

**COUNTY COUNCIL REGULAR MEETING – JUNE 10, 2002**

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

**I. ROLL CALL**

The following members were present: Brent Waltz, Pam Young, Richard Mason, Daniel Dennis and Keith Wright. Ron West was not present. John P. Wilson was present as the Council's Attorney.

**II. PLEDGE OF ALLEGIANCE**

**III. INVOCATION**

**IV. APPROVAL OF 6/10/02 AGENDA**

Mr. Canary requested to make the following changes:

- Add -Johnson County Development Corporation following Public Comments
- Add -Approval of Resolution 2002-03 to Purchase Real Property under Old Business

Mr. Waltz moved to approve the agenda including Mr. Canary's request and added that discussion of the Offender Classification Monitor's Position be held following the Johnson County Development Corporation.

Mr. Dennis seconded the motion that carried unanimously.

**V. APPROVAL OF 5/13/02 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.

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**Johnson County Development Corporation (JCDC)**

L. Chester Aubin, Vice-President of the JCDC, appeared to update the Council on the activities and achievements of the JCDC. He committed that the new executive director will appear to update the Council on a bi-annual or quarterly basis. He explained the JCDC was established approximately ten (10) years ago to help develop and provide assistance for expanding new industry to Johnson County. The corporation is funded by both public and private funds. They have been successful in establishing five (5) new industrial parks in the county. He noted that over the past ten (10) years the corporation has worked to place and expand fifty-two (52) industries of which resulted in an increase in the tax base of over six million six hundred thousand dollars (\$6,600,000.00) and created four thousand one hundred and three (4,103) jobs. The additional jobs create approximately one hundred twenty eight million dollars (\$128,000,000.00) additional payroll brought into the county. The corporation works with some of the school districts to shadow various industries to give the students an opportunity to explore the various jobs if a student should choose not to attend college. Mr. Aubin introduced the new Executive Director, Chris Kennet.

Mr. Kennet appeared explaining that there are approximately twenty five thousand (25,000) corporations competing to attract manufacturing high volume type of operations into their community. He reiterated some of the things Mr. Aubin reported.

Mr. Dennis confirmed with Mr. Kennet that the State of Indiana is leading in the loss of manufacturing jobs. Mr. Kennet concurred and said that they need to work with the State Legislatures to enact some type of tax reform. Mr. Dennis asked what other type of industries is the corporation looking for. Mr. Kennet responded advanced manufacturing companies such as robotics and high-tech technologies.

**Discussion of the Offender Classification Monitor's Position**

Kim VanValer Shilts, Superior Court No. 3 Judge, appeared to review the packet that was issued to the Council members concerning the position. The packet included the history, county misdemeanor fund budget, duties of the offender classification monitor, accomplishments, future benefit, statistical data, and letters of support.

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

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

James Higdon, Juvenile Detention Center Director, appeared to request an increase in salary for an employee that has over 30 years experience at the Marion County Juvenile Detention Center.

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

#140-123.9 - \$23,117.00 to \$24,000.00 (5/16/02)

**WIC – (215)**

Mr. Dennis moved to approve the transfers as requested. Mr. Mason seconded the motion that carried unanimously.

From: #215-217.0 – Office Supplies	(\$ 119.00)
To: #215-410.0 – Equipment (new)	\$ 119.00
From: #215-350.0 – Professional Services	(\$ 1,500.00)
To: #215-217.0 – Office Supplies	\$ 1,500.00

**JUVENILE ACCOUNTABILITY-JUVENILE DETENTION CENTER – (244)**

Mr. Higdon appeared to request the approval of \$19,889.00 for training. He explained the money would be reimbursed from the Indiana Criminal Justice Institute.

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

#244-310.0 – Training \$ 19,889.00

**WHITE RIVER TOWNSHIP ASSESSOR – (113)**

Susan Wayman Sego, White River Township Assessor, appeared to request an additional appropriation in the amount of \$370.00 for postage. She stated that due to the increase in the population of White River and the postage increase she has \$4.00 left in the line item.

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

Mrs. Young suggested transferring funds from the part-time line item.

Mr. Dennis amended the motion to transfer the funds from part-time and the second concurred. The motion carried unanimously.

From: #113-115.0 – Part-time	(\$ 370.00)
To: #113-322.0 – Postage	\$ 370.00

**PROSECUTING ATTORNEY – (108)**

Lance Hamner, Prosecutor, appeared to request an increase in the salary supplement for the Prison Deputy Prosecutor from \$6,540.00 to \$11,258.40 with an additional appropriation. He distributed and reviewed a graph of the position from 1997 to current showing the break down of the salary on what the salary should be if he received the same amount of salary increases as other employees. The majority of the salary is paid from the State of Indiana.

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Mr. Waltz commented increases in salaries should be found from within the current budget not by asking for additional funds.

Mrs. Young reported the amount of salary increases the employee has received from other funds.

Mr. Dennis moved to approve the request as presented effective 1/1/02. Mr. Wright seconded the motion.

Mrs. Young commented she feels the increase should be made from the Prosecutor's Deferral Fund since it has a balance of approximately \$300,000.00.

The motion carried four to two, Mrs. Young and Mr. Waltz voted nay.

#108-120.0 – Prison Deputy Prosecutor \$11,258.40 (eff.1/1/02)     \$     4,719.00

Mr. Hamner requested an additional appropriation in the amount of \$16,016.00 for witness fees for the State v. Shanabarger case.

Mr. Mason moved to approve the request as presented. Mr. Wright seconded the motion that carried unanimously.  
#108-167.0 – Witness Fees   \$    16,016.00

**PRETRIAL DIVERSION PROGRAM – (286)**

Michelle Murray, Prosecutor's Office Manager, appeared to request an additional appropriation in the amount of \$400.00 to close out the 1998 Victim Assistance Grant.

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

#286-200.0 – Claims   \$       400.00

**PROSECUTOR DEFERRAL PROGRAM – (327)**

Mr. Hamner requested an additional appropriation in the amount of \$25,500.00 to purchase six (6) in-car cameras for the Johnson County Sheriff's Department. The department currently has five (5) cameras.

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

#327-414.0 – Johnson County Sheriff   \$   25,500.00

Mr. Hamner requested an exception to the Travel Ordinance Policy to pay for lodging of \$139.00 per night instead of the \$125.00 per night.

Mr. Waltz moved to grant the exception of the Travel Ordinance Policy as requested. Mr. Mason seconded the motion that carried unanimously.

**CLERK'S PERPETUATION FUND – (313) & CUMULATIVE CAPITAL DEVELOPMENT – (254)**

Brenda Smith, Microfilm Supervisor, appeared to request the approval of funds to purchase a Canon 5060F Scanner and associated package. The department would be able to microfilm, scan documents, and image on CD. She explained that in order to receive a free IBM 17" monitor, keyboard and mouse, the Canon equipment must be ordered by June 28<sup>th</sup>. The total cost of the equipment is \$40,326.00 and the County Clerk, Brenda Jones-Matthews has offered \$10,000.00 from the Clerk's Perpetuation Fund. The remainder \$30,326.00 is being requested from the Cumulative Capital Development Fund.

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

#313-410.0 – Office Equipment   \$   10,000.00  
#254-414.0 – Office Equipment   \$   30,326.00

**CUMULATIVE CAPITAL DEVELOPMENT – (254)**

**Voter Registration Software & Hardware**

Brenda Jones-Matthews, County Clerk, appeared to request as additional appropriation in the amount of \$160,000.00 for voter registration software & hardware. She explained the current software is very unstable and realized the problem when names were checked for voting and stated that they had not voted. She checked her name and a few others she knew had voted and the system showed that they had not voted in the Presidential Election. They have also had problems with the support of the current software. The Board of Commissioners advertised for Request For Proposals and received six proposals from vendors. After reviewing the proposals they chose Election Systems and Software.

Robert Norris, Computer Services Director, appeared to explain the reasoning for choosing Election Systems and Software.

Russ Dawson, Representing Election Systems and Software, appeared to answer questions.

Mr. Dennis asked what other counties are currently using the system.

Mr. Dawson responded they currently support seventeen systems in the State of Indiana. The system they have proposed for Johnson County is currently being used in Lake County. He noted the system has the capability to grow with the population

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of the county and is very user friendly. The company has had a long history with Johnson County in both voter registration and ballot tabulation.

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

#254-429.0 – Voter Registration Software & Hardware                      \$ 160,000.00

**Highway Improvements (see minutes 5/13/02)**

John Price, Highway Director, appeared to request an additional appropriation in the amount of \$1,000,000.00 that was tabled from the May 13<sup>th</sup> meeting. He distributed a map to all the Council members identifying the proposed highway offset intersections and road re-alignments. The requested funds would be used for surveying and right-of-way acquisition. The engineering services will be done by the Highway Department. They have applied for Federal Funding for the Olive Branch Road and Morgantown Road, and Morgantown and Stones Crossing, however that is not included on the map.

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

Mr. Canary asked if this type of request was going to an annual request. Mr. Price responded he did not think it would be. Mr. Canary commented he would support a one-time expenditure, however did not feel property owners should pay for road improvements on an ongoing basis.

Joseph DeHart, County Commissioner, appeared commenting that the Commissioners' asked for one million of the two million dollars that the county received from the Johnson Memorial Hospital for the right-of-way purchase. Those funds would not have been taxpayers' money. He noted they do not intend on asking for this type of request from the Cum Cap fund in the future.

Mrs. Young commented she does not think property owners should pay for road improvements when there are other tax options available. She feels the county needs to adopt a Wheel Tax. One million dollars for this type of a project is far from enough money. Revenue needs to be generated on annual basis for road projects. She feels projects should be done only little at a time in order to completely finish one before another is started. Buying right-of-way for future projects does not seem feasible since the county will never have the funds to complete them.

Mr. Waltz commented that if a Wheel Tax was approved that would not lower property taxes just add a new tax.

Mrs. Young responded she feels that paying the General Obligation Bond tax from the E-911 fund that was recently changed to include payment for communication could reduce property taxes. She thinks the Cum Cap Dev Fund could be reduced.

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

#254-408.0 – Highway Improvements    \$1,000,000.00

**SUPERIOR COURT NO. 1 – (132)**

Kevin Barton, Superior Court No. 1 Judge, appeared to request transfer of funds (\$60,000.00) from the professional services line item to law clerk/bailiff, court ordered transcripts, overtime, and jury expenses. He explained the money that was appropriated for the State v. Shanabarger (\$225,000.00) case was approved under professional services and he needs to transfer funds to pay various bills associated with the case and anticipated costs for future cases. He also explained another case; State v. McGrew will be approaching shortly and \$20,000.00 of the \$225,000.00 will be used as for attorney fees, investigator fees, paralegal fees and expert witness fees.

Mrs. Young commented the transfer of \$4,000.00 to law/clerk bailiff should be \$3,500.00 in order to bring the amount back to the original appropriation.

Mr. Waltz moved to approve the request and to change the transfer of \$4,000.00 to \$3,500.00 for the law clerk/bailiff line item. Mr. Mason seconded the motion that carried unanimously.

From: #132-301.0 – Professional Services	(\$ 59,500.00)
To: #132-114.0 – Law Clerk/Bailiff	\$ 3,500.00
To: #132-165.0 – Court Ordered Transcripts	\$ 10,000.00
To: #132-199.0 – Overtime	\$ 1,000.00
To: #132-391.0 – Jury Expenses	\$ 45,000.00

Judge Barton requested to allow the Court Reporter to leave the current position and work part-time between 15 to 22.5 hours per week at her current rate of \$14.97 per hour.

The request also included transferring the funds from the court reporter line item into the law clerk/bailiff to pay the hourly rate. The employee will be performing some of the same duties she is currently performing.

Mrs. Young asked what is the hourly rate for the law clerk/bailiff currently. Judge Barton responded the rate has been approved for \$10.00 per hour, however the position is vacant. He does have two employees working part-time for \$8.00 per hour but not as a law clerk/bailiffs.

Mrs. Young asked if adequate services are being performed at the \$8.00 per hour rate. Judge Barton responded "yes", for the type of work they are assigned to do.

Mr. Waltz moved to approve the request as presented.

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Mr. Mason asked if the position of Court Reporter would be replaced. Judge Barton responded “yes”, and lowering the salary from \$29,310.00 to \$28,000.00.

Mr. Dennis seconded the motion.

Discussion was held on allowing an employee to go part-time and still make the same hourly rate, as they were full-time.

Mr. Waltz commented the Council has allowed departments to make decisions concerning their personnel issues as long as the request is within the current budget. He feels that if Judge Barton feels that if it is within the best interest of his department he will support the request.

The motion failed with a three to three vote, Mr. Canary, Mrs. Young, and Mr. Mason voted nay.

Mr. Dennis moved to table the following request until the July Council Meeting.

#132-113.0 – Salary Court Reporter \$29,310.0 to \$28,000.00

Mr. Waltz seconded the motion that carried unanimously.

Judge Barton requested an increase in salary for the Assistant Court Reporter due to assuming greater responsibilities that was assigned to the Court Reporter.

Mr. Waltz commented he did not agree with this type of request because a portion of the additional funding is coming from travel & training.

Mrs. Young asked where would the additional funds come from in the year 2003 if approved. Judge Barton responded from the law clerk/ bailiff position and part-time.

Mr. Waltz moved to table the following request until the July Council Meeting.

#132-119.0 – Assistant Court Reporter \$22,500.00 to \$26,000.00	
From: #132-323.0 – Travel & Training	(\$ 1,500.00)
From: #132-113.0 – Court Reporter	(\$ 300.00)
To: #132-119.0 – Assistant Court Reporter	\$ 1,800.00

Mr. Mason seconded the motion that carried unanimously.

**COURTHOUSE/BUILDING SECURITY – (126)**

J. D. Richards, Sheriff, appeared to request an additional appropriation in the amount of \$2,500.00 for overtime. He explained the request is due to the recent State v. Shanabarger trial.

Mr. Waltz moved to approve \$500.00 for overtime. Mrs. Young seconded the motion that carried unanimously.

#126-199.0 – Overtime	\$ 500.00
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**JAIL – (124)**

Sheriff Richards requested an additional appropriation in the amount of \$5,000.00 for overtime and various shifting of funds in the Jail’s budget.

Mrs. Young suggested shifting of funds for the overtime request.

Mr. Waltz commented that when the additional correctional officers where approved the amount of overtime was suppose to decrease.

Sheriff Richards stated the increase is mostly due to employee turnover.

Mr. Canary asked if \$5,000.00 would be enough for the remainder of the year. Sheriff Richards responded “yes”.

Mr. Waltz moved to shift funds for the overtime request. Mrs. Young seconded the motion that carried unanimously.

From: #124-125.1 – Correctional Officer	(\$ 2,500.00)
From: #124-126.2 – Correctional Officer	(\$ 2,500.00)
To: #124-165.0 – Overtime	\$ 5,000.00

Sheriff Richards requested shifting of funds for operating supplies and professional services.

Mrs. Young noted that one of the requests is to shift \$40,000.00 from the food line item to operating supplies; she feels that there are not enough funds appropriated currently for food.

After some discussion, Mrs. Young moved to approve the request as presented. Mr. Mason seconded the motion that carried five to one, Mr. Waltz voted nay.

From: #124-255.0 – Prescription Medicines	(\$ 3,256.86)
To: #124-226.0 – Operating Supplies	\$ 3,256.86

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From: #124-309.0 – Hospital/Medical (\$ 10,000.00)  
To: #124-315.0 – Professional Services \$ 10,000.00  
From: #124-258.0 – Food (\$ 40,000.00)  
To: #124-226.0 – Operating Supplies \$ 40,000.00

**DRUG FREE COMMUNITY FUND – (331)**

Jane Blessing, representing the Johnson County Citizen's Against Substance Abuse, appeared to request appropriations for treatment, prevention, justice, and miscellaneous. She explained the funds are generated through an assessment of \$200.00 for driving under the influence (DUI) and drug offenders to address substance abuse issues. The recommendations were approved by the JCCASA in accordance with the Comprehensive Community Plan.

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

#331-310.0 – Treatment \$ 19,250.00  
#331-320.0 – Prevention/Education \$ 19,250.00  
#331-330.0 – Justice \$ 20,250.00  
#331-340.0 – Miscellaneous \$ 19,250.00

**COMMUNITY CORRECTIONS**

Deana McMurray, Community Corrections Director, appeared to request the salary approvals for their July 1, 2002 thru June 30, 2003 budget. She noted the Department of Corrections approved their budget for a 4% increase. She explained that everyone received a 2% salary increase with the exception of the office administrator's position.

Mr. Dennis moved to approve the salaries as requested. Mr. Waltz seconded the motion that carried unanimously.

**ADULT GRANT – (208)**

**Effective July 1, 2002**

#208-111.0 – Executive Director \$47,862.00 to \$48,819.00  
#208-112.0 – Assist. Director \$38,862.00 to \$39,639.00  
#208-113.1 – Office Admin \$30,292.00 to \$34,333.00  
#208-113.3 – Correctional Officer \$27,550.00 to \$28,101.00  
#208-115.0 – Correctional Officer \$26,237.00 to \$26,762.00

**COMMUNITY CORRECTIONS / ADULT PROJECT INCOME – (209)**

#209-110.0 – Correctional Officer \$27,550.00 to \$28,101.00  
#209-111.0 – Work Crew Assist \$26,237.00 to \$26,762.00  
#209-112.0 – Work Crew Superv. \$27,550.00 to \$28,101.00  
#209-113.0 – Correctional Officer \$24,988.00 to \$25,488.00  
#209-114.0 – Field Officer \$26,114.00 to \$26,636.00  
#209-115.0 – Field Officer \$27,420.00 to \$27,968.00  
#209-116.0 – Field Officer \$24,870.00 to \$25,367.00  
#209-118.0 – Correctional Officer \$24,988.00 to \$25,488.00  
#209-119.0 – Correctional Officer \$27,550.00 to \$28,101.00  
#209-120.0 – Correctional Officer \$22,664.00 to \$22,664.00  
#209-123.0 – Correctional Officer \$26,237.00 to \$26,762.00  
#209-125.0 – Correctional Officer \$24,923.00 to \$24,923.00  
#209-126.0 – Correctional Officer \$22,664.00 to \$22,664.00  
#209-129.0 – Day Reporting Coord \$30,531.00 to \$31,142.00  
#209-130.0 – Day Reporting Casemgn \$27,477.00 to \$28,027.00  
#209-131.0 – Day Reporting Casemgn \$24,923.00 to \$25,421.00  
#209-132.0 – Day Reporting Casemgn \$24,923.00 to \$25,421.00  
#209-133.0 – Casemanager \$27,477.00 to \$28,027.00  
#209-113.2 – Part-time rates \$10.97, \$12.10 \$15.38 \$7.00

**COMMUNITY CORRECTIONS / JUVENILE GRANT – (213)**

#213-111.0 – Juvenile Program Coord \$33,660.00 to \$34,333.00  
#213-112.0 – Juvenile Casemgn \$28,850.00 to \$29,427.00  
#213-113.0 – Juvenile Casemgn \$24,923.00 to \$25,421.00

**COMMUNITY CORRECTIONS / JUVENILE PROJECT INCOME – (216)**

#216-113.0 – Juvenile Casemgn \$27,477.00 to \$28,027.00  
#216-114.0 – Juvenile Casemgn \$24,923.00 to \$25,421.00  
#216-110.0 – Part-time rates \$12.00, \$11.19, \$9.56

**COMMUNITY CORRECTIONS / ALCOHOL & DRUG – (332)**

#332-110.0 – Coordinator \$33,660.00 to \$34,333.00  
#332-111.0 – Counselor \$27,693.00 to \$28,247.00  
#332-112.0 – Counselor \$29,076.00 to \$29,658.00

**VIII. OLD BUSINESS**

**Fees for Sheriff Sales (tabled from 5/13/02)**

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

## COUNTY COUNCIL REGULAR MEETING – JUNE 10, 2002- (Cont.)

### **Resolution to Purchase Real Property (#2002-03)**

Mr. Canary explained that at the May Council meeting the funds were approved for the purchase of land for the fairground entrance, however the resolution was not approved.

Mr. Mason moved to approve Resolution #2002-03. Mrs. Young seconded the motion that carried four to two, Mr. Dennis and Mr. Wright voted nay.

### **IX. NEW BUSINESS**

#### **2003 Budget Guidelines**

Mrs. Young suggested the following tax plan proposal:

- Eliminate the property tax rate that is financing the communication system and pay for it from the E-911 fund including a surcharge increase to cover the bond payment
- Adopt a Motor Vehicle/Wheel Tax to improve roads
- Reduce the Cumulative Capital Development Fund tax rate
- Adopt an Innkeepers Tax
- The Board of Commissioners review and consider Impact Fees
- Adopt an Economic Development Income Tax (EDIT) to use for the maintenance and repairs of bridges in order to decrease the Cumulative Bridge rate and increase the General Fund rate.

Discussion was held on the E-911 surcharge and how much of an increase it would take to cover the bond payment.

Mrs. Young noted that several line items will need to be addressed for next year. They are the Building Inspector that is in the Inspection & Testing Fund, increase in the Health Insurance line item, increase in the Care of Patients & Inmates line item, the purchase of vehicles from General Fund. She estimated the increase for the said line items to be approximately \$850,000.00.

Deborah Shutta, County Auditor, reviewed the Budget Year 2003 report with the Council. She noted the exact County Adjusted Gross Income Tax (CAGIT) distribution for 2003 would not be received until sometime in July.

Mr. Waltz commented the Board of Commissioners has stated their desire to remove the vehicles line item from the Cumulative Capital Development Fund. He suggested reducing the amount of the appropriation by either lengthening the time the county waits before buying other vehicles or reducing the number of vehicles, or both. He also noted that with the new salary compensation system the Council has allowed shifting of monies for salary increases through attrition, however smaller departments couldn't rely on attrition to compensate salaries. He feels an appropriate percentage of salary increase needs to be determined on the number of employees a department has.

Several Elected Officials and Department Heads expressed their thoughts, concerns, and frustrations on the 2003 budgets. They noted if salaries are frozen for next year then that should be for every department.

The Council discussed several options: one being a one to two percent salary increase and the other leaving budgets as approved for 2002.

After further discussion, Mr. Dennis moved to approve the following budget guidelines for 2003. He noted the legal advertisement should be higher than the actual budget incase the CAGIT distribution amount was higher than projected.

*Budgets remain the same for 2003 as approved for 2002 and the part-time and mileage rates remain the same as 2002.*

#### **2003 Budget Hearing Dates:**

- *First Reading/(Tuesday) August 20, 2002 - 9:00 a.m.*
- *Second Reading/(Wednesday) August 28, 2002 - 1:00 p.m.*
- *Date of Adoption/September 9, 2002 - 6:30 p.m.*

Mr. Waltz seconded the motion that carried unanimously.

Mrs. Young asked John P. Wilson, Council Attorney, to check if a resolution needs to be approved by the Council on right-of-way property purchased by the County.

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