

COUNTY COUNCIL REGULAR MEETING – MAY 9, 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 5/9/05 AGENDA

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

V. APPROVAL OF 4/11/05 MINUTES

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

APPROVAL OF 4/11/05 SPECIAL MEETING MINUTES

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

VI. PUBLIC COMMENTS

Jacqueline Jones, with Christian Help Incorporated, an organization that was started in 2003 to help the homeless in Johnson County, appeared before the Council. She explained that they are not only trying to help find shelter for these people, but also to help them with other needs like dealing with their emotions, getting them a job, help them to keep the job, finding a permanent residence, and just connecting with the people themselves. They would like to pull the resources available and be the contact person to help the person get the most assistance based upon their need.

A lady, representing St. Thomas Clinic was also present. She explained that St. Thomas Clinic began in 1996 and its mission is to seek help for those in need of medical services in the community by responding to the medical needs of the community, providing patients with on-going community resources and providing educational opportunities for students of medicine and health-related disciplines. She also explained that they are funded primarily by in-kind donations and volunteer hours given by doctors, nurses, nurse practitioners, pharmacists, mental health workers, social workers, dieticians, diabetic educators, and non-medical volunteers; they also receive funds from churches, township trustees, other organizations, grant money, and proceeds from a benefit concert.

Another public comment was made by taxpayer, Dave Pollard. Mr. Pollard appeared before the Council and read aloud an article that was published in the Daily Journal that opposed the Food & Beverage Tax primarily because of what the money will be used for

– to build the Indianapolis Colts a new stadium. He felt like the money could be used for better things.

VII. JOHNSON COUNTY PUBLIC LIBRARY – LIBRARY CAPITAL PROJECTS

Beverly Martin, Johnson County Public Library Director, appeared to seek approval from the Council for their Library Capital Projects Fund Plan, which was discussed at last month’s County Council meeting.

Mr. Reed made a motion to approve the Library Capital Projects Fund as proposed. The motion was seconded by Mr. Mason and carried unanimously.

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

JUVENILE DETENTION CENTER – (140)

Kristi Bruther, Assistant Director, appeared before the Council to seek approval for the following transfers:

From: 140-117.1 – Youth Care Manager	(\$ 10,000.00)
To: 140-121.4 – Part-time Youth Care	\$ 10,000.00
From: 140-122.4 – Youth Care Manager	(\$ 29,167.00)
To: 140-199.0 – Overtime	\$ 29,167.00

Mr. Reed moved to approve the requests as presented above. Mr. Hollenbeck seconded the motion, which carried unanimously.

DRUG FREE COMMUNITY FUND – (331)

Luella Hughes, JCCASA Treasurer, was present to request the following appropriations:

331-310.0 – Treatment	\$ 6,486.96
331-320.0 – Prevention	\$ 10,267.56
331-330.0 – Justice	\$ 10,456.15

Ms. Hughes noted that these monies were awarded through grants and are being given to the County for it to disperse because the Health Foundation is no longer their fiscal agent.

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

PROSECUTOR DEFERRAL PROGRAM – (327)

Michelle Murray, Office Administrator, appeared before the Council to request for a paralegal position, which would be solely funded by the Traffic Deferral Program, and was tabled from last month’s meeting.

Mr. West asked if social security and PERF was included as well.

Mrs. Murray responded yes, social security and PERF will also be paid out of the Deferral Program and it will be in addition to the salary request.

Mr. Mason made a motion to approve the requests as presented, (327-119.1 with social security and PERF). Mr. Price seconded the motion. The motion carried unanimously.

327-119.1 – Paralegal	\$ 25,000.00
327-313.0 – Deferral Program Participants	\$ 199.55

CLERKS PERPETUATION FUND – (313)

Jill Jackson, Clerk, was present to request an appropriation from Fund #313 to purchase two items. The first item to be purchased would be equipment that will enable them to print Child Support checks on a laser printer. They will be printing the checks on a different type of check, which will cost them \$.06 per check instead of \$.14 per check. They print about 72,000 child support checks a year, which equals a savings of \$5,760.00 a year.

The second item to be purchased is a tax warrant computer, which will allow the County’s Tax Warrants to be transmitted electronically, and would expedite whole process tremendously. Her office will save a lot of time and it will cut back on the need for part-time help.

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

313-410.0 – Office Equipment	\$ 7,500.00
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COUNTY SURVEYOR CORNER PERPETUATION – (269)

Doug Lechner, Surveyor, appeared to request the following additional appropriations:

269-310.0 – Equipment Repair & Maintenance	\$ 1,419.00
269-315.0 – Professional Services	\$ 681.00

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

SHERIFF – (105)

Sheriff, Terry McLaughlin was present to request an additional appropriation for reimbursement of overtime paid for the Big City/ Big County Seatbelt Enforcement Grant.

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

105-165.0 – Overtime (BCC grant) \$ 2,296.79

COUNTY MEDICAL CARE FOR INMATES – (903)

Sheriff McLaughlin also asked for approval for the following transfer:

903-200.0 – Claims for medical payments \$ 8,530.36

Mr. West asked if the fees were increased.

Sheriff McLaughlin replied that the fees for an office call went from \$10.00 and the prescriptions went from \$5.00 to \$15.00 for both.

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

Sheriff McLaughlin also noted that he had given each Council member a document, which amends the language in their retirement/pension plan. He explained that a deputy (William Jackson) was let go by the former Sheriff and was able to get his job back. In the agreement between the County and Mr. Jackson’s counsel, there was to be no lapse of service time; however, during the time he was gone, nothing was paid into his pension for him. He was let go in 2001 and came back in the spring of 2003 and do not have a figure as to what the amount would be. This document, which needs to be signed by the Council and the Sheriff, is the first step to allow the pension provider to calculate the amount that needs to be contributed on Mr. Jackson’s behalf.

Discussion was held regarding the amount that would be owed and the provisions of the settlement agreement. Mr. Wilson also wanted to do some more research on the matter.

Mr. Canary moved to table this request until the June meeting. Mr. Hollenbeck seconded the motion, which carried unanimously.

BOARD OF COMMISSIONERS – (122)

Mitch Ripley, Commissioner, was present to request a title change and a salary adjustment due to changes within their office in regards to the implementation of an automated attendant and redistribution of the workload, due to an employee resigning.

Mr. McCarty made a motion to approve the following requests as presented:

From: 122-113.0 – Telephone Receptionist	(\$ 1,000.00)
To: 122-117.0 – Assistant Clerk to Executive Office Assistant	
\$21,893 to \$22,893	\$ 1,000.00

Mr. Price seconded the motion and the motion unanimously carried.

Mr. Ripley also requested an additional appropriation in the amount of \$197,000.00 to be placed in line item #122-392.0, Care of Patients and Inmates. He asked Barbara Davis, First Deputy Auditor, to help explain the reasoning for the request.

Mrs. Davis explained that in 2004 the Children's Psychiatric Fund was established and it has its own rate. By law, if that money is not used it must be transferred into the General Fund by March 31st of the following year to be used for Care of Patients and Inmates. She said that no money was expended in 2004, so \$197,000.00 was transferred into the General Fund. Now, in 2005, they have used some of the money and there is a formula used to calculate the amount that can be transferred into the General Fund. The Commissioners are requesting that the amount that was transferred be appropriated so they can pay some outstanding bills. She also noted that the money is received at settlement time because it has its own tax rate.

Mr. West commented that this has been an area of contingency during budget time because historically, they have underestimated the amount budgeted and have had to absorb it through additional appropriations.

Mrs. Davis commented that it was mentioned during budget time that there would be some money available to transfer and help pay bills for the Care of Patients and Inmates, but noted that they could not anticipate this same thing happening every year.

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

122-392.0 – Care of Patients & Inmates	\$197,000.00
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COUNTY ASSESSOR – (109)

County Assessor, Marla Hash, appeared to request a reduction in her part-time line item to give salary increases. She also noted that she would reduce the amount requested for part-time during budget time.

Mr. Mason asked if she could use funds from reassessment.

Ms. Hash replied that she couldn't use reassessment funds to pay all of her staff because they have other job duties that are not relative to reassessment. She stated that she is not asking for any more money, only to transfer monies within existing line items.

Mr. Mason commented that he realizes that; however he is not in favor of using part time funds or overtime funds to give salary increases.

Mr. West stated that he is in favor of using whatever monies are available to make adjustments as long as the department runs efficiently.

Mr. Price was in agreement with Mr. West and stated that the department heads need to be able to keep up the morale of their employees and productivity.

Mr. Reed stated that he appreciates everything Ms. Hash and her staff does; however, he feels like that if there is not enough money to give all county employees a raise, then no one should get a raise. He also hoped that they would be able to give raises next year and wondered what would happen to the departments that have already received increases.

Mr. West commented that what they have said is, if and when they have money available to give employee raises, they would consider the employees who have already received an increase through the year and exempt them out. They would work first with the departments that were not able to move funds to give raises, and then if there is any excess of funds, they would distribute it evenly to all departments.

Mr. McCarty made a motion to approve the transfers as requested. Mr. Price seconded the motion, which carried five to two; Mr. Mason and Mr. Reed voted nay.

From: 109-114.0 – Part-time	(\$ 3,564.00)
To: 109-112.0 – Chief Deputy \$29,191 to \$30,500	\$ 1,309.00
To: 109-113.0 – Deputy \$21,350 to \$23,000	\$ 1,650.00
To: 109-113.1 – Deputy \$23,895 to \$24,500	\$ 605.00

PROPERTY REASSESSMENT – (265)

Ms. Hash also requested in this budget to reduce the part-time line item to give salary increases and stated she would reduce the part-time amount requested at budget hearings.

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

From: 265-161.0 – Part-time	(\$ 3,000.00)
To: 265-113.0 – Reassessment Tech \$22,700 to \$24,800	\$ 2,100.00
To: 265-113.1 – County Appraiser \$39,485 to \$40,385	\$ 900.00

Ms. Hash then requested approval for the following transfer to purchase new computers and software because of the changes made by the state that they have to follow.

From: 265-310.0 – Professional Services	(\$ 80,000.00)
To: 265-420.0 – Office Equipment	\$ 80,000.00

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

SALES DISCLOSURE FUND – (907)

Ms. Hash explained that this is a fund that was created and is funded by fees generated by sales disclosure fees; the county gets a portion of the fees and the state gets a portion of the fees. She is requesting to appropriate \$20,000.00 to purchase new hardware and software so her office can send all the information from the sales disclosure to the state electronically.

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

907-410.0 – Computer Hardware & Software \$ 20,000.00

ANIMAL SHELTER – (219)

Shawn Donovan, Animal Warden, and Chip Sturgeon, Road Commander, were present to request a transfer of funds to pay for unemployment compensation. He is asking to transfer money from a salary line item (of a person who is off on military leave) to the unemployment line item.

Mr. West commented that he feels like someone needs to look into how unemployment is funded. Why does this department have to pay this from their own budget?

Mrs. Davis noted that there is unemployment budgeted for in the Commissioners budget for General Fund. Because the Animal Shelter is not in the General Fund, they have to budget theirs separately, just like the Highway Department does.

Mr. West then asked if this unemployment a result of a lot of layoffs.

Mr. Ripley and Mr. Sturgeon both responded that is was due to terminations.

Discussion was held concerning the funding for unemployment; there was also some discussion held regarding the paying of unemployment claims.

Mr. McCarty asked what would happen if this request was denied.

Mr. Ripley replied that because they have already come to an agreement, they would have to come up with the money from somewhere else, because they have to pay for it.

Mr. Price moved to approve the request as presented. Mr. Mason seconded the motion, which carried six to one. Mr. McCarty voted nay.

219-113.4 – Salary Deputy Warden (\$ 9,000.00)

219-141.0 – Unemployment \$ 9,000.00

ANIMAL SHELTER GENERAL DONATION – (262)

Mr. Donovan was also present to request an appropriation to pay for the horses that were boarded and cared for over the past two years (as a result of the Goodwin Case). He noted that the fees were better than average for the services provided.

Mr. West recalled that the Council had proposed to the Commissioners two years ago to create an ordinance allowing the disposal of animals after a period of time, so that this type of thing does not happen in the future.

Mr. Sturgeon commented that there is currently an ordinance being written.

Discussion was held regarding the circumstances and the status of the whole situation with the horses.

Mr. Mason made a motion to approve the request as presented, and added that he would like to see an ordinance at the June's Council meeting. Mr. Reed seconded the motion, which carried five to two. Mr. Price and Mr. McCarty voted nay.

262-200.0 – Claims \$ 9,190.27

IX. OLD BUSINESS

There was no old business discussed.

X. NEW BUSINESS

Regional Transportation Authority

Mr. West commented that Bill Peeples, Director of Planning and Zoning, submitted to the Council a draft resolution that needs to be adopted in order for the County to join the Regional Transportation Authority. He will be appearing at the June Council meeting to make the formal request.

Discussion of the 2006 Budget

First, Mr. West stated that they would be holding a budget workshop at Scott Hall on June 8, 2005 from 4:00 pm to 7:00 pm to discuss a fiscal plan. Mike Reuter from Consulting Services, Inc will conduct the work session.

Mr. West also commented that he would like to have the meeting video taped and then transferred to CDs so that it could be reviewed later.

Mr. West then began discussion of some proposed guidelines for the 2006 budgets. These are some of his ideas:

- Have departments submit realistic budgets
- Request a special levy from the State
- Look at the 1% Food & Beverage Tax
- Bond Special Projects (outside the levy)
- Give raises to employees

Richard Pfifer, Chief Adult Probation Officer, asked if when submitting true budgets, would that include the request for new employees?

Mr. West replied yes, if more employees are needed to run your department, then that would need to be submitted to reflect a true budget.

Mr. Reed noted that he would like to consider looking at the following:

- Taking travel and training from all budgets and placing it into the Council's budget (for anything that is not mandated by the State, each department would have to come before the Council to ask for an appropriation)
- Requiring the departments that have discretionary funds to use a portion of those funds for their specific budget
- Having the health insurance for non-general fund budgets be funded from those specific budgets
- Find money to give employee raises

Sheriff McLaughlin asked if raises were given, would they be given across the board for all county employees or would it be at the discretion of department heads to disburse?

Mr. West replied that first they would need to evaluate to see which departments have already been given raises, but he would be in favor of leaving it up to the department heads to distribute how they see fit.

Mr. Hollenbeck agreed that it would be best to let the department heads decide on how raises should be given.

Mr. Canary expressed concern with using percentages for raises verses a specific dollar amount because for example, a 3% raise for employee "A" would be worth more than a 3% raise for employee "B"; whereas a \$500.00 raise across the board would be more consistent and it also may be more money than if a person got 3% increase. He also inquired about the purchase of vehicles.

Mr. West stated that they could bond vehicles each year, instead of using Cum. Cap. funds.

Sheriff McLaughlin commented that the issue of the travel and training line items needs to be addressed on a case-by-case basis, instead of a blanket coverage. They may or may not receive adequate notice to attend a training a session and he would hate for his department to lose out on anything because of the time frame.

Ms. Hash asked about the State mandated meetings and noted that they have to submit the money before they attend.

Mr. West replied that they would be okay; they are paid out of the non-budgeted line items from the Commissioner's budget.

John Bonsett, Director of Health Department, asked what constitutes a State mandated meeting? He also commented that if they don't pre-register for meetings or conferences, then they lose out on the pre-registration rates; he is concerned with the time frame of appearing before the Council to make the request.

Mrs. Davis stated that the State mandated meetings are set by State Statute.

Mr. McCarty noted that they are not saying that departments can't attend meetings, just that they would be allowed on a case-by-case basis.

Mr. West also added for departments not to figure salary increases in their budgets just yet, he wants to wait until they have a better handle on the financial situation first.

Mr. Reed mentioned that he would like to see all departments review their budgets closely and cut out any fat that they may have. He also would still like to consider creating an employee pool.

Mr. Price commented that he doesn't see how departments continue to function since the employees have not received any raises and some departments need more employees and the county is growing and increases the demand on services from all departments.

Mr. Canary stated that they have cut so much from the departments over the past few years, or not allowed increases, but the fact is these amounts are not even close to what they need.

Mr. West noted that these are all good ideas that they need to review in preparation of the 2006 budgets.

1% Food & Beverage Tax

Mr. West commented that it was his understanding that if one county opts not to approve it, then none of the counties will be able to do it; it has to be unanimous among all of the counties. He stated that there is a five million dollar cap and once all seven counties reach that, the county would receive 100% of the funds. He also mentioned that he talked to the governor about putting a dollar amount on Johnson County so that we have a fixed amount that we would have to contribute based on a per capita basis. He also expressed concerns for the following:

- Amount of money projected (He said the governor projected the 1% amount collected from Johnson County would equal about \$1.9 million and Johnson County would keep half of that; he also noted that Umbaugh and Associates also did a projection and they came up with the figure of \$1.1 million – a difference of \$800,000.00)
- Who is going to collect the tax – the County or the State?
- How long will this tax be imposed?
- Putting the emphasis being on building a Convention Center, instead of on the Colts a new stadium – which would help us economically.

Mr. West commented that there are still some issues that need to be clarified but noted that the 1% would help out the General Fund and could help with the salary increases. He also noted that this tax is an elective tax.

Mr. McCarty expressed his opinion; from the Council's perspective they need to look at this tax as a source of revenue for the county and not focus on the fact that a portion of it is going to build the Colts a new stadium or a new Convention Center.

Mr. West also noted that he would ask the governor to attend the June Council meeting.

Mr. McCarty asked how they could get clarification of the bill?

Mr. Mason stated that he would like for someone to be in attendance that is knowledgeable of the bill.

LTAP – Local Technical Assistance Program

Mr. West stated that prior to next month's meeting, beginning at 6:30 pm, there would be a presentation from LTAP doing a bean presentation on how the gas tax money is being distributed among the State.

Some discussion was held on how the State redistributes the tax money collected from the county.

Regional Sewer District

Mr. West explained that if the County Council approves a Regional Sewer District, then they would have some input on how sewers would be serviced. Hopefully, this would alleviate some of the problems of only having certain sewers serviced. He also commented that there is an area between Bargersville and Greenwood that is having some sewer problems and he has spoken to John Bonsett, Director of Health, regarding these matters. The problem is who should be responsible in servicing this area.

Mr. Mason added that a couple of years ago, the Plan Commission tried to get the City of Greenwood and the Town of Bargersville to define boundaries and work together more efficiently – but that was never done. Now, whenever a new subdivision is developed, they negotiate with both and go with the better deal, which results in sewer lines criss-crossing.

Mr. Price stated that it would be more feasible to look at the location and the capacity available to service the sewers.

Ed Tinkle, with Commonwealth Engineers and representing the Town of Bargersville, appeared before the Council and spoke against the creation of a Regional Sewer District. He explained that the creation of a Regional Sewer District is not for management. IDEM wants the petition of Regional Sewer District to be for an initial project to come in with it, otherwise they won't even consider the petition.

Mr. Tinkle also commented that the Town of Bargersville has tried to have a meeting with the City of Greenwood to figure out the boundary areas; but the City of Greenwood has not been cooperative. Therefore, the Town of Bargersville created a master plan, with the help of the Health Department, and outlined the boundaries and put in detail how they

would service sewers. He explained the funding for the sewers and how it gets passed along to the new homeowners. He noted that currently, the developers go to both the City of Greenwood and the Town of Bartersville to see where they can get the better deal and that is whom they go with. He also mentioned that the City of Greenwood's plan does not include any of the area that is currently undefined.

Discussion was held on who should service the sewers, who would be liable for them when they are not properly maintained, and if they should be mandatory.

There being no further business, Mr. Reed moved to adjourn the meeting. The motion was seconded by Mr. Canary and unanimously carried.