

COUNTY COUNCIL REGULAR MEETING – JUNE 13, 2005

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

I. ROLL CALL

The following members were present: John Price, Josh McCarty, Steve Hollenbeck, and Charlie Canary. John Phil Wilson was present as counsel for the Council. Rick Mason and Paul Reed arrived later during the Local Technical Assistance Program (LTAP) presentation.

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 6/13/05 AGENDA

Mr. West noted that a letter from the Secretary of State needs to be read into the minutes and should be added under New Business.

Mr. Hollenbeck moved to approve the agenda as presented with the addition. Mr. Canary seconded the motion that unanimously carried.

V. APPROVAL OF 5/9/05 MINUTES

Mr. Canary made a motion to approve the minutes as presented. Mr. West noted a correction on page 10, stating the wording should be reversed. Mr. Price then seconded the motion, which carried unanimously.

VI. LOCAL TECHNICAL ASSISTANCE PROGRAM PRESENTATION

Tom Martin, Program Manager for LTAP from Purdue University and Jerry Larson, a Training Specialist, were present to give a demonstration on how Gas Tax Revenues are distributed. By using different colored beads, they were able to show a graphic picture of the collection and distribution of the taxes for different entities.

VII. PUBLIC COMMENTS

Mr. West asked for public comments at this time, asking that comments for the Food & Beverage Tax be held until later.

Ann Reaume, resident of Johnson County, noted that after listening to the LTAP presentation, for less than one tank of gas we could have a Wheel Tax and Johnson County would get to keep all of the money. She then asked why we couldn't have a Wheel Tax?

Mr. West commented that we could have a Wheel Tax, but it was voted down. He then gave some reasons why it wasn't passed, which included: hiring a lobbying firm to lobby for more State and Federal grant money, having 3.5 million dollars in investments on hand in the Highway Department, and that the General Assembly was looking at a Gas Tax that would be available next year. He stated that the Council felt like there were some other places that needed to be looked at first, and then they would revisit the Wheel Tax.

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

SUPPLEMENTAL ADULT PROBATION – (297)

Kevin Barton, Superior Court No. 1 Judge, appeared on behalf of Richard Pfifer, Chief Probation Officer, to request the following transfer:

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| From: 297-121.4 – Probation Officer | (\$ 1,000.00) |
| To: 297-114.0 – Part-time | \$ 1,000.00 |

He stated that the reduction is available due to an employee leaving employment and hiring a replacement in at a lower rate.

Mr. Mason made a motion to approve the transfer as requested. Mr. Hollenbeck seconded the motion. The motion carried unanimously.

FOUNDATION GRANT-EMERGENCY MANAGEMENT – (388)

Mr. Mason commented that he spoke with Tug Sutton earlier and he said both people from his department had conflicts and were unable to attend the meeting tonight. Mr. Mason felt that it would be okay that no one attended since this money being requested is the only thing it can be spent on.

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

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| 388-410.0 – Equipment | \$ 1,694.00 |
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Mr. Canary commented that he had heard on the news that the State was asking for some Homeland Security Grant money back because some of the money was sent before they had the proper receipts. He would talk with Mr. Sutton and do some more checking on it.

COOPERATIVE EXTENSION SERVICE – (116)

Linda Souchon, County Extension Director, was present to ask for an appropriation into line item #116-112.4 – Part-time to pay for a college student to work for them during the summer as part of the State Student Assistance Summer Work-Study Program.

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

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| 116-112.4 – Part-time | \$ 1,993.75 |
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DRUG FREE COMMUNITY FUND – (331)

Dick Huber, JCCASA Committee Chairperson, and Kim Herndon, Committee Member, were present to request appropriation of funds. Mr. Huber explained that each county in the State of Indiana has a Local Coordinating Council (LCC) that works under the jurisdiction of the Governor's commission as part of the Drug Free Indiana. When a person is charged with a DUI, they are also probably charged a \$200.00 Drug Free Community Funds Fee; 25% of that goes to the State and 75 % goes to the County. Each year they put out requests for grants. They have nine grants this year. They are required by state statute to spend a certain amount for each category: Treatment, Justice and Prevention/Education.

He also noted that last year Mr. West had asked how they hold the applicants accountable and stated that they are now requiring an oral presentation be given to the full body, followed by a written report at six months, nine months, and twelve months. They are also asking that if the funds go unspent, that they return it and noted that they have actually had some funds returned. He then asked if the Council had any suggestions on how to better use these funds for substance abuse issues in Johnson County to let him know.

Mr. McCarty asked why there were only three school corporations participating?

Mr. Huber replied that the schools just don't apply and noted that the LCC needs to just go to the schools and make them more aware of what they offer.

Mr. Mason commented that Mr. Huber stated that they get about \$100,000.00 year and then asked if those funds go unspent, does it remain and keep accumulating or do they lose it?

Mr. Huber replied that it keeps accumulating.

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

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| 331-310.0 – Treatment | \$ 10,750.00 |
| 331-320.0 – Prevention/Education | \$ 31,460.00 |
| 331-330.0 – Justice | \$ 27,489.00 |

PROSECUTOR DEFERRAL PROGRAM – (327)

Michelle Murray, Office Administrator, appeared to request additional appropriations of funds. She noted that this budget is solely funded by the Traffic Deferral Program that their office provides to individuals who are traffic offenders and does not use County General Fund monies.

Mr. Hollenbeck moved to approve the following request as presented:

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| 327-340.0 – Communications | \$ 3,000.00 |
| 327-360.0 – Equipment Repair & Maintenance | \$ 2,000.00 |
| 327-440.0 – Office Equipment | \$ 7,000.00 |

Mr. Mason seconded the motion, which unanimously carried.

PRETRIAL DIVERSION PROGRAM – (286)

Ms. Murray was also present to request a new line item, titled Diversion Assistant. This would be a new full time position that would be self-funded through their Pretrial Diversion Program. They are currently getting ready to double their Bad Check Program, which will bring in money that will more than pay for this position.

Mr. West asked if they were picking up all the benefits associated with this position?

Ms. Murray replied yes.

Mr. Canary asked if that included the health insurance too?

Ms. Murray replied yes.

Barbara Davis, First Deputy Auditor, commented that insurance is not included, only social security and PERF. She noted that there is only one grant that pays for its own insurance.

Mr. Price asked why they couldn't go ahead and have the insurance paid out of this fund.

Discussion was held regarding having the insurance paid from this fund along with the Social Security and PERF.

Mr. Mason made a motion to table this request until the next Council meeting. Mr. Reed seconded the motion, which unanimously carried.

Ms. Murray also asked for additional funds to pay for overtime.

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

286-199.0 – Overtime \$ 2,000.00

VOTING SYSTEM REIMBURSEMENT – (908)

Jill Jackson, Clerk, appeared before the Council to request an appropriation of \$8,291.12 from the Help America Vote Act (HAVA) reimbursement money to purchase new computers as part of the Statewide Voter Registration System, which is a State mandate. The remaining \$1,708.88 will be used to cover costs involved with the wiring and hook up of the system. She also noted that the State purchased, at no cost to the County, the printers, scanners, and label machines.

Mr. Canary moved to approve the request as presented. Mr. Price seconded the motion. The motion carried six to one; Mr. McCarty voted nay.

908-310.0 – Equipment Repair & Maintenance \$ 1,708.88
908-410.0 – Equipment \$ 8,291.12

HEALTH – (210)

John Bonsett, Director of Environmental Health, and Bea Chandler, Director of Nursing, were present to seek approval for salary adjustments. They are using money available from when the former Director of Nursing retired and they hired a replacement at a lower salary. They are giving each employee a two percent increase, with a minimum increase of five hundred dollars; they also gave a few employees who they felt went over and above their job duties, a little bit more of an increase. Mr. Bonsett stated this is a way to reward his staff and to keep them motivated and noted these adjustments are made with current approved 2005 budget dollars, no additional funds are being requested.

Mr. Hollenbeck moved to approve the request as presented. Mr. McCarty seconded the motion that carried five to two; Mr. Mason and Mr. Reed voted nay.

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| From: 210-116.1 – 1 st Public Health Nurse | (\$ 10,550.00) |
| To: 210-111.0 – Health Officer \$20,200 to \$20,700 | \$ 500.00 |
| To: 210-113.0 – Vital Registrar \$27,700 to \$28,254 | \$ 554.00 |
| To: 210-113.1 – Vital Statistics Clerk \$21,300 to \$21,800 | \$ 500.00 |
| To: 210-115.0 – Director Envir. Health \$51,300 to \$52,326 | \$ 1,026.00 |
| To: 210-115.1 – 1 st Envir. Health Specialist \$38,500 to \$39,270 | \$ 770.00 |
| To: 210-115.2 – 2 nd Envir. Health Specialist \$36,500 to \$37,730 | \$ 1,230.00 |
| To: 210-115.4 – 3 rd Envir. Health Specialist \$36,500 to \$37,230 | \$ 730.00 |
| To: 210-115.3 – 4 th Envir. Health Specialist \$36,500 to \$37,730 | \$ 1,230.00 |
| To: 210-115.5 – 5 th Envir. Health Specialist \$33,000 to \$33,660 | \$ 660.00 |
| To: 210-116.0 – Director Nursing Service \$41,500 to \$42,330 | \$ 830.00 |
| To: 210-116.2 – 2 nd Public Health Nurse \$33,000 to \$33,860 | \$ 860.00 |
| To: 210-116.3 – 3 rd Public Health Nurse \$31,000 to \$31,620 | \$ 620.00 |
| To: 210-119.0 – Office Manager \$27,000 to \$27,540 | \$ 540.00 |
| To: 210-119.1 – Immunization Coordinator \$21,300 to \$21,800 | \$ 500.00 |

Mr. Bonsett also distributed the Health Department’s annual report to the Council members.

BOARD OF COMMISSIONERS – (122)

Commissioner, R.J. McConnell, was present and stated that the request for the #122-303.0 – Professional Services needs to be corrected because it looks like it is an additional appropriation, but it is actually a transfer from the Animal Shelter’s budget.

Mrs. Davis clarified that since the Animal Shelter’s budget is not part of the General Fund, they have to show the request as an additional appropriation. The Animal Shelter then needs to reimburse the General Fund the same dollar amount.

Mr. McConnell then proceeded to explain the requests. They are eliminating the full time position of Telephone Receptionist and asking that those funds be placed into the Professional Services line item to help offset some of the additional expenses incurred, such as the hiring of a financial advisor. In addition, they are asking that the amount that was paid for the Interim Animal Warden be transferred back into the Professional Services line item from the Animal Warden’s line item in the Animal Shelter’s budget (this would leave enough money to pay the current Warden for the remainder of the year).

Mr. McCarty made a motion to approve the requests as presented. Mr. Hollenbeck seconded the motion.

Mr. Mason asked if they approve this request as presented, would the transfer from the Animal Shelter’s budget automatically occur?

Mrs. Davis replied that they could make that request as part of the motion.

Mr. Mason then moved to amend the motion to include the transfer from the Animal Shelter’s budget. Mr. Reed seconded the motion, which carried unanimously.

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| From: 122-113.0 – Telephone Receptionist | (\$ 14,049.40) |
| To: 122-303.0 – Professional Services | \$ 14,049.40 |

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| 122-303.0 – Professional Services | 2,488.30 |
| Reduction: 219-111.0 – Animal Warden | (\$ 2,488.30) |

ANIMAL SHELTER GENERAL DONATION – (262)

Shawn Donovan, Animal Warden, appeared to request an appropriation from their Donation Fund. He stated that these funds would be used to pay for the final billing for the care of the horses. He also noted that they are no longer accruing any expenses for these horses.

Mr. Price asked if there has been an ordinance completed yet to address this issue?

Mr. Donovan replied that there were actually some things within the Indiana Criminal Code that could have been utilized; however, it would have had to happen by way of the court and due to other complications it did not take place. He then handed the Council members some information and commented that he still needs to review a few things with Jeff Eggers, County Attorney, before the ordinance would be completed.

Mr. Reed asked what happened to the horses?

Mr. Donovan responded that the horses are still in foster care, but as of May, there are no charges being incurred. He stated that there is one more invoice that needs to be paid (it did not get posted in time for this meeting), which will wrap up all the charges.

Mr. Canary asked how much the invoice would be for?

Mr. Donovan replied \$6,807.00.

Mr. Price asked what the total amount spent on these horses was?

Mr. Donovan said he did not have an exact total, but would guess about \$16,000 to \$18,000, and noted all of it has been paid from the Donation Fund.

Mr. Canary commented that they paid for foster care for the six horses and three of them were put down.

Mr. Donovan responded, yes three were put down under the direction of a veterinarian and the other three are still alive and the matter is still pending.

Mr. McCarty thanked Mr. Donovan for the work that he has accomplished with the situation that he inherited, but feels like this whole situation has gotten out of control and disagrees with the whole premise of it.

Mr. Price also commended Mr. Donovan on his efforts.

Mr. Reed asked if he has heard of anything from the courts as far as reimbursing some of these costs?

Mr. Donovan replied that he has not heard anything regarding a reimbursement and noted that one of the horses is under the custody of the County.

Mr. Canary moved to approve the request as presented. Mr. Mason seconded the motion, which carried four to three; Mr. Price, Mr. Reed and Mr. McCarty all voted nay.

262-200.0 – Claims \$ 5,405.83

SHERIFF – (105)

Terry McLaughlin, Sheriff, appeared to request an appropriation be made in the amount of \$1,215.75 for reimbursement of overtime paid out for the Big City/ Big County Seatbelt Enforcement Grant.

Mr. Reed made a motion to approve the request as presented. Mr. Price seconded the motion; the motion carried unanimously.

105-165.0 – Overtime \$ 1,215.75

DRUG ALCOHOL RESIST EDUCATION PROGRAM – (304)

Sheriff McLaughlin also stated that a local developer has donated \$1,000.00 for the McGruff Drug Education Program.

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

304-200.0 – Claims \$ 1,000.00

SUPERIOR COURT NO. 1 – (132)

Judge Barton appeared to request a transfer of funds to adjust the salary of an Assistant Court Reporter. He explained that she began employment in 2001 at the lowest paid salary and has had minimum increases since that time, including the loss of her step increase. She also has a college degree and produces a volume of work that equals or exceeds that of the other Assistant Court Reporters and deserves to be brought up to equal pay status. This employee has also recently had a baby and due to the expense of childcare, she will be forced to seek other employment if she does not receive an increase in pay. She is a valuable employee that he cannot afford to lose with the increased workload and paper flow within his office.

Judge Barton also commented that although his original request is to take money from the 300 series (Equipment Lease line item, which he knows he we will not spend) to use for the salary increase, he offered the reduction to come from #132-114.0 – Law Clerk/Bailiff if the Council wants to stay within the 100 series for the salary increase. He also offered to still reduce the #132-370.0 line item by the amount requested if needed.

Discussion was held regarding the amount of the increase being requested and the reasoning for the request.

Mr. McCarty then moved to approve a \$500.00 only increase for line item #132-119.0 – Asst. Court Reporter to be transferred from line item #132-114.0 – Law Clerk/Bailiff. Mr. Hollenbeck seconded the motion that carried four to three; Mr. Reed, Mr. Mason, and Mr. Canary all voted nay.

From: 132-114.0 – Law Clerk/Bailiff (\$ 500.00)
To: 132-119.0 – Asst. Court Reporter \$23,667 to \$24,167 \$ 500.00

COMMUNITY CORRECTIONS / ADULT GRANT – (208)

Albert Hessman, Director, appeared before the Council to seek approval and appropriation of the 2005-2006 Community Corrections Department of Corrections (D.O.C.) Adult and Juvenile Grants and Project Income Budgets, and the Alcohol & Drug Services Budget. These five budgets are appropriations for the first six months of their fiscal year (July 1, 2005 thru December 31, 2005).

Mr. Mason asked if the County was still funding any correctional officers?

Mrs. Davis responded yes, there are three positions.

Mr. Hessman stated that he is aware of those three positions and he is looking into some things to help adjust and relieve some burden from the County General Fund. He would like to in the future to have more detailed discussions with the Council regarding some issues in hopes to reach a resolution. He also noted that Community Corrections is pretty much self funded in all of its operations, including its insurance and benefit package.

Mr. Canary asked if that would include reimbursement for insurance?

Mr. Hessman replied that it was his understanding that at one time there was an agreement to do that but the funding from Project Income has not allowed that to occur. He also noted that they are improving their collections and increasing their capacity and trying to move forward with things. Again, he would like to have discussions to resolve some of these issues.

Mr. Hessman then reviewed the budgets and explained any increases or reductions and noted that in the future, he would like to re-exam the whole budget and make adjustments that would help make his department run more efficiently. He noted these budgets were actually prepared prior to him being hired with the county.

Mr. Mason expressed his feelings of the D.O.C. approving salary increases when the County is still funding three positions with taxpayers' money.

Mr. Canary moved to approve the following requests as presented. The motion was seconded by Mr. Mason and carried six to one; Mr. Reed voted nay.

Effective July 1, 2005

#208-111.0 – Executive Director \$49,319 to \$55,000
#208-112.0 – Assist. Director \$40,139
#208-113.1 – Office Admin \$34,833
#208-113.3 – Correctional Officer to Programs Manager \$22,664 to \$34,344
#208-115.0 – Correctional Officer \$27,262 to \$28,601

COMMUNITY CORRECTIONS / ADULT PROJECT INCOME – (209)

#209-110.0 – Correctional Officer \$22,664
#209-111.0 – Work Crew Assist \$27,262
#209-112.0 – Work Crew Superv. \$28,601
#209-113.0 – Correctional Officer \$25,988

#209-114.0 – Field Officer \$27,136
 #209-116.0 – Field Officer \$25,867
 #209-118.0 – Correctional Officer \$22,664
 #209-119.0 – Correctional Officer \$22,664
 #209-120.0 – Correctional Officer \$22,664
 #209-121.0 – Correctional Officer \$22,664
 #209-122.0 – Correctional Officer \$22,664
 #209-123.0 – Correctional Officer \$27,262
 #209-124.0 – Correctional Officer \$22,664
 #209-125.0 – Correctional Officer \$22,664
 #209-126.0 – Correctional Officer \$22,664
 #209-130.0 – Day Reporting Casemgn to Receptionist \$28,527 to \$19,000
 #209-131.0 – Case manager \$31,642
 #209-132.0 – Case manager \$25,921
 #209-133.0 – Case manager \$32,500
 #209-113.2 – Part-time rates \$10.97(CO's) \$15.00 (Sworn Officers)

COMMUNITY CORRECTIONS / JUVENILE GRANT – (213)

#213-111.0 – Juvenile Program Coord \$34,833
 #213-112.0 – Juvenile Casemgn \$21,914 to \$29,927

COMMUNITY CORRECTIONS / JUVENILE PROJECT INCOME – (216)

#216-113.0 – Juvenile Casemgn \$28,527
 #216-114.0 – Juvenile Casemgn \$25,421

COMMUNITY CORRECTIONS / ALCOHOL & DRUG – (332)

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|--------------------------------|----------|--------------|
| #332-110.0 – Coordinator | \$34,833 | \$ 17,416.50 |
| #332-111.0 – Counselor | \$28,747 | \$ 14,373.50 |
| #332-142.0 – FICA | | \$ 2,432.00 |
| #332-143.0 – PERF | | \$ 2,544.00 |
| #332-144.0 – Insurance | | \$ 1,000.00 |
| #332-201.0 – Supplies | | \$ 500.00 |
| #332-340.0 – Travel & Training | | \$ 300.00 |

HIGHWAY MAINTENANCE & REPAIR – (204)

Don Sanders, Highway Director, was present and first thanked Mr. Price for his help with finally getting the tires disposed of after eight months of working on it. He then requested that the following appropriations be made with the reimbursement check received from FEMA during the winter storms:

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|--|--------------|
| 204-221.0 – Vehicle Maintenance Supplies | \$ 20,711.34 |
| 204-191.0 – Overtime | \$ 13,554.32 |
| 204-262.0 – Calcium Chloride | \$ 3,485.43 |
| 204-273.0 – Sand | \$ 3,485.43 |
| 204-375.0 – Wrecker Service | \$ 273.00 |

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

HIGHWAY CONSTRUCTION & RECONSTRUCTION – (205)

Mr. Sanders then requested to take their investment (#920 – Investment Highway) of \$900,666.25 and putting half of it into #205-460.0 – Liquid Asphalt, Hot Mix, Chip & Seal and the other half into #205-470.0 – Asphalt.

Mr. Price asked if that was the investment money that was set aside for Federal Aid projects?

Mr. Sanders replied yes.

Mr. Price then asked how they would get the money back after a Federal Aid project was completed once the year passes.

Mr. Sanders stated that he could not answer that.

Mr. Price commented that although he totally supports what is trying to be done to get the roads back into shape, he cannot justify using money that was set aside to do special projects, of which the County will be paying 20% and the Federal Government will pay the remaining 80%.

Mr. Sanders replied that it was at the request by members of the Council to use the money in reserve to repair the current road conditions.

Mr. Reed expressed his concern of the work (chip & seal) that was done on Smith Valley Road in White River Township and noted that this road is also a major thoroughfare.

Mr. Sanders noted that Smith Valley Road would go up for bid next year. The entire pavement would be torn out next spring, so he used \$3,600.00 to patch that road to save it until the spring.

Discussion was held on the funding of roads to keep them maintained. If they use the money in reserve, which was set aside to use for their matching shares, then when the time comes to do a special project, the money will not be available and they would also lose out on the matching funds from the Federal Government.

Mr. West stated that it was his recommendation to use the cash on hand for road improvements during the next year because over the last eight years (1996-2003) the investments have grown from \$900,000 to over \$3.5 million. The county has either not done any special projects to receive matching grants or it is just accumulating money for an indefinite time in hopes of getting a matching grant situation. He feels it is more prudent to use the funds now to make the roads safer to drive than to wait; he also feels like nothing is going to be jeopardized by using that money now.

Mr. McConnell commented that he as a Commissioner cannot justify spending that much money on one intersection when there are several roads throughout the county that are in dire straits. This request is their effort to do the best they can with what they have to work with.

Mr. Price stated that when special projects are done, the County has to put up 100% of the funding at the beginning, and then they are reimbursed at a later date. So, if you use all the money now, if a special project comes up, the County couldn't afford to do it and would lose out on the reimbursements. He also noted that the money in reserve is drawing interest.

Mr. Sanders reported that if he does not get the money requested, there will only be approximately 12 miles of coal mix roads and 90 miles of seal mix and no hot mix due to a lack of funding.

Some discussion was held regarding the time periods of different projects that are in the works as well as the costs associated with them.

Mr. West entertained a motion. The request failed due to lack of a motion.

Mr. Canary commented that since Mr. Sanders is requesting items #16, #17, and #18 all together as a package to complete the work necessary to maintain the roads, he moved to approve the requests as presented for items #16, #17, and #18 as listed on the agenda. Mr. Hollenbeck seconded the motion. The motion failed four to three; Mr. Price, Mr. McCarty, Mr. Reed, and Mr. Mason all voted nay.

LOCAL ROAD & STREET – (207)

This was included in the previous motion, which failed four to three.

CUMULATIVE BRIDGE – (206)

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

206-480.0 – Paving

\$1,000,000.00

IX. OLD BUSINESS

Johnson County Police Retirement Plan Amendment

Mr. Wilson stated that he spoke with Tom Jones, attorney for the Sheriff's department and they agreed that the Council should proceed with the signing of the amendment.

Mr. West commented that this amendment is being made so that the actuary can go ahead and calculate the money that is needed in the settlement.

Mr. Mason moved to approve the Johnson County Police Retirement Plan Amendment as presented. Mr. Hollenbeck seconded the motion, which carried unanimously.

X. NEW BUSINESS

Regional Transportation Authority

Bill Peeples, Director of Planning & Zoning, was present to further discuss the documents that he presented to the Council at their May 9, 2005 meeting. He noted that he had previously given the Council members three handouts; the first one being a draft resolution whereas the Council authorizes the County to join the Regional Transportation Authority (RTA); the second being an Ordinance that was adopted in 2004 forming the RTA, and the third being the State Statute authorizing the formation of the RTA.

The RTA is an organization that was formed last year and explained that there is currently no cost to join, noting that after the Council (fiscal body) joins the RTA, the Commissioners (executive body) get to appoint a member. He also noted that once the Council joins the RTA, after six months, they have the ability to remove itself from the RTA by passing another resolution.

Mr. Price made a motion to approve the request to join the RTA. Mr. Mason seconded the motion that unanimously carried.

Food & Beverage Tax

Mr. West first asked for public comments.

The following Johnson County residents spoke:

Jay Marks – supports the tax

Dave Pollard – opposes the tax

Forrest Chambers – opposes the tax (needs more clarification/details)

Greg Nelson – supports the tax

Mr. West stated that tonight is the first reading of the ordinance and if it is not passed unanimously, then they have to have a second reading, as required by law. He feels that it would be prudent for the Council not to pass it tonight, which would give them a chance to see what the other counties are doing and how they are reacting to it. He commented that it is not going to pass unanimously even if he votes against it himself because he feels it is important that they get as much information they can as possible before they vote. He also noted that the 50% of the tax that Johnson County receives could be used for whatever they want it to; it is not specified as to how the money is to be spent.

Discussion was held on the pros and cons of the County collecting the tax verses the State collecting the tax, as well as when payments would be made. Mr. West feels that they need to discuss the collection of the tax with the County Treasurer as well.

Mr. Mason stated that from all of the information he has heard and the people he has talked with or heard from by email, everyone is five times more in support of this tax and sees no reason why there should be a second reading.

Mr. McCarty expressed his opinion of approving this tax. He, as a Council member needs to view this as an opportunity from the State to receive additional revenue into the County.

Mr. Reed commented that although he is against taxes in general, he would support this tax because he views this as a luxury tax and it will generate revenue for the County, which is in financial need.

Mr. Price stated that he agrees that this is a great benefit to the County and would help with the deficit.

Mr. Hollenbeck stated that he feels that this is just a good business move on part of the County.

Mr. Canary stated that although he is not in total favor of how all of the money will be used, he feels that it is a step in the right direction. He then made a motion to approve Ordinance 2005-03, for the Food & Beverage Tax, with the County to collect the tax. Mr. Mason seconded the motion, which carried six to one; Mr. West voted nay.

Mr. West commented that because the tax did not pass by a unanimous vote, they would need to have a special meeting to vote on it again. It was decided to hold a special on June 22, 2005 at 6:00 pm.

2006 Budget Guidelines & Hearing Dates

Mr. West noted that the guidelines would be for budgets to stay about the same as this year (2005), don't project any pay increases, but show a true reflection of actual costs within the budget.

Mr. Canary commented that although the departments should submit a true budget, as far as employees, he does not want the departments spending a lot of time figuring out how many employees they really need, when they know they are probably not going to get them.

Mr. Mason agreed with Mr. Canary, he does not want the department heads to go through the exercise of requesting new employees, when there is no money available to fund the positions. He feels that the guidelines should stay the same as the prior year and then later maybe a 3% raise could be added.

Sheriff McLaughlin commented that he is going to put in for pay raises and ask for new people. As a department head/elected official he feels it is his duty and if he doesn't, regardless of the financial situation, he feels that he is letting down the people who work for him. He stated that you can be a team player for so long, but now is the time for the Council to step up to the plate and do what is best for the taxpayers and employees. He stated that each department has different needs and there should not be a blanket policy for everyone. If a department needs something, then they should ask for it whether or not they get it; they should not be restricted.

More discussion was held regarding what kind of budgets the departments should submit and whether or not they should go through the trouble of asking for things that the Council could not allow financially.

Mr. West then asked Mrs. Davis about setting dates for the budget hearings. The following guidelines and dates were set:

2006 Budget Guidelines:

- Budgets should be based on 2005 actual expenditures with justified projected increases.
- Salary increases up to 3% may be included with the understanding that the County Council will supply the monies if available for such adjustments.
- Salary increases that have been approved for various departments in the previous 12 months would not receive an additional 3% increase.
- Discretionary funds may be used for salary increases, operating expenses, etc. and is encouraged to do so instead of using general fund monies.

2006 Budget Hearing Dates:

First Reading (Tuesday) – August 16, 2005 - 8:30 a.m.

First Reading (Thursday) – August 18, 2005 – 8:30 a.m.

Second Reading (Thursday) – August 25, 2005 - 8:30 a.m.

Date of Adoption – (Monday) – September 12, 2005 – 6:30 p.m. & Regular Council Meeting – 7:00 p.m.

Mr. McConnell asked Mr. West if they could discuss some increment of the highway funding at the special meeting. They have some significant issues that he is not sure can wait until the July's meeting.

Mrs. Davis asked if they would be requesting an additional appropriation?

Mr. McConnell responded yes, but more of a scaled down version of what was requested tonight.

Mrs. Davis stated that there was not enough time to advertise before the special meeting.

Mr. McConnell then asked if the Council would reconsider its vote on item #16 and #17 and approve half of what was requested so that they would be able to continue their program of chipping and sealing some of the roads that need attention.

Mr. McCarty commented that he does not have enough information at this time to make an informed decision.

Mr. Mason made a motion to reconsider items #16 (Highway Construction & Reconstruction - #205) and #17 (Local Road & Street - #207). Mr. Price seconded the motion, which carried unanimously.

Mr. Mason then moved to table the reconsidered requests until the June 22, 2005 special meeting. The motion was seconded by Mr. Price and unanimously carried.

Letter from the Secretary of State

Mr. West noted that he received a letter from the Secretary of State regarding the Help America Vote Act of 2002 (HAVA).

Mr. Mason read the letter aloud so that it would be part of the record (see attached letter).

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