

## **COUNTY COUNCIL REGULAR MEETING – JANUARY 10, 2005**

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

### **I. ROLL CALL**

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

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

### **III. INVOCATION**

### **IV. APPROVAL OF 1/10/05 AGENDA**

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

Barb Davis, First Deputy Auditor, asked Mr. West if he received a letter from the Sheriff requesting to be added to the agenda.

Mr. West responded yes and noted that they needed to add to the agenda a request for a Medical Office Manager from the Sheriff, which would become item number sixteen on the agenda.

Mr. Mason made a motion to add the Sheriff's request; Mr. Canary seconded the motion, which unanimously carried.

### **V. APPROVAL OF 12/6/04 MINUTES**

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

### **VI. PUBLIC COMMENTS**

There were no public comments.

Mr. West took a moment to welcome the two new council members, Josh McCarty and John Price.

### **VII. NOMINATION AND ELECTION:**

#### **Council President**

Mr. Reed nominated Ron West as Council President. Mr. Mason seconded the nomination. There were no other nominations. Mr. West declared himself elected by acclamation.

#### **Council Vice-President**

Mr. Mason nominated Mr. Reed as Council Vice-President. Mr. Canary seconded the nomination. There were no other nominations. Mr. West declared Mr. Reed Vice-President by acclamation.

## **VIII. APPOINTMENTS:**

### **Council Attorney**

Mr. Canary moved to retain Mr. Wilson as the Council's attorney. Mr. Reed seconded the motion. The motion carried unanimously.

### **Alcoholic Beverage Commission Board (ABC)**

Mr. West stated that he received a letter from David Pollard asking to retain his position on the ABC Board.

Mr. Reed made a motion to re-appoint Mr. Pollard to the ABC Board. Mr. McCarty seconded the motion, which unanimously carried.

Mr. West expressed his gratitude and appreciation for the job that Mr. Pollard has done in the past and will continue to do in the future.

### **County Park Board**

Mr. West stated that he also received a letter from James A. Kirkham wanting to retain his position on the County Park Board.

Mr. Mason made a motion to re-appoint Mr. Kirkham to the County Park Board. Mr. Canary seconded the motion that carried unanimously.

Mr. West thanked Mr. Kirkham for his services and commended him on a job well done.

### **Solid Waste (Council member)**

Mr. Reed made a motion to continue with Rick Mason as the representative from the Council to the Solid Waste Board.

Mr. West commented that Mr. Price had expressed an interest on serving on this board.

Mr. Reed's motion died due to lack of a second.

Mr. McCarty then moved to appoint Mr. Price to the Solid Waste Board. Mr. Mason seconded the motion; the motion unanimously carried.

### **County Plan Commission Board (Council member)**

Mr. Reed made a motion to retain Mr. Mason on the County Plan Commission Board. The motion was seconded by Mr. Price and carried unanimously.

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

### **SUPERIOR COURT NO.1 – (132)**

Richard Pfifer, Chief Adult Probation Officer, appeared on behalf of Superior Court #1 Judge, Kevin Barton. Mr. Pfifer explained the transfer request is to purchase four new computers to help keep up with the everyday workload.

Mr. Reed made a motion to approve the request as presented. Mr. Mason seconded the motion, which carried unanimously.

From: 132-215.0 – Office Supplies (\$ 3,000.00)  
To: 132-440.0 – Office Equipment \$ 3,000.00

**WIC – (215)**

**MARCH OF DIMES – (360)**

Tracy Smith, WIC Coordinator, appeared to request that an additional appropriation of \$16,000.00 be put into their Professional Services line item; the money will be used for a Breastfeeding Regional Center.

215-350.0 – Professional Services \$ 16,000.00

Ms. Smith also requested an additional appropriation for Claims, which is actually just a carry over from the prior year.

360-210.0 – Claims \$ 750.60

Mr. Mason moved to approve the two above requests (215 & 360) as presented. Mr. Price seconded the motion, which carried unanimously.

**HIGHWAY MAINTENANCE & REPAIR – (204)(tabled from Dec.)**

Don Sanders, Highway Director, appeared to request a creation of a new line item and appropriation for disposal of tires.

Mr. McCarty asked if Mr. Sanders has spoken with anyone from Solid Waste regarding the disposal of tires.

Mr. Sanders replied no; however he understood that they were having a meeting on January 12<sup>th</sup> and this issue was going to be discussed.

Mr. Price stated that the Solid Waste meeting is actually January 11<sup>th</sup> and asked if this request could be postponed until the Solid Waste met tomorrow.

Mr. Sanders replied that was fine; however, there are almost 4,000 tires that they would like to dispose of as soon as possible.

Discussion was held on how this would affect Solid Waste, if they could accommodate the disposal of so many tires.

Mr. Mason then moved to table the following request until the February Council meeting.

204-332.1 – Tire Disposal \$ 9,393.00

Mr. Canary seconded the motion, which carried unanimously.

**EMERGENCY MANAGEMENT TRAINING-CERT GRANT – (368)**

**STATE HOMELAND SECURITY GRANT – (371)**

**HOMELAND SECURITY-LAW ENFORCEMENT PROTECTION – (372)**

**HOMELAND SECURITY FIRST RESPONDER EQUIPMENT – (918)**

Tug Sutton, Emergency Management Director, was present to ask that these grant amounts be re-appropriated since they were not used last year.

Mr. Canary asked Mr. Sutton for a breakdown of how these monies will be spent.

Mr. Sutton listed all of the equipment that will be purchased and gave an explanation of how it will be used.

Mr. Mason moved to approve all the requests as presented. Mr. Reed seconded the motion. The motion carried unanimously.

368-310.0 – Professional Services	\$ 2,148.76
371-410.0 – Equipment	\$248,257.15
372-410.0 – Equipment	\$ 44,555.75
918-410.0 – Equipment	\$160,000.00

Mr. Sutton also gave an update on the flooding situation.

**SUPPLEMENTAL ADULT PROBATION FEES – (297)**

Mr. Pfifer was present to request a transfer of funds to purchase four firearms for his field officers.

Mr. Canary moved to approve the request as presented. Mr. Price seconded the motion, which unanimously carried.

From: 297-323.0 – Travel & Training	(\$ 1,428.00)
To: 297-471.0 – Equipment (Safety)	\$ 1,428.00

**SUPPLEMENTAL ADULT PROBATION FEES – (297)**

**ADULT PROBATION ADMINISTRATIVE FEES – (282)**

Mr. Pfifer was also present to seek approval to establish a new line item and move a supplemental salary from the #297 User Fee Account to this new #282 Administrative Fee Account line item. Mr. Pfifer noted that he would continue to use the collected user fees for salaries as long as it was feasible.

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

Reduction: 297-122.0 – Salary Supp Assist. Chief Prob. Officer	(\$ 33,651.93)
282-111.0 – Salary Supp. Assist. Chief Prob. Officer	\$ 33,651.93

**PROSECUTOR DEFERRAL PROGRAM – (327)**

Michelle Murray, Office Manager, appeared before the Council to answer any questions regarding the requested appropriation amounts.

Mr. Mason inquired about the two Victim Advocate Supplement line items.

Mrs. Murray answered that these are being requested to allow the same salary as the last grant period. The grants run from July 1<sup>st</sup> to June 30<sup>th</sup>.

Mr. McCarty asked if the amount for the deputy prosecutor (#327-110.2) was all paid from grant money?

Mrs. Murray explained that the amount requested is the cash match for the Stop Grant and that the grant money has already been spent.

Mr. Mason made a motion to approve the following requests as presented. Mr. Price seconded the motion, which unanimously carried.

327-115.1 – Victim Advocate Supplement	\$ 2,604.50
327-115.2 – Victim Advocate Supplement	\$ 1,631.50
327-110.2 – Deputy Prosecutor	\$ 29,107.39
327-311.0 – Training & Business Meetings (new)	\$ 800.00
327-313.0 – Deferral Program Participants	\$ 3,985.00

**SUPERIOR COURT NO. 2 – (133)**

Superior Court #2 Judge, Cynthia Emkes, appeared to request the following:

From: 133-117.0 – Assistant Court Reporter \$25,952 to \$24,761	(\$ 1,191.00)
To: 133-113.0 – Salary Court Reporter \$30,060 to \$30,457	\$ 397.00
To: 133-114.0 – Assistant Court Reporter \$24,761 to \$25,158	\$ 397.00
To: 133-121.0 – Asst. Court Reporter/Bailiff \$27,455 to \$27,852	\$ 397.00

She stated that the transfer of funds within the salary line items are due to an employee leaving, hiring a new person with less experience, and shifting job responsibilities amongst the other employees.

Mr. Reed stated that he felt if a department has extra money in their budget, it should revert back to the General Fund.

Mr. West reminded the Council that the original 2005 budget guidelines allowed the departments to make salary adjustments within the 100 series, as long as the total stayed the same. He noted that they did approve similar requests for the Sheriff's department last month and will be facing another request from them later in the meeting. He also stated that the Council needs to develop some type of plan to help all departments adjust salaries on a consistent basis.

Judge Emkes stated that she could have moved a current employee into the vacant position and hire someone at the lower salary, in which case, she would not have had to appear before the Council. However, she felt that the proposed request would help her office become more efficient.

Mr. Canary concurred with Mr. West in that the Council needs to come up with some type of policy on how to adjust salaries within each department and be consistent countywide.

Mr. Price expressed that he feels like if a department can make adjustments within the 100 series to better their department, the Council should allow it. He then made a motion to approve the request as presented and added that the Council needs to find ways to fund raises for the personnel in departments where salary adjustments cannot be made.

Discussion was held regarding how to develop a policy that would be consistent with all departments to make salary adjustments and how to fund raises.

The motion died due to a lack of a second.

**COUNTY EXTRADITION – (211)**

Doug Cox, Chief Sheriff Deputy, appeared before the Council to request an appropriation to help with the transport of inmates.

Mr. Canary made a motion to approve the request as presented. Mr. Mason seconded the motion that carried unanimously.

211-200.0 – Claims \$ 10,000.00

**COUNTY MEDICAL CARE FOR INMATES FUND – (903)**

Mr. Cox was also present to request an appropriation to help pay for medical co-pay claims from inmates.

Mr. Canary inquired if all prisoners pay the co-pay or are some of the prisoners indigent and don't pay; also, how are the fees collected?

Mr. Cox replied that they do have some prisoners that do not pay and are indigent and they just absorb those costs. He was not sure exactly on how the fees were collected.

Brenda Jones-Matthews, County Auditor, stated that she believed the fees were deducted from their account if they have any money available to use for the commissary.

Mr. Reed moved to approve the request as presented. The motion was seconded by Mr. Canary and carried unanimously.

903-200.0 – Claims for Medical Payments \$ 755.55

**SHERIFF – (105)**

Mr. Cox explained the following request is to reduce a retired deputy's salary and use the excess money to give eight other deputies a pay increase to bring them in line with other deputies.

Mr. Mason asked Mr. Cox to explain what he meant when he said, "to bring these eight deputies in line with the other deputies".

Mr. Cox explained that these are junior deputies, or younger deputies (relating to years of service, not age) do not make as much as the older deputies and this would help get the salaries closer to the senior deputies. He stated that they start deputies out at around \$33,000 and the senior deputies currently make around \$39,500.

Mr. Price stated that when an employee who is making a higher salary than others, leaves employment and if the department head or elected official wants to higher a new person at a lower salary and use the difference in monies to give other employees a salary increase, he feels that is a management call and they should be allowed to do so.

He then moved to approve the following request as presented:

From: 105-115.6 – Deputy	\$39,239 to \$33,636	(\$ 5,603.00)
To: 105-115.1 – Deputy	\$33,636 to \$34,401	\$ 765.00
To: 105-115.8 – Deputy	\$38,958 to \$39,239	\$ 281.00
To: 105-116.1 – Deputy	\$38,512 to \$39,239	\$ 727.00
To: 105-116.9 – Deputy	\$36,933 to \$37,699	\$ 766.00
To: 105-117.8 – Deputy	\$36,933 to \$37,699	\$ 766.00
To: 105-117.9 – Deputy	\$35,428 to \$36,194	\$ 766.00
To: 105-118.0 – Deputy	\$34,495 to \$35,261	\$ 766.00
To: 105-118.2 – Deputy	\$35,428 to \$36,194	\$ 766.00

Mr. McCarty questioned how the Council tracked which line items were increased or reduced throughout the year.

Mr. West explained that when they receive their agenda each month, they would have to refer back to the minutes from previous meetings to see if any action has been taken with those particular line items.

Mr. Mason expressed concern regarding the matter of allowing this to happen, specifically with the Sheriff’s department and now stopping it.

Mr. Canary commented that he felt like the request from Judge Emkes for salary adjustments was more justified because job duties were shifted around, where as with the Sheriff’s request, he is giving salary raises just because he has excess money.

Mr. Price stated that no matter how the requests are presented, the bottom line is the same, which is that the elected officials are trying to manage their department and allocate the money as they see fit, and still keep the total budget the same.

Mrs. Jones-Matthews pointed out some of the things that the Council needs to think about before making decisions:

- Some requests are for bonuses, which is one-time thing; other requests are for salary increases, which has a long-term effect.
- Some departments do not fill vacant positions as quickly as others, which result in excess money that could be distributed later.
- Some departments hire new people right away at a lower salary when someone leaves and want to re-distribute the difference in salary among other employees.
- Reassessment funds will not be available next year.
- The Commissioners have indicated that they are going to ask for the reinstatement of the bridge rate.
- Define “small” departments.

Marla Hash, County Assessor, reminded the Council that the Inventory Tax was lost and nothing has been done to replace that.

Mr. Reed again stated that he feels like if everyone cannot be given a raise, then no one should be given a raise.

Mr. Cox then asked to withdraw his request at this time.

Mr. McCarty asked if previous motions could be re-considered that failed the first time, such as the request from Superior Court #2?

Mr. West stated that the request from Superior Court #2 could be re-considered because it died due to a lack of second. If it was voted on and failed, he didn't think it could be reconsidered.

Mr. Wilson stated that it could be done if a member who voted on the prevailing side moved to reconsider.

Mr. Mason stated that if someone wants to withdraw their request, they could do it up until the actual vote is taken.

The Council then recognized Mr. Cox's request to withdraw.

**MEDICAL OFFICE MANAGER – JAIL (307)**

Mr. Cox stated that the Sheriff would like to add a Medical Office Manager to the staff at the jail and is willing to use \$25,000 from the Commissary Fund to pay the salary for this employee. The purpose of this new position is to coordinate medical needs for the inmates and to help keep the medical costs down. Mr. Cox also noted that the Sheriff presented this information to the Commissioners at their last meeting.

He explained that currently, a nurse visits the jail two hours each morning and two hours each evening; they also had a doctor that would visit on Wednesday to treat inmates. The Sheriff would like to increase the hours of the nurses to four hours each morning and four hours each evening, instead of the inmates going to the hospital for care. They are also looking for a new doctor to be at the jail and the Sheriff has talked with five different healthcare providers. The Sheriff wants this position to be his employee, not an employee of a doctor or healthcare provider.

Mr. Cox again stated that this position would be paid from the Commissary Fund, which is funded by the generation of sales from certain items to prisoners at the jail; however, they are asking the Council to fund the benefit package that would be associated with this new employee from the General Fund.

Discussion was held on having the Commissioners fund the amount for the benefit package from their budget.

Mr. Mason moved to approve the new position and for the benefit package to be paid from the Commissioners' budget, with the understanding if the Commissioners run short of funds toward the end of the year, the Council would look favorable to re-appropriate the amount of \$8,888.10 back into their budget. Mr. McCarty seconded the motion.

Mr. West commented that he would like to have some kind of report on the justification of this new position; such as, an employee who is making \$25,000 a year, has saved the county “x” amount of dollars in medical costs.

Mr. Reed questioned, if, at some point, there was not enough money in the commissary to pay this salary, where would it be paid from then?

Mr. Cox replied that since this position is a civil position and is employed as an “at-will” employee, the Sheriff could dismiss the employee.

Mr. West called for the vote, which carried unanimously.

307-110.0 – Medical Office Manager \$ 25,000.00

#### **X. OLD BUSINESS**

There was no old business discussed.

#### **XI. NEW BUSINESS**

Mr. West commented that he had asked the old Council members and hinted to the new Council members to bring some ideas or suggestions to the meeting of things the Council needs to work on this year to be more productive. He would then like to distribute these lists to each member for them to review and converse before the next meeting, which they then will discuss in open format. Mr. West then read allowed his areas of concern for 2005, which included the following:

1. Consistent policy on using 100 series funds for salary adjustments or bonuses.
2. Hiring policy based on use of 100 series funds, justification of position and total costs.
3. Sharing of reverted funds for salary adjustments.
4. Performance based budgeting guidelines as a method of evaluating cost versus benefit of each department.
5. Increased revenues via user fees such as 10% bond fees for a permanent revenue source that the Sheriff would have available for salary adjustments.
6. Possibility of privatizing the jail.
7. Care of Patients and Inmates and Juvenile Detention Facility, total costs and possible savings.
8. Active role in Economic Development.
9. Majority of Council members participating in AIC functions and diploma courses.
10. Semi-annual public meetings at local sites for edification, discussion and public input.

Mr. Reed also read aloud his proposals for 2005, which included the following:

1. Council work with City of Greenwood to see what we can do to get tax money that is collected from all new businesses on State Road 135 shifted to White River Township to repair roads and improve infrastructures in the unincorporated sections of this township.
2. Council approval of all overnight stays under 70 miles for county employees.
3. A \$50.00 monthly cap on cell phone bills.

4. A pre-budget conference with department heads and other interested employees to receive information about their office.
5. Adopt a rule that no single department or employee shall receive raises, unless all departments are granted raises; an exception would be mandates by State or Federal Statute. Likewise, unused funds that revert back at the end of the year could be used to fund bonuses for all employees for the following budget year, as long as we have a balanced budget.

Mr. Canary, too, read aloud his ideas; however disclaimed,” that they are just ideas, take them for what they are”. His list included the following:

1. Priority to find more revenue. Maybe we should look at all possibilities. Leave nothing off the table. This should affect other points.
2. We must do something to help out our employees. They are a vital part in the role of the County. Obviously a pay raise should be looked at, but lets not forget the benefit package. Should it be changed to reflect more income one way or the other?
3. We should begin some long range planning with Commissioners, as well as, other departments to assess the needs in the future. Plans need to be flexible, the general public will be much more willing to agree if they know the planned expenditures.
4. The Council, and the County in general, need to be more proactive with the Legislature. Instead of just saying, “Oh well, that’s what the Legislature says”, we should be taking these issues to them. Some Council members do that now, but we need the backing of all the County entities.
5. We need to find a way to fund vehicles and to keep the maintenance program going, as it is a service well worth having. I thing that the Cum Cap Fund should get back to what it was intended for.
6. As elected officials, I think it may be in our best interest to work closely with the media, civic groups, and schools to explain what it is we do and why some decisions are made. I think this will help out in several areas, and make the job a little easier. (i.e., Animal Shelter)
7. We should really try to make budget guidelines easier to follow. However, recognizing the time lag that follows is very difficult to estimate.

Mr. West also distributed to each member a list of offices and asked them to rate them, on a scale of 1 to 5, as far as interest in that department, to designate a liaison or liaisons to each department.

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

**January 10, 2005**

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**Council Member**

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**Council Member**

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**Attest:**

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**Johnson County Auditor**