

**COUNTY COUNCIL REGULAR MEETING – JUNE 9, 2003**

The meeting was called to order by Brent Waltz, President.

**I. ROLL CALL**

The following members were present: R.J. McConnell, Keith Wright, Paul Reed, Ron West, and Charles Canary. Richard Mason was not in attendance. John P. Wilson was also present as the Council's Attorney.

**II. PLEDGE OF ALLEGIANCE**

**III. INVOCATION**

**IV. APPROVAL OF 6/9/03 AGENDA**

Mr. Waltz requested the following amendments to the agenda:

-Add before item one, the Clerk's update of the voting machines

-Add to item seven, discussion of the Wheel Tax

Mr. Wright moved to approve the agenda with the amendments. Mr. Canary seconded the motion that carried unanimously.

**V. APPROVAL OF 5/12/03 MINUTES**

Mr. Wright made a motion to approve the minutes as presented. Mr. Reed seconded the motion that carried unanimously.

**VI. PUBLIC COMMENTS**

There were no public comments.

**VII. APPROVAL OF INSTALLMENT CONDITIONAL SALES CONTRACT FOR BARGERSVILLE COMMUNITY FIRE PROTECTION DISTRICT**

Mr. McConnell moved to approve the resolution as presented. Mr. Wright seconded the motion, which then unanimously carried.

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

**UPDATED REPORT OF VOTING MACHINES**

Brenda Jones-Matthews, Clerk, appeared to give an updated report pertaining to the voting machines. She gave the Council members copies of the new legislation that is in accordance with the Help America Vote Act. Mrs. Jones-Matthews expressed that the State of Indiana needed to be in compliance with the new voting machines by November 2004. She also stated that there might be a waiver that would allow the deadline to be extended until 2006; however, this is was only a possibility not a fact.

The total cost for all of the equipment is about two million dollars. Mrs. Jones-Matthews explained that the federal government has appropriated funds that will help reimburse the counties with this mandate, but an application needs to be filed and requirements met.

She has talked with the Commissioners about the possibility of leasing equipment or bonding for equipment and is currently working on getting figures for those options. She noted that she would be asking to be on the agenda for July and commented she would like to implement the new machines by November of this year because it is a small election, a municipal election, and it would help the new Clerk.

Mr. Canary moved to approve the following requests as presented:

**COUNTY SURVEYOR PERPETUATION FUND – (269)**

From: #269-410.0 – Equipment	(\$	127.29)
To: #269-110.0 – Surveyor	\$	127.29

**EMERGENCY MANAGEMENT – (127)**

From: #127-215.0 – Office Supplies	(\$	500.00)
From: #127-275.0 – Emergency Funds	(\$	500.00)
From: #127-362.0 – Equipment Repair & Maintenance	(\$	500.00)
To: #127-410.0 – Equipment	\$	1,500.00

**CIRCUIT COURT – (131)**

From: #131-131.1 – Assistant Court Reporter	(\$	6,500.00)
To: #131-114.0 – Part Time Clerical	\$	6,500.00

**TITLE IV-D JUVENILE COURT – (137)**

From: #137-312.0 – Equipment Repair & Maintenance	(\$	1,300.00)
To: #137-114.0 – Part Time	\$	1,300.00

**COOPERATIVE EXTENSION SERVICE – (116)**

#116-112.4 – Part Time (Work-Study Program)	\$	1,950.00
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Mr. Reed seconded the motion that carried unanimously.

**COUNTY COUNCIL REGULAR MEETING – JUNE 9, 2003 – (Cont.)**

**JUVENILE DETENTION CENTER – (140)**

Mr. Reed moved to table the request until further information could be obtained. Mr. Canary seconded the motion that carried unanimously.

**CUMULATIVE CAPITAL DEVELOPMENT – (254)**

Joe DeHart, Commissioner and John Price, Highway Director, appeared to explain the need for the requested additional appropriation. Mr. Price stated that the funds would be used for maintenance and repairs for county roads. He noted that after an assessment of damages done to the roads, based on the need of the most repairs at this time, the figure amounted to \$3,900,000.00. Since that type of money is not available, another assessment was done and reduced the figure to approximately \$1,300,000.00. That amount would include about \$585,000.00 from the Local Roads & Streets Fund, the \$500,000.00 that was transferred from Cumulative Capital Fund last month and the additional \$250,000.00 requested, it would equal about 27.21 miles of road being repaired.

Discussion was held on the amount of additional revenue that the bridge fund may receive due to reassessment and how that could reduce the general funds levy.

Mr. West questioned the figures that Mr. Price presented. Mr. Price replied that the amounts not only reflect the new material or amount of miles, it also includes all the work that is done before the new material can be implemented. Discussion was held concerning the fees associated with repairing and maintaining the county roads.

Mr. McConnell asked Mr. Price if he could get what it would cost over a reasonable period of time to bring the roads up to standard and then how much it would cost on an ongoing basis to keep them that way. Mr. Price agreed.

Mr. McConnell moved to approve the request as presented. Mr. Canary seconded the motion that carried, five to one; Mr. West voted nay.

#254-408.0 – Highway Improvements \$ 250,000.00

**REGIONAL GANG GRANT – (295)**

Mr. Canary moved to approve the transfer as requested. Mr. Reed seconded the motion, which carried unanimously.

From: #295-216.0 – Witness Fees (\$ 645.00)  
To: #295-410.0 – Office Equipment \$ 645.00

**PRETRIAL DIVERSION PROGRAM – (286)**

Lance Hamner, Prosecutor, appeared to answer any questions regarding his request. Mr. McConnell asked what the Professional Services appropriation was for. Mr. Hamner responded that it was for a civil attorney for their office. Mr. Canary then asked if this would be a one-time thing. Mr. Hamner replied “yes”.

Mr. Reed made a motion to approve the transfer and additional appropriation as requested, and to set an hourly rate of \$20.00. Mr. McConnell seconded the motion that carried unanimously.

From: #286-114.2 – Practicing Intern (\$ 5,400.00)  
To: #286-114.4 – Part Time Computer Technician (\$20.00) \$ 5,400.00

#286-343.1 – Professional Services \$ 515.50

**FORFEITURE & SEIZURE – (312)**

Mr. Hamner noted that the money was already available; it just needed to be appropriated. Mr. Canary asked if the vehicle is part of the Fleet Management Program. Mr. Hamner answered “yes”.

Mr. Reed moved to approve the appropriation as requested. Mr. Canary seconded the motion, which unanimously carried.

#312-415.0 – Vehicles \$ 22,000.00

**JUVENILE DETENTION CENTER – (140)**

At this time, Jim Higdon, Juvenile Detention Center Director appeared to answer questions regarding his requests. The Council had previously tabled the request. Mr. McConnell moved to remove the request from being tabled. Mr. Canary seconded the motion that carried unanimously.

Mr. Higdon stated that he was asking for a transfer from the Head Cook to the Cook’s position. Mr. Wright asked if that would be a permanent reduction. Mr. Higdon responded “yes”. Mr. Canary asked why the other line items were being increased. Mr. Higdon stated that the starting salary is \$24,175.00 and these four people were being paid less than that; therefore he wanted to bring their salaries up to be fair. He also commented the increase was being transferred from another salary line item of an employee who recently left employment and was making more money.

Mr. West made a motion to approve the transfers as requested. Mr. McConnell seconded the motion that carried unanimously.

From: #140-119.0 – Head Cook (\$ 1,000.00)  
To: #140-119.2 – Cook \$23,930.00 to \$24,930.00 (5/1/03) \$ 1,000.00  
From: #140-123.8 – Youth Care Manager (\$ 1,116.00)  
To: #140-122.1 – Youth Care Manager \$23,792.00 to \$24,175.00 \$ 383.00  
To: #140-122.6 – Youth Care Manager \$24,000.00 to \$24,175.00 \$ 175.00

**COUNTY COUNCIL REGULAR MEETING – JUNE 9, 2003 – (Cont.)**

To: #140-122.7 – Youth Care Manager \$23,792.00 to \$24,175.00 \$ 383.00  
To: #140-124.5 – Youth Care Manager \$24,000.00 to \$24,175.00 \$ 175.00  
(effective 1/1/03)

**SOIL & WATER – (130)**

Bill Kirklin, Chairman of the Soil & Water Conservation District, and Bob Weaver, Supervisor and District Program Coordinator, appeared before the council to explain their requests. The first request was that \$1,780.00 be appropriated into their part-time line item. They were unaware that they should have encumbered the last payroll of 2002 that would be paid in 2003.

Mr. Kirklin also stated that the raises for all employees (\$2,000 for department heads and \$500 for all others) that were approved for the 2003 budget were not put into their line items. Deborah Shutta, Auditor, noted that the Council made an exception for Soil & Water during second reading. Mr. Canary read aloud transcribed minutes from the 2003 budget hearings second reading for their department:

**SECOND READING BUDGET HEARINGS 2003**  
**SOIL & WATER**

***Motion:** Mr. Mason moved to reduce the proposed salaries back to the 2002 amounts and allow the \$2,000.00 increase for the District Program Coordinator. Mr. Wright seconded the motion that failed with a three to four vote; Mr. Canary, Mr. Waltz, Mr. West and Mr. Dennis voted nay.*

***Motion:** Mr. West moved to approve the budget as presented for 2003. Mr. Waltz seconded the motion.*

***Discussion:** Mrs. Young commented the Council has not allowed other departments to use part-time and overtime to increase salaries and Soil & Water is allowed too.*

***Vote:** The motion carried with a five to two vote; Mr. Wright and Mr. Dennis voted nay.*

***Question:** Does the District Program Coordinator receive the additional \$2,000.00 also? The answer was no. Do the employees receive the \$500.00 increase? The answer was no.*

***Discussion:** Mrs. Young stated the blanket motion was that all employees are to receive the additional money over and above the approved salary. Mr. Dennis commented the majority of the Council made an exception for this department to allow part-time and overtime for salary increases. The Council asked Mr. West to define his motion.*

***Definition:** Mr. West stated the motion was to approve the budget as originally requested without the additional raises (\$2,000.00 & \$500.00)*

Mr. McConnell made a motion to approve the \$1,780.00 for part-time. Mr. Canary seconded the motion that failed due to a vote of three to three; Mr. Wright, Mr. Reed, and Mr. Waltz all voted nay.

**SHERIFF – (105) & JAIL – (124)**

Sheriff Terry McLaughlin appeared to request the following transfers, reductions and additional appropriations:

From: #105-114.4 – Sergeant	(\$ 1,925.50)
To: #105-118.1 – Deputy	\$ 59.93
To: #105-128.9 – 911 Coord. /Dispatcher	\$ 830.60
To: #105-163.1 – Part Time Data Entry	\$ 1,034.97
From: #105-113.7 – Lieutenant	(\$ 797.50)
To: #105-163.1 – Part Time Data Entry	\$ 797.50
From: #105-114.6 – Sergeant	(\$ 171.64)
To: #105-163.1 – Part Time Data Entry	\$ 171.64
From: #105-114.9 – Sergeant	(\$ 2,100.00)
To: #105-163.1 – Part Time Data Entry	\$ 1,000.00
To: #105-162.0 – Part Time Dispatch	\$ 1,100.00

**Reduction:**

#124-126.4 – Correctional Officer (\$ 2,067.36)

**Additional:**

#105-127.4 – Claims Clerk/Receptionist \$ 2,067.36

#105-127.3 – Civil Process Clerk to Investigative Secretary (effective 5/29/03)

#105-127.2 – Investigative Secretary to Civil Process Clerk (effective 5/29/03)

Sheriff McLaughlin noted that the additional appropriation is to pay off vacation and sick/personal time for two employees that are no longer employed with the county. Mr. West inquired about the number of days that the pay was equivalent to. Sheriff McLaughlin stated he did not have that information with him but he could get it.

Mr. Reed made a motion to approve the requests as presented with the title changes. Mr. Canary seconded the motion that carried unanimously.

**DRUG FREE COMMUNITY FUND – (331)**

Richard Huber, a volunteer with Johnson County Citizen's Against Substance Abuse (JCCASA) was present to review with the Council the handout regarding the July 1, 2003 to June 30, 2004 Drug Free Community Fund programming recommendations. Mr. Huber stated that the courts assess fees for certain alcohol and drug related offenses; seventy-five

**COUNTY COUNCIL REGULAR MEETING – JUNE 9, 2003 – (Cont.)**

percent of the funds stay within the county and the remaining twenty-five percent goes to the state. Each year a committee accepts grant requests for the monies. The state requires that twenty-five percent of available funds go into each of the following three categories: treatment, prevention/education, and justice. The remaining twenty-five percent can go into whatever they choose.

Mr. Wright asked if any follow up was done to ensure that the monies were used for the intended purposes. Mr. Huber replied that twice a year a report is submitted stating how the money was spent and once a year they must appear before the membership council and tell them what they have been doing. If they want to apply for a grant the following year, they have to appear before the council again, at which time the council could ask more questions about how the funds were used.

Mr. Wright moved to approve the request as presented. Mr. McConnell seconded the motion, which carried unanimously.

#331-310.0 – Treatment	\$ 29,593.00
#331-320.0 – Prevention/Education	\$ 47,213.00
#331-330.0 – Justice	\$ 35,914.00

Mr. Huber also brought to the Council's attention the proper etiquette of how to display the American Flag.

**ADULT GRANT – (208)**

Deana McMurray, Executive Director, appeared before the Council to address any questions they may have. Mr. Waltz questioned the reduction of salary in line item

#208-113.3 – Correction Officer and the fairly big increase of salary in line item  
#209-133.0 – Case Manager.

Ms. McMurray stated that an employee, who had been with the county for a significant amount of time, resigned/retired and a new person was hired at a lower salary (#208-113.3). The increase in salary for line item #209-133.0 was for an employee that has been for working full time hours at part-time pay for the last several years and recently was able to be put into a full time line item. Ms. McMurray also reminded the Council that their departments are six months behind the other departments in the county.

Mr. Canary made a motion to approve the following requests as presented. Mr. Reed seconded the motion that carried unanimously.

Effective July 1, 2003

#208-111.0 – Executive Director \$48,819.00 to \$49,319.00  
#208-112.0 – Assist. Director \$39,639.00 to \$40,139.00  
#208-113.1 – Office Admin \$34,333.00 to \$34,833.00  
#208-113.3 – Correctional Officer \$28,101.00 to \$22,664.00  
#208-115.0 – Correctional Officer \$26,762.00 to \$27,262.00

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

#209-110.0 – Correctional Officer \$28,101.00 to \$28,601.00  
#209-111.0 – Work Crew Assist \$26,762.00 to \$27,262.00  
#209-112.0 – Work Crew Superv. \$28,101.00 to \$28,601.00  
#209-113.0 – Correctional Officer \$25,488.00 to \$25,988.00  
#209-114.0 – Field Officer \$26,636.00 to \$27,136.00  
#209-115.0 – Field Officer \$27,968.00 to \$28,468.00  
#209-116.0 – Field Officer \$25,367.00 to \$25,867.00  
#209-118.0 – Correctional Officer \$25,488.00 to \$25,988.00  
#209-119.0 – Correctional Officer \$28,101.00 to \$22,664.00  
#209-120.0 – Correctional Officer \$22,664.00 to \$22,664.00  
#209-123.0 – Correctional Officer \$26,762.00 to \$27,262.00  
#209-125.0 – Correctional Officer \$24,923.00 to \$23,617.00  
#209-126.0 – Correctional Officer \$22,664.00 to \$22,664.00  
#209-129.0 – Day Reporting Coord \$31,142.00 to \$31,642.00  
#209-130.0 – Day Reporting Casemgn \$28,027.00 to \$28,527.00  
#209-131.0 – Case Manager \$25,421.00 to \$26,668.00  
#209-132.0 – Case Manager \$25,421.00 to \$25,921.00  
#209-133.0 – Case Manager \$28,027.00 to \$32,500.00  
#209-113.2 – Part-time rates \$10.97(work crew sup. & CO's) \$12.10 (CO's)

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

#213-111.0 – Juvenile Program Coord \$34,333.00 to \$34,833.00  
#213-112.0 – Juvenile Casemgn \$29,427.00 to \$29,927.00  
#213-113.0 – Juvenile Casemgn \$25,421.00 to \$25,921.00

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

#216-113.0 – Juvenile Casemgn \$28,027.00 to \$28,527.00  
#216-114.0 – Juvenile Casemgn \$25,421.00 to \$25,921.00  
#216-110.0 – Part-time rates \$9.37 (School Aide) \$10.97 (Case Manager)

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

#332-110.0 – Coordinator \$34,333.00 to \$34,833.00	\$ 17,416.50
#332-111.0 – Counselor \$28,247.00 to \$28,747.00	\$ 14,373.50
#332-112.0 – Counselor \$29,658.00 to \$27,693.00	\$ 13,846.50
#332-142.0 – FICA	\$ 3,492.00
#332-143.0 – PERF	\$ 3,651.00
#332-144.0 – Insurance	\$ 1,500.00

## **COUNTY COUNCIL REGULAR MEETING – JUNE 9, 2003 – (Cont.)**

### **DISCUSSION OF COUNTY WHEEL TAX**

Mr. DeHart appeared on behalf of the Commissioners to ask for the Council's help in setting up a public meeting to discuss revenue options that will help fund the maintenance of roads and infrastructure.

Mr. Waltz expressed thanks and appreciation for the Commissioners for working with the Council on the different matters within the county. He commented that although the body of the Council agreed that the Wheel Tax was not a solution at this time, it could be brought up for consideration again in the future. He also asked if it would be collectively appropriate to hold a special meeting on this issue.

Commissioner DeHart stated the roads need to be updated and the cost is only going to get higher and the conditions of the roads are going to get worse. Therefore, he would like to have a meeting where someone would be present to give more accurate figures for the different scenarios that occur while repairing the roads. Mr. Waltz concurred that more discussion should be held regarding road repair and infrastructure, whether it should be done at a special meeting or a regular meeting is the question. Discussion was held concerning if and when a meeting should be held.

Mr. Waltz asked if the Commissioners could give some type of outline that would be held during this meeting so that everyone could do some research and try to be prepared. Mr. Rhoades, Commissioner, stated that the meeting would basically be for everyone to share ideas and hopefully come up with a solution. Mr. West suggested that the meeting be nothing more than a "fact finding meeting" and no votes would be taken.

Mr. Wright expressed that there is a lot of information that needs to be researched and questions answered; all of which will take time. He feels like everyone needs to keep everything positive and work together to solve the problem. Mr. DeHart stated that Cumulative Capital money is being used this year and probably most of next year; then unless the state helps out, something will need to be in place to help with funding, which is what the Commissioners are proposing.

After a caucus was held by the three Commissioners, Mr. DeHart presented the Council with an option that they would like to have considered. He stated that they would get a bond, which would allow a large amount of money to be available. The money would be used to contract with paving companies to pave large miles of roads within the next few years. The costs for hiring these companies and exactly how many miles of road have not been calculated yet. The Commissioners are proposing that a Wheel Tax be implemented, for a specified period of time, to help pay for the bond. At that point, reconsideration can be made for alternative sources of revenue.

Mr. Waltz asked that the Council members withhold any comments or judgment until more data is gathered and an analysis made. Mr. DeHart stated that he would like to see action taken soon so that money would be available within two years. Discussion was held again on when a special meeting should be held; before or after July 1<sup>st</sup>, 2003. Mr. West made a motion to have a "fact finding only" meeting at the earliest convenience for all involved. President Waltz stated he would not accept the motion because it was too broad and did not give the rest of the Council a directive. Since no other motion was made, Mr. Waltz volunteered to coordinate a meeting that would be best suitable for most people. Mr. West added that if Mr. Price could provide the Council members with some figures pertaining to the roads and mileage at his earliest convenience, it would better prepare them for the meeting.

### **IX. OLD BUSINESS**

#### **County Revenue Fees**

Mr. West reported that he had talked with each department regarding the fees charged within their department and which fees are mandated. Mr. West handed to each Council member a list of fees associated with each department. He suggested that they look it over and perhaps some increases could be made during budget hearings. He noted that some departments want to use the money generated from the fees for salaries.

### **X. NEW BUSINESS**

#### **2004 Council Budget**

Mr. Waltz read aloud the proposed 2004 Council budget. There were no changes made from the 2003 budget. Mr. Canary moved to approve the budget as read; Mr. Reed seconded the motion. The motion carried unanimously.

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