

## **COUNTY COUNCIL REGULAR MEETING – APRIL 11, 2005**

The meeting was called to order by President, Ron West.

### **I. ROLL CALL**

The following members were present: Charles Canary, Paul Reed, Richard Mason, Josh McCarty, John Price, and Steve Hollenbeck. John Phil Wilson was present as the Council's attorney.

### **II. PLEDGE OF ALLEGIANCE**

### **III. INVOCATION**

### **IV. APPROVAL OF 4/11/05 AGENDA**

Mr. Mason moved to approve the agenda as presented. Mr. McCarty seconded the motion that carried unanimously.

### **V. APPROVAL OF 3/14/05 MINUTES**

Mr. Reed moved to approve the minutes as presented. Mr. Price seconded the motion that carried unanimously.

### **VI. PUBLIC COMMENTS**

Mr. West noted public comments concerning the wheel tax would be allowed under "Old Business" during the proposed ordinance. There were no other public comments.

### **VII. JOHNSON COUNTY PUBLIC LIBRARY – LIBRARY CAPITAL PROJECTS**

Beverly Martin, Johnson County Public Library Director, appeared to share information about the Library Capital Projects Fund. She explained if a library board passes a resolution to adopt a plan, within ten days after passage of the resolution, the board should transmit a certified copy of the plan to the fiscal body. The fiscal body shall hold a public hearing on the plan within thirty days after receiving the copy of the plan for approval. This will be the eleventh year for the Capital Projects Fund. She will return in May at their regular Council meeting for approval from the Council.

### **VIII. ORDINANCE – TAX ANTICIPATION WARRANTS FOR 2005**

Brenda Jones-Matthews, Auditor, explained the proposed ordinance before the Council would allow her to borrow funds from an outside source for the last six months of the year. The council approved the same ordinance at the end of last year for 2005, however by paying the borrowed amount off in six months and reissuing for the last six months will save the county money in interest.

Tim Holmes, from Public Finance, appeared explaining because of how the county receives revenue every five and six months, this will allow for the needed cash flow.

The warrant that was accepted in January may be paid off early without any penalties. He noted by paying off the loan in May and June and reissuing in July will save the county approximately \$35,000 in interest. He does anticipate the interest to be up from the current rate of 2.5%.

Mr. Canary moved to approve Ordinance #2005-01- Tax Anticipation Warrants as presented. Mr. Hollenbeck seconded the motion that carried unanimously.

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

**WIC – (215)**

Mr. Canary noted that he spoke with the Wic Director and she was not able to attend the meeting. He explained the request is to change the title of the office manager to clinic assistant with no change to the salary.

Mr. Canary moved to approve the request as submitted. Mr. Hollenbeck seconded the motion that carried unanimously.

215-113.0 – Office Manager to Clinic Assistant

**SHERIFF – (105)**

Terry McLaughlin, Sheriff, appeared to request a title change and an additional appropriation of \$318.51 for overtime. He explained the overtime request is for their participation in the Big City County Grant. The funds have been transferred from the BCC Grant into general fund.

Mr. McCarty moved to approve the requests as submitted. Mr. Price seconded the motion that carried unanimously.

105-127.4 – Claims Clerk to Sheriff Sale Clerk

105-165.0 – Overtime \$ 318.51

**HIGHWAY MAINTENANCE & REPAIR – (204)**

Don Sanders, Highway Director, appeared to request an additional appropriation in the amount of \$60,375.94 to repair some equipment (chipper box, roller, and distributor). He noted the funds reverted back to the Highway Fund at the end of 2004.

After some discussion, Mr. Mason moved to approve the request as submitted. Mr. Reed seconded the motion that carried unanimously.

204-331.0 – Vehicle Repair & Maintenance \$ 60,375.94

Mr. Sanders withdrew the request from the Cumulative Bridge Fund for the part-time senior designer at \$15.00 per hour.

**CUMULATIVE CAPITAL DEVELOPMENT – (254)**

Mr. Canary moved to approve the additional appropriation of \$22,928 into Highway Improvements because the amount was transferred from this line item last month to purchase a generator for the Annex.

Mr. Price seconded the motion that carried unanimously.

254-408.0 – Highway Improvements \$ 22,928.00

Larry Vandenberg, Fairboard Member, appeared to request an additional appropriation in the amount of \$46,000 for fairground improvements. He explained the money is needed for repairs of the live stock facilities (hog and cattle barn). He noted the barns were built in 1957. The cattle barn roof estimate is \$41,000 and the remainder of funds is for the hog barn roof.

Mr. Reed stated he feels with the financial situation of the county he asked if this could wait for another year.

Mr. Vandenberg replied the fairboard is doing several improvements themselves and the roofs will only get worse with higher quotes.

Mr. McCarty moved to approve the request as submitted. Mr. Price seconded the motion that carried six to one, Mr. Reed voted nay.

254-430.2 – Fairgrounds Improvements \$ 46,000.00

**CLERK – (101)**

Jill Jackson, Clerk, appeared to request a transfer of funds from line item 101-113.0 into seven full time line items for salary increases in the amount of \$4,606 and \$30 for part-time. She reduced the salary of 101-113.0 for a new hire.

Mr. Price moved to approve the requests as submitted. Mr. Hollenbeck seconded the motion.

Mr. Canary noted this has been done in the past, however there are several departments that will not be able to transfer funds for salary increases. He feels this needs to be addressed at budget time showing who has received salary increases.

Mr. Mason commented the Clerk appeared before the Council last year wanting part-time money and she is only transferring \$30 into part-time and giving the rest for salary increases. He could perhaps consider this request if a position was being eliminated.

Mr. Reed stated if a raise cannot be given to everyone then he will not approve the request.

The motion carried five to two, Mr. Mason and Mr. Reed voted nay.

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| From: 101-113.0 – Deputy Clerk                          | (\$ 4,606.00) |
| To: 101-112.0 – Chief Deputy Clerk \$32,160 to \$33,500 | \$ 1,340.00   |
| To: 101-113.3 – Deputy Clerk \$27,956 to \$28,500       | \$ 544.00     |
| To: 101-113.4 – Deputy Clerk \$22,542 to \$23,500       | \$ 958.00     |
| To: 101-113.7 – Deputy Clerk \$23,501 to \$24,000       | \$ 499.00     |
| To: 101-113.9 – Deputy Clerk \$23,601 to \$24,000       | \$ 399.00     |
| To: 101-114.0 – Clerical Assistants                     | \$ 30.00      |
| To: 101-115.0 – Deputy Clerk \$25,163 to \$25,500       | \$ 337.00     |
| To: 101-115.1 – Deputy Clerk \$23,501 to \$24,000       | \$ 499.00     |

**REGIONAL GANG GRANT – (270)**

Lance Hamner, Prosecutor, appeared to request approval for the grant period from 4/1/05 thru 3/31/06.

Mr. Reed moved to approve the request as presented. Mr. Hollenbeck seconded the motion that carried unanimously.

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| 270-100.0 – Deputy Prosecutor              | \$ 50,000.00 |
| 270-142.0 – Social Security                | \$ 3,825.00  |
| 270-143.0 – PERF                           | \$ 4,000.00  |
| 270-144.0 – Insurance                      | \$ 4,353.20  |
| 270-210.0 – Reimbursement to Marion County | \$ 57,300.00 |
| 270-216.0 – Witness Fees                   | \$ 3,000.00  |
| 270-310.0 – Travel/Training                | \$ 2,200.00  |
| 270-315.0 – Communications                 | \$ 2,000.00  |
| 270-410.0 – Office Equipment               | \$ 6,242.80  |
| 270-415.0 – Vehicles                       | \$ 43,405.00 |

**PROSECUTOR DEFERRAL PROGRAM – (327)**

Mr. Hamner requested approval for two new part-time employees, an intern and legal secretary. Also, a new investigator with an annual salary of \$40,000.00 and money to help pay deputy prosecutor's student loans in the amount of \$20,000.00. He explained they have had only one investigator for approximately ten years and the individual spends most of his time working with the child support division. The student loan forgiveness is to help the deputy prosecutors with their huge debts of loans that range from \$60,000.00 to \$100,000.00 per prosecutor. The distribution of the student loan money will probably be around \$2,000.00 per prosecutor. He feels this would help keep them working for the county. The part-time legal secretary is needed because of the tremendous workload.

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

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| 327-111.1 – Intern (\$11.00)                   | \$ 15,000.00 |
| 327-111.2 – Investigator                       | \$ 40,000.00 |
| 327-110.4 – Part-time Legal Secretary (\$8.00) | \$ 10,000.00 |

327-111.3 – Student Loan Forgiveness

\$ 20,000.00

**PROSECUTING ATTORNEY – (108)**

Mr. Hamner requested a new paralegal position with an annual salary of \$25,000.00. He explained that six months ago the Indiana Supreme Court required a non-funded mandate that stated all documents that have confidential information must be kept on green paper and a duplicate made with white paper excluding all confidential information. This position would be handling the new paper requirement.

Mr. Mason asked if this position could be funded from one of the Prosecutor’s discretionary funds.

Mr. Hamner responded he could fund the position from the Deferral Program. He will return next month for approval.

The request died for lack of a motion.

**FORFEITURE & SEIZURE – PROSECUTOR – (312)**

Mr. Hamner requested \$6,000.00 to purchase two police radios for their vehicles.

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

312-415.0 – Vehicles (equipment)

\$ 6,000.00

**NEW BUSINESS**

**Sonoco Flexible Packaging – Compliance with Statement of Benefits Approval**

Mr. Canary moved to approve the Compliance with Statement of Benefits as submitted. Mr. Mason seconded the motion that carried with six votes. Mr. Reed abstained.

**OLD BUSINESS**

**Ordinance of the Johnson County Council Authorizing the Imposition of an Annual License Excise Surtax and a Wheel Tax (LOHUT)**

The following individuals spoke in regards to the proposed ordinance.

Charles Henderson – City of Greenwood’s Mayor stated the City of Greenwood’s Council approved a resolution #05-05 with a vote of four to two in support of the Local Option Highway Users Tax (LOHUT). He also personally supports LOHUT for the county. He spoke of the loss of revenue the City of Greenwood has lost in Local Road & Street in the past years.

Bill Heller – White River Township resident spoke in favor of the tax.

Marty Chitwood – Greenwood City resident spoke against the tax. She would like to see an impact fee established.

Peggy Reed – White River Township resident spoke against the tax. She does not feel the distribution of such a tax is balanced between the county (40%) and municipalities (60%) fairly.

Dave Pollard – White River Township resident spoke in favor of the tax.

Chet Aubin - Representing the Johnson County Development Corporation related the Corporation passed a resolution recommending the passage of the tax for the purpose of economic development.

Forrest Chambers – White River Township resident spoke against the tax. He feels the heavy trucks are ruining the county's roads. He is also in favor of impact fees.

Steve Powell – White River Township resident spoke in favor of the tax. He noted the longer the county waits to repair the roads the longer it will take.

Mike McCarthy – Representing the Town of Bargersville related the Town supports and recommends enacting the tax.

Mitch Ripley – Johnson County Commissioner related he just received a resolution from the City of Franklin stating they are in full support of the tax. He as a Commissioner is also in support of the tax.

Chris Kinnett – Johnson County Development Corporation also related the Corporation is in favor of the tax. He personally is in favor of the tax.

J.P. Renner – Representing the Town of Princes Lakes related the Town is not in support of the tax. Representing the Johnson County Senior Services he related the tax would be a hardship for the senior citizens.

Art Barr – White River Township resident spoke against the tax. He would like to see the county enact an impact fee.

Genevieve Worsham – Greenwood resident spoke against the tax.

R. J. McConnell – Johnson County Commissioner spoke in support of the tax. He noted the county does not have the option of a gas tax. He asked if not this type of tax then what and if not now then when.

Mr. West thanked everyone in attendance and everyone that spoke. Mr. West asked for comments from the Council.

Paul Reed – He related the Town of Edinburgh does not support the tax. He noted the county has approximately 922 miles of roads and 616 miles are unincorporated and the county's responsibility. The county would receive only 49% of the revenue of the tax to

maintain 616 miles of roads and the remainder to the municipalities for 306 miles of roads. White River Township and Pleasant Township has 70% of the population of Johnson County. He noted several subdivisions in White River need repair however a lot of them are outside Greenwood City.

Charles Canary – He noted he has not received many phone calls from individuals in regards to the tax. However, he did receive a letter in full support of a wheel tax. He commented if this tax is not approved then what type of plan is there. He noted he would personally pay approximately \$180 each year for this tax, however a realignment of a truck costs \$188.

Richard Mason – He expressed concern of how the wheel tax would be used if approved. He is in favor of an impact fee and has been for several years. He would like some reassurance the tax would be eliminated at some point if it were approved. At this time he could not support such a tax.

Josh McCarty – He commented that due the state of the economy and the prices of gasoline he does not feel another tax should be implemented to the citizens of Johnson County. He feels the general fund is the highest priority at this time. After reviewing some of the projected revenue of funds for the year 2005 he feels some of the money could be used for maintaining the roads without approving the tax.

Ron West – He noted he reviewed the highway's annual reports from 1996 thru 2003 and compiled a spreadsheet for each member to review. He explained at the end of 2003 the Motor Vehicle Highway and Local Road & Street funds have a cash on hand balance of approximately \$3.5 million. He also reviewed the excise tax collections the county receives. He noted he tried to obtain that amount of gasoline tax that is collected in Johnson County from the State of Indiana to see if we are receiving our share, however he was not able to obtain the information. The reason is because the distributor pays the tax and he charges the oil companies. He feels the county should use approximately \$1.4 million of the surplus funds available to use on the roads.

John Price – He stated the surplus funds that the highway has needs to be used to match the federal funds money for road projects. Major road projects cost several thousands of dollars and can take several years to complete. If the surplus funds are used, the county will not be able to receive federal money. He noted the roads are the most important asset the county has and needs to be maintained.

After further discussion, Mr. Reed moved to postpone any discussion of a LOHUT tax for one year. Mr. Mason seconded the motion that carried five to two, Mr. Price and Mr. Canary voted nay.

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