

COUNTY COUNCIL REGULAR MEETING – MAY 13, 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 5/13/02 AGENDA

Mrs. Young moved to approve the agenda including the following addition:

-Old Business – Shifting of money from (#124-309.0) into the new line item for Safe Keeping of County Inmates (#124-392.0)

Mr. Canary noted that the Sheriff’s Department requested to table the Fees for Sheriff Sales until the June meeting.

Mrs. Young including the request for table in the motion. Mr. West seconded the motion that carried unanimously.

V. APPROVAL OF 4/1/02 & 4/8/02 MINUTES

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

VI. PUBLIC COMMENTS

There were no public comments.

VII. APPOINTMENTS:

Alcoholic Beverage Commission Board (ABC)

Mrs. Young moved to appoint David Pollard to the Alcoholic Beverage Commission Board (ABC) for 2002. Mr. Waltz seconded the motion.

Mr. Dennis commented that Richard (Dick) Huber, M.D. who is also interested in serving on the board is in attendance.

Mr. Huber appeared informing the Council of his interest on serving on the board.

The motion carried four to three, Mr. Mason, Mr. Dennis, and Mr. Wright voted nay.

VIII. JOHNSON COUNTY PUBLIC LIBRARY- CAPITAL PROJECTS FUND PUBLIC HEARING AND APPROVAL

Beverly Martin, Johnson County Public Library Director, appeared for the public hearing and to request the approval of the capital projects plan. The rate would not exceed .0167 per 100 of assessed valuation.

Mrs. Young moved to approve the Capital Projects Fund including the rate not to exceed .0167. Mr. Mason seconded the motion that carried unanimously.

IX. APPROVAL OF THE MOSQUITO CONTROL SERVICES AGREEMENT

John Bonsett, Health Director, appeared to request the approval of the interlocal agreement with the Marion County Health and Hospital Corporation. The Board of Commissioners has \$10,000.00 in their budget and the Health Department has \$1,000.00 for mosquito control.

Mr. Mason moved to approve the agreement as presented. Mr. Wright seconded the motion that carried unanimously.

X. SALARY ORDINANCE AMENDMENTS, ADDITIONAL REDUCTIONS, & TRANSFERS: APPROPRIATIONS,

TOBACCO FUND SETTLEMENT/HEALTH DEPT. – (463)

Louise Brinkman, Director of Nursing, appeared to request additional appropriations for operating supplies (\$5,000.00) and professional services (\$5,000.00). The \$5,000.00 for the operating supplies will be used for tobacco education materials (\$2,500.00) and the flu-shot program (\$2,500.00). The other \$5,000.00 would be sent to the St. Thomas Medical Clinic to help with medication and drug expenses for the indigent.

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

#463-210.0 – Operating Supplies \$ 5,000.00
#463-310.0 – Professional Services \$ 5,000.00

SUPERIOR COURT NO. 2 – (133)

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

From: #133-301.0 – Professional Services (\$ 1,000.00)
To: #133-215.0 – Office Supplies \$ 1,000.00

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BOARD OF COMMISSIONERS – (122)

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

From: #122-342.0 – Professional Liability & Casualty	(\$ 4,396.53)
To: #122-395.0 – Property Tax Assessments	\$ 4,396.53

CASA/GUARDIAN AD LITEM – (274)

Mr. Wright moved to approve the request as presented including the establishment of line item #274-114.0 (part-time) and an hourly rate not to exceed \$8.00.

Mrs. Young seconded the motion that carried unanimously.

From: #274-301.0 – Professional Services	(\$ 3,600.00)
To: #274-114.0 – Part-time (new) (\$8.00 per hour)	\$ 3,600.00

JUVENILE DETENTION CENTER – (140)

K. Mark Loyd, Circuit Court Judge, appeared to request the reduction of two line items (Youth Care Managers) to zero and an increase of salary for the Systems & Records Manager. He explained the reduction is due to the decrease in population of the juveniles, however he would like to keep the positions available in case the population increases. The positions are currently vacant. The increase in salary for the employee is based upon the completion of a Computer TIA A+ Certification.

Mrs. Young moved to approve the request as presented including the line items remain in tact and the salary for the Systems/Records Management position be \$26,000.00 effective October 1, 2002 upon the completion of the certification with documentation.

Mr. West noted that the reductions could be used to distribute the money for salary increases for other employees.

Mrs. Young commented due to the decrease in population the revenue for county general has decreased and feels the reductions is a way to offset the shortfall.

Mr. Mason seconded the motion that carried unanimously.

Mr. West commented he recently visited the Juvenile Detention Center and was immensely impressed with the facility and that 98% of the juveniles passed their GED test. He commended the director and the department on their efforts.

#140-115.2 – Youth Care Manager (-0-)	(\$ 22,705.00)
#140-123.7 – Youth Care Manager (-0-)	(\$ 21,598.00)
#140-114.2 – Systems & Records Management \$26,000.00	\$ 1,225.43

MARIJUANA ERADICATION – (333)

Mr. Canary explained that the Council eliminated the Weed Boards budget last year at the hearings and requested the funds be appropriated from Marijuana Eradication fund.

Mr. Mason moved to approve the requests as presented. Mr. Wright seconded the motion that carried unanimously.

#333-114.0 – Weed Scouts	\$ 3,800.00
#333-215.0 – Office Supplies	\$ 150.00
#333-322.0 – Postage	\$ 435.00
#333-323.0 – Travel & Training	\$ 1,900.00
#333-332.0 – Legal Advertising	\$ 115.00

JUVENILE ACCOUNTABILTY-COMM CORR.-(355)-tabled from 4/8/02

Judge Loyd appeared to request an additional appropriation in the amount of \$10,000.00 for professional services. He explained the funds would be used to implement a program for schools, sheriff's department, prosecutors, and Office of Family & Children to acquire and share information through a computer system on habitual juvenile offenders.

#355-310.0 – Professional Services	\$ 10,000.00
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Mr. Dennis moved to approve the request as presented. Mr. Mason seconded the motion that carried unanimously.

Judge Loyd explained that the Jail Management Committee as a sub-committee that's looking at the feasibility and viability of keeping the Offender Classification Monitor position. He asked for a representative from the Council to serve on the sub-committee.

Mr. West volunteered to serve on the sub-committee.

SUPPLEMENTAL JUVENILE PROBATION – (296)

Suzanne Miller, Chief Probation Officer, appeared to request additional appropriations for professional services and office equipment. She explained that they received funds through a grant from the Johnson County Citizens Against Substance Abuse and is requesting an appropriation for office equipment to purchase a Breathalyzer (\$4,500.00). The remainder of the funds would be used to purchase a new computer (\$1,238.00). The professional services amount is needed for drug screens (\$5,000.00).

She also requested an exception to the Travel Policy Ordinance to allow advance payment for lodging to secure a lower rate in an upcoming conference.

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

#296-310.0 – Professional Services	\$ 5,000.00
#296-410.0 – Office Equipment	\$ 5,738.00
-Exception to the Travel Policy Ordinance	

PRETRIAL DIVERSION PROGRAM – (286)

Michelle Murray, Prosecutor's Office Manager, appeared to request a temporary full time line item to cover the shortage in the Stop Grant. She also requested funds to pay for past grants that are due to the Indiana Criminal Justice Institute.

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

#286-116.0 – Legal Assistant/Paralegal \$22,418.00	\$ 4,467.00
#286-200.0 – Claims	\$ 1,846.14

PROSECUTOR DEFERRAL PROGRAM – (327)

Mrs. Murray requested an additional appropriation in the amount of \$1,000.00 to purchase books.

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

#327-220.0 – Books	\$ 1,000.00
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REGIONAL GANG GRANT – (295)

Mrs. Murray requested the approval for the Regional Gang Grant beginning April 1, 2002.

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

Mr. West asked if there is someone that is monitoring the effectiveness of this grant.

Mrs. Murray commented she did not have the information, however the deputy prosecutor being paid from the grant would have the information.

Mr. Waltz suggested that they provide a report to the Council at the Budget Hearings for 2003.

The motion carried unanimously.

#295-100.0 – Deputy Prosecutor \$50,000.00	\$ 50,000.00
#295-142.0 – Social Security	\$ 3,825.00
#295-143.0 – PERF	\$ 4,000.00
#295-144.0 – Insurance	\$ 3,077.00
#295-210.0 – Reimbursement to Marion County	\$ 57,850.00
#295-215.0 – Operating Supplies	\$ 1,600.00
#295-216.0 – Witness Fees	\$ 5,000.00
#295-310.0 – Travel & Training	\$ 2,198.00
#295-315.0 – Communications	\$ 1,600.00
#295-410.0 – Office Equipment	\$ 2,000.00
#295-415.0 – Vehicles	\$ 45,176.00

CUMULATIVE CAPITAL DEVELOPMENT – (254)

Fairgrounds Improvements (see 4/8/02 minutes)

Larry Vandenberg, Fair Board Member, appeared to request \$49,500.00 for the purchase of property for a new entrance to the Fairgrounds. He explained that at the last month's Council meeting the appraisals and resolution were not presented and now have been submitted to the Council.

Mr. Waltz commented he would like to know the proper procedure required for the purchase of property.

John P. Wilson, Council Attorney, responded after reviewing the statute he felt that the paper work (two appraisals and resolution) that has been submitted was within the required law.

Mr. Wright commented the appraisals are two years old and also feels the appraisers should be licensed by the State of Indiana.

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

Mrs. Young questioned the additional \$5,000.00 that has been requested based upon the amount at the last month's meeting.

Deborah Shutta, Auditor, responded the amount was increased at the Board of Commissioners' meeting for various expenses associated with the sale of the property.

Mrs. Young asked if there was an agreement with the Methodist Home to use the entrance for a future parking lot. She also asked if the entrance would be gated.

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Mr. Vandenberg responded that a few years ago that was discussed and at this time he is not aware of any type of agreement or future plans. He stated that they did not intend on gating the entrance.

Discussion was held on a connector road to Mallory Parkway and U.S. 31 for the Fairgrounds.

Mrs. Young asked what funds will be used to construct the road for the entrance. Mr. Vandenberg responded they would use the revenue the fair generates.

Mr. Wright commented the next request is for one million dollars for highway improvements and the Council also received a list on capital project expenditures to be paid from Cumulative Capital Development Fund. He feels that an entrance for the fairgrounds is not a priority at this time.

After further discussion the motion carried five to two, Mr. Wright and Mr. Dennis voted nay.

#254-430.2 – Fairgrounds Improvements \$ 49,500.00

Highway Improvements

John Price, Highway Director, appeared to request \$1,000,000.00 from the Cumulative Capital Development Fund for Highway Improvements. He presented the members with a breakdown of the following projects: road maintenance, paving deficits, right-of way acquisition and design for offset intersections and curve re-alignments. He stated the State decided to re-direct road monies to other sources and has placed a significant burden on all counties to maintain roadways. As they plan for offset intersections and curve re-alignments the right-of way costs continue to climb at a significant rate. They feel the need to acquire right-of-way now before costs increase. The design and right-of-way acquisition will be done in-house and construction completed as funding permits.

Mr. West commented that with just receiving the information he felt there needs to be additional time allowed to review the proposed intersections in person. Also, he would like to know how the county was operating before the two-year windfall and what type of provision was made to carry the county when the funds stopped. He feels the various types of taxes for roads should be reviewed. The use of Cum Cap funds for roads is putting the burden back on property tax owners to support road construction.

Mr. Mason moved to allow twenty minutes for discussion prior to a motion being made. Mr. Wright seconded the motion that carried unanimously.

Joe DeHart, County Commissioner, stated that the Board of Commissioners wanted to use one million of the two million dollars received from the Johnson Memorial Hospital for the sale of the road right-of-way to use for county roads offsets. He feels that using Cum Cap funds would be the only way to do this since the two million dollars is no longer available.

Mr. Mason asked if the funds are approved would the Board of Commissioners return next year for more money and would the million dollars be spent this year. Mr. DeHart responded he did not think the one million would complete everything.

Mr. Price stated the million dollars would not cover the total expense. He feels the county needs to plan and look for ways to fund this project every year.

Mr. Waltz commented he feels if the Board of Commissioners thinks this is a high priority for the county he would support the request.

Mr. Wright concurred with Mr. Waltz. Mr. Wright asked if the money were approved does the Highway Department have the manpower to do the work.

Mr. Price responded he feels the department should be able to do the work. He thinks the right-of-way, surveying, and engineering could be done this year.

Mr. Price noted that due to the recent rains he is estimating that repairs could be at least \$150,000.00 and with projected paving on the list the funds would be used up very quickly.

Mrs. Young stated she would like to have a detailed listing of how the one million dollars is going to be spent. She does not think that property owners should be paying for the additional money needed for roads. The Council needs to think about other alternative revenue sources. She thinks that every car on the road should help pay for the maintenance and construction of the roads.

Mr. Waltz commented he was not in favor of a wheel tax for the citizens of Johnson County. He would however consider a revenue neutral way to establish funds for roads.

Mr. West noted that if the county does not have some type of alternative revenue source for roads then how could this project for road offsets be done since the grand total is over eleven million dollars. He does not feel the county should go out and purchase all this right-of-way now in hopes that someday the project could be done. He feels that it is only prudent for the Council to spend at least 30 days to review the proposal.

Mr. Waltz moved to approve the request of one million dollars as presented. Mr. Wright seconded the motion.

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

Mr. Price stated that a portion of the one million dollars was going to be used for the emergency repairs due to the flooding.

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Mr. Waltz asked by waiting 30 days would this encumber the emergency repairs.

Mr. Price stated if he does not have the available sources he couldn't do the work.

Mr. West noted that the request was never construed as being needed for emergency repairs for the roads.

Mr. Price explained that he would use the money that has been appropriated for paving to use for the emergency repairs.

XI. OLD BUSINESS

Shifting of money from (#124-309.0) into the new line item for Safe Keeping of County Inmates (#124-392.0)

Mrs. Young moved to approve the following transfer:

From: #124-309.0 – Hospital & Medical	(\$ 10,000.00)
To: #124-392.0 – Safe Keeping of County Inmates	\$ 10,000.00

Mr. Mason seconded the motion that carried unanimously.

Report on the Supplemental Public Defenders Fund

Mr. Wilson reported that he met with the all the Judges, the Clerk, and the Auditor concerning the fund. The consensus was that the money collected would be receipted into the same fund, however the amount of money collected from each court would be kept separate for each court to use. The current \$6,000.00 that is in the fund should be divided evenly between the various courts.

Deborah Shutta, Auditor, explained that the Council could approve separate line items for each court at the next Council meeting. The Auditor and Clerk agreed that they would meet to discuss the fund.

Mr. Waltz commended their attorney, the Auditor, the Clerk, and the Judges for their efforts in coordinating the Supplemental Public Defenders Fund.

XII. NEW BUSINESS

Mrs. Shutta informed the Council that discussion of the 2003 Budget Guidelines needs to be addressed soon.

Mr. Canary suggested the next Council meeting for the discussion.

Mr. Canary reported that he would be serving on the Indiana Association of Public Health Officials panel in June.

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