Mr. West noted that the salary supplements were given a percentage of increases from last year.

Mr. Waltz suggested that perhaps the request could be transferred from another line item.

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

Mr. West stated he does not feel this request is any different than the Soil & Water's request. The deputy was given an 8 1/2% salary increase in the supplement from last year. He asked does the Council feel the additional appropriation is an emergency situation.

Mr. Dennis noted that the employee for Soil & Water was given salary increases each year and a new employee added to the department. The deputy prosecutor's salary is mostly paid by the State that has not been given salary increases.

Mr. Wright commented a Deputy Prosecutor's responsibilities are very different than the Soil & Water's District Director's duties.

Mr. Waltz moved to table the request until the June Council meeting. Mr. Mason seconded the motion that carried five to two, Mr. West and Mrs. Young voted nay.

**PROSECUTOR CHILD SUPPORT IV-D – (118) 2/1/02**

Mr. Hamner requested a new position titled Administrative Assistant in the amount of \$24,000.00 annually. He explained the Federal Government has given them a non-funded mandate to advertise and solicit business in the child support area. This has caused the department to become behind in their normal casework. The State of Indiana will reimburse the county 2/3 of the salary.

**COUNTY COUNCIL REGULAR MEETING – FEBRUARY 11, 2002 – (cont.)**

Mr. Canary asked if allowing this new employee how long would this keep the office functioning. Mr. Hamner responded at this time he does not intend on requesting another new employee at budget time.

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

#118-120.0 – Administrative Assistant \$24,000.00 \$ 21,885.06

**PRETRIAL DIVERSION PROGRAM – (286)1/1/02**

Mrs. Young moved to approve the request of the appropriated \$2,100.00 (Computer Specialist) to be paid to the Prosecutor's Office Manager. Mr. Mason seconded the motion that carried unanimously.

**PROSECUTOR DEFERRAL PROGRAM – (327)**

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

Mrs. Young commented she would be voting nay on the motion because of the salary adjustment. The request was made in October of last year, which she also voted nay at that time. She would have approved the requests for the Franklin City Court and Police Department however the motion was to include all the requests.

The motion carried six to one, Mrs. Young voted nay.

#327-120.0 – Legal Assistant/Paralegal \$25,000.00 1/24/02 \$ 3,628.00  
#327-311.0 – Franklin City Court \$ 12,397.50  
#327-413.0 – Franklin Police Department \$ 2,025.00

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

Mr. Hamner requested an appropriation of \$40,000.00 for a Deputy Prosecutor from the Gun Prosecution Grant. The grant requires the total salary to be \$50,000.00 of which \$10,000.00 would be coming from the Pretrial Diversion Program fund.

Mrs. Young noted the grant states the jurisdictions would be required to certify a good faith effort to retain the Prosecutor for a minimum of one year beyond the conclusion of the grant period.

Mr. Hamner stated they would try to retain the Prosecutor and should be able to through the Deferral Fund.

Mrs. Young questioned the benefits the position would be receiving.

Mr. Hamner responded the county should pay the benefits.

The salary portion of \$10,000.00 from the Diversion Program was not advertised as an additional appropriation.

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

**AUDITOR'S PLAT MAP MAINTENANCE – (904)**

Donna Zelner, Pleasant Township Assessor, and Darla McKnight, First Deputy, appeared to request additional appropriations for the first deputy (\$5,000.00), supplies (\$536.50), training (\$425.00), and professional services (\$538.50).

Mr. Canary asked John P. Wilson, Council Attorney if the first deputy can legally receive compensation. Mr. Wilson asked if the compensation is for overtime.

Mrs. Zelner stated "no" the request is not overtime the request is based upon the updating and clean line work on Pleasant's electronic plat maps of 1,485 @ \$3.50 per parcel. She commented a company called Plexis was going to charge \$9.87 per parcel.

Mr. Wilson noted that as long as the compensation is not for overtime then it would be legal.

Deborah Shutta, Auditor, commented the company Beam, Longest, & Neff was provided with updated plat maps at the time of the conversion to electronic maps. She still has a lot of questions for the vendor as to why the maps are 3 ½ years outdated. The remainder of townships will need to be updated also. If one employee is going to be paid for the updates are the other employees that are going to be participating be paid too.

Mr. Waltz asked if the updating by Ms. McKnight was part of the normal responsibilities of the job and why the plat maps were that far behind.

Ms. McKnight stated when they took over maintaining the maps based upon the statutorily requirement due to the population in the township and at that point their office or Auditor would have not know the maps where 3 ½ years outdated.

Discussion was held on whose responsibility it was that the maps were outdated.

Mrs. Shutta explained that the paper maps that are housed in the Auditor's are not 3 ½ years behind; they are current based upon the tax year. The electronic maps are a different set that will be used once the conversion and updates have been completed.

**COUNTY COUNCIL REGULAR MEETING – FEBRUARY 11, 2002 – (cont.)**

Mark Alexander, County Appraiser, appeared explaining the electronic maps would be very important for reassessment. He noted that when a split or subdivision is created the Assessor's maintain the information as it occurs. The Auditor's Office time frame is different; they maintain the parcels as of the assessment date. One problem the Auditor's Office has experienced is the lack of two AutoCAD terminals, the training required, and still maintaining the day-to-day work. The Assessor's collectively decided to participate in the updating of the electronic maps along with the Auditor's Office.

Mrs. Young asked Mr. Alexander if they were going to ask for money to pay the employees in the Assessor's office to help update the maps.

Mr. Alexander responded "no" they anticipate working on the project two hours a day during normal working hours. He also noted that the Auditor's paper maps are current.

Mr. Dennis moved to table the requests until the March Council meeting. The motion died for a lack of a second.

Mrs. Shutta commented that this type of an expenditure because they would be using the maps for reassessment could be paid from the Reassessment Fund. The Auditor's Plat Map Maintenance Fund does not have the kind of balance that the Reassessment Fund has.

Ms. McKnight stated the maps are not only for reassessment but also for the everyday work.

After further discussion, Mr. West moved to approve the requests as presented. Mr. Waltz seconded the motion.

Mr. Mason asked if the \$5,0000.00 is a one-time disbursement.

Mrs. Zelner responded "yes".

The motion carried six to one, Mrs. Young voted nay.

|                                                                |             |
|----------------------------------------------------------------|-------------|
| #904-112.0 – Pleasant Twp Assessor's First Deputy (\$5,000.00) | \$ 5,000.00 |
| #904-216.0 – Supplies                                          | \$ 536.50   |
| #904-315.0 – Travel & Training                                 | \$ 425.00   |
| #904-310.0 – Professional Services                             | \$ 538.50   |

**REDUCTION-ADULT CHILD MENTAL HEALTH – (129)**

Mrs. Young moved to reduce the appropriation by \$12,172.00. Mr. Mason seconded the motion.

Mr. Dennis questioned why the amount should be reduced.

Deborah Shutta, Auditor, explained the assessed valuation for 2002 had to be re-certified due to an assessment error made in White River Township.

The motion carried unanimously.

|                     |               |
|---------------------|---------------|
| #129-100.0 – Claims | (\$12,172.00) |
|---------------------|---------------|

**OLD BUSINESS**

**Approval of the Council's Attorney Contract for 2002**

Mr. Waltz moved to approve the contract for 2002 including the total compensation to be received by the attorney for all services rendered pursuant shall not exceed \$5,000.00 during calendar year 2002 unless the Council shall make additional appropriations therefore. Mr. Dennis seconded the motion that carried unanimously.

**Sheriff's Commissary Report**

Mr. Canary noted that he would contact the Sheriff and remind him that the reports should be submitted quarterly to the Council.

Mr. Waltz commented the report that was received is a very poor itemization. He read for the record the following:

|                        |              |                   |              |
|------------------------|--------------|-------------------|--------------|
| Beginning Balance      | \$71,054.75  |                   |              |
| Ending Balance         | \$64,844.41  |                   |              |
| Expenses:              |              | Credits:          |              |
| Vendor Purchases       | \$43,414.17  | Commissary Sales  | \$57,162.65  |
| Jail Supplies/Services | \$16,866.96  | Inmate Telephones | \$42,967.19  |
| Dues/Training          | \$ 7,708.00  | Interest          | \$ 562.47    |
| Law Enforcement        | \$23,873.98  | Miscellaneous     | \$ 1,206.49  |
| Professional Ser.      | \$ 5,290.00  |                   |              |
| Miscellaneous          | \$10,956.03  |                   |              |
| Total                  | \$108,109.14 | Total             | \$101,898.80 |
| Net Loss               | \$ 6,210.34  |                   |              |

Mr. Waltz requested that the reports in the future reflect a more detail itemized lists.

**COUNTY COUNCIL REGULAR MEETING – FEBRUARY 11, 2002 – (cont.)**

Mr. Dennis commented he did work with Lieutenant Blankenship trying to compile a commissary report. The Sheriff said he spoke with the Sheriff's Association or his attorney and said he could submit the commissary figures however he deemed appropriate and this is the way he will be submitting them.

Mr. Waltz stated he feels the report is unacceptable.

Mr. Canary stated he would request an itemized commissary report.

**Discussion of Compensation for Overtime**

Deborah Shutta, Auditor, explained that the State Board of Accounts stated the county needs to have a compensatory overtime policy in place. The Council may limit the compensatory time and the Board of Commissioners would approve the policy.

Mr. Wright remarked the policy should be addressed by the Board of Commissioners first then the Council.

Mrs. Shutta explained the Commissioners have the policy however before they approve it, it would be nice if the amount of compensatory time were established first.

Mr. Waltz agreed to discuss the compensatory time hours with the Board of Commissioners to receive their suggestions and report to the Council next month.

**Special Meeting to Explore Alternative Revenue Sources**

Mrs. Young stated that at the December Council meeting it was suggested to have a meeting in the next few months to explore alternative revenue sources.

Mr. Waltz suggested perhaps inviting Bryan Nicol, State Highway Commissioner, to speak at the meeting.

Mr. Dennis commented it might be premature to invite someone until the Council has held a special meeting to discuss the issues perhaps by committees.

Mr. West noted the main issue is to be prepared in advance before the meeting is held.

After some discussion, the Council agreed to discuss the issue at the March Council meeting.

**NEW BUSINESS**

**Approval of 2002 dues for the Indiana Association of County Councils**

Mr. Wright moved to deny the approval of payment for the dues and any Council member interested pay the dues themselves at \$20.00 each. Mr. Waltz seconded.

The motion carried four to three, Mr. Mason, Mr. Canary, and Mr. West voted nay.

**Televised Council Meetings**

Mrs. Young commented that there was an article in the newspaper about having televised Council meetings and this has never been discussed at a meeting.

Mr. Waltz stated the reason it has not been brought before the Council is because it is in the very early stages and he could not do a thorough presentation at this time. If this were something that is going to cost thousands of dollars to install the equipment then clearly it would be cost prohibited. The wiring is now two-way; Insight Communication has installed the CAT-5 cable that enables communication to exist both inside and outside. The next step would be to find out any costs that would be associated with the cable company, so until he has all the information he is not prepared to do a presentation.

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