

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 13, 2006

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

I. ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 2/13/06 AGENDA

Mr. West added a transfer of funds request from the Juvenile Probation and Cumulative Bridge Fund to the agenda.

Mr. McCarty moved to approve the agenda as presented including the additional requests. Mr. Reed seconded the motion, which unanimously carried.

V. APPROVAL OF 1/9/06 & BUDGET HEARING MINUTES

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

VI. PUBLIC COMMENTS

There were no public comments.

VII.

Ordinance #2006-03--An Ordinance of the Johnson County Council Authorizing the Issuance of General Obligation Bonds for the Purpose of Providing Funds to Acquire Certain Equipment and to Pay the Costs of Issuance of the Bonds. (see also minutes 12/5/05)

Kirk Grable, Bond Counsel from Barnes & Thornburg, appeared to explain the first reading of ordinance #2006-03. Mr. Grable briefly reviewed the financing timetable for the general obligation bonds on the equipment. He described several sections of the twenty-one page proposed bond ordinance to the Council.

Some of the Council members expressed concern that the bond amount was still at \$3.5 million and they had discussed lowering some of the amounts at the meeting in December. They also thought the term of the bond was for four years instead of the proposed seven years because of the life expectancy of some the equipment.

Mr. Grable noted that if the county does not expend the full \$3.5 million the extra money would reduce the property tax rate used to pay debt service in that particular year. He explained the financial advisors could set the number of years of the bond based upon what the county wishes. The ordinance sets the terms for the maximum amount of repayment time; however, it may be lowered.

R. J. McConnell, County Commissioner, explained the financial advisors were not in attendance. He also commented that some of items on the list have been reduced, while other items on the list, such as the new phone system, still have an unknown price.

Mr. Grable explained because the bonds would be county money the expenditures are subject to the approval of the county council each time a piece of equipment is acquired. The language in the ordinance states, "it is anticipated that the project shall consist of the acquisition of certain equipment, including, without limitation, all or a portion of the equipment set forth in the list attached hereto or other equipment similar to the equipment set forth the list attached hereto". That will give a little flexibility to the county when approving the purchases.

Discussion was held on the term of the bond and the amount of \$3.5 million.

Mr. McConnell noted that this is first reading of the ordinance #2006-03 and he will make sure the financial advisors are in attendance for the March 13th Council meeting. The term of the bond does not have to be decided this evening; the ordinance allows for up to seven years payback.

After further discussion, Mr. Price moved to approve the first reading of Ordinance #2006-03 up to seven years payback and up to \$3.5 million. Mr. Canary seconded the motion that carried five to two, Mr. Reed and Mr. Mason voted nay.

Ordinance #2006-04--An Ordinance of the Johnson County Council Authorizing the Issuance of Road and Bridge Bonds for the Purpose of Providing Funds to Acquire Certain Equipment for the County's Highway Department and to Pay the Costs of Issuance of the Bonds.

Mr. Grable distributed ordinance #2006-04 to the Council for review. The maximum principal amount of the bond is \$800,000. He briefly reviewed the financing timetable for Road and Bridge Bonds with a proposed closing date of April 25, 2006. He noted the bonds do not need the approval of the Department of Local Government Finance or is subject to the petition remonstrance process because they are not secured by property taxes. The bonds will be payable solely from the Motor Vehicle Highway Sinking Fund, the Local Road and Street Fund, and the CAGIT Sinking Fund every six months. The maximum term of the bond is seven years with a rate not to exceed seven percent. Every month the county would deposit into the fund of their choice an amount equal to one-sixth of the next principal and interest payment. CAGIT funds would be used only if there are not sufficient funds from the MVH and LRS money to pay debt payments.

After further discussion, Mr. Price moved to approve the first reading of Ordinance #2006-04 up to seven years payback and up to \$800,000. Mr. Hollenbeck seconded the motion that carried unanimously.

VIII. GIS Task Force Chairman-Option to Purchase Pictometry

Marla Hash, County Assessor, and Kay Stephens, Deputy Auditor and a member of the GIS Task Force, appeared before the Council to report the Metropolitan Planning Organization (MPO) will be providing pictometry for a large portion of the county. Pictometry is aerial photos of real property showing shots straight down and oblique. The cost to do the remainder of the county is approximately \$49,0000 of which the county would have to pay for. Mrs. Hash explained this will be an asset for reassessment and will allow payment for the pictometry from the Reassessment Fund. This will also benefit several other government entities such as police and fire departments. She was before the Board of Commissioners earlier in the day and they did sign the contract for the aerials.

Council members thanked Mrs. Hash for allowing the disbursement from the Reassessment Fund for this project.

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

PROSECUTOR DEFERRAL PROGRAM – (327)

FORFEITURE & SEIZURE – (312)

Michelle Murray, Prosecutor’s Office Manager, appeared to request additional appropriations for deferral program participants and the New Whiteland Police Department for forfeiture and seizure.

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

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| 327-313.0 – Deferral Program Participants | \$ 4,831.75 |
| 312-316.0 – New Whiteland Police Dept. | \$ 2,897.30 |

HEALTH – (210)

John Bonsett, Health Director, appeared to request approval of the Inter Local Cooperation Agreement with Marion County (mosquito control). He noted the county has had an agreement for mosquito control for approximately ten years. The Board of Commissioners signed the agreement in December of 2005.

Mr. Mason moved to approve the Inter Local Cooperation Agreement with Marion County (mosquito control). Mr. Price seconded the motion that carried unanimously.

JUVENILE PROBATION – (296)

John Price reported he spoke with Suzanne Miller, Chief Probation Officer, and the request is to transfer funds from professional services into office equipment in the amount of \$1,387.28. He explained the money was appropriated last year and they were not billed for the equipment until this year and the funds reverted back. She told Mr. Price that she thought she would have sufficient funds for professional services and would not need to appropriate additional funds.

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

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| From: 296-310.0 – Professional Services | (\$ 1,387.28) |
| To: 296-410.0 – Office Equipment | \$ 1,387.28 |

CUMULATIVE CAPITAL DEVELOPMENT – (254)

The requests before the Council are for \$3,000 in office equipment to repay the General Fund back for the expenditure approved last month for the White River Township Assessor to purchase a printer, and the other request is for \$17,539 to replace the computer room air conditioner. Robert Norris, Computer Director, and Jack Matthews, Maintenance Director, were present to answer any questions concerning the air conditioning.

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

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| 254-414.0 – Office Equipment | \$ 3,000.00 |
| 254-433.0 – Computer Room Air Conditioning | \$ 17,539.00 |

OLIVE BRANCH ROAD – (263)

Don Sanders, Highway Director, appeared to request an additional appropriation in the amount of \$52,200 for Olive Branch Road. The money was derived from the sale of the lots on Olive Branch Road over the past several years to make improvements to the road.

Mr. Price move to approve the request as presented. Mr. Reed seconded the motion that carried unanimously.

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| 263-410.0 – Olive Branch Road | \$ 52,200.00 |
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CUMULATIVE BRIDGE – (206)

Mr. Sanders requested a transfer of funds in the amount of \$80,000 from 500 West & 700 North into a new line item, Bridge No. 16. He explained a vehicle hit the bridge and after their inspection they determined it is very dangerous and will need to be repaired as soon as possible. The bridge is located on Nineveh Road and will need to be closed approximately sixty days for repairs. If approved he will return in March to have the \$80,000 re-appropriated back into the 500 West & 700 North line item.

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

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| From: 206-472. 0 – 500 West & 700 North | (\$ 80,000.00) |
| To: 206-475.0 – Bridge No. 16 | \$ 80,000.00 |

EMERGENCY MANAGEMENT – (127)
STATE HOMELAND SECURITY – (371)

HOMELAND LAW ENFORCEMENT TERRORISM PREVENTION (372)

Forrest Sutton, Emergency Management Director, appeared to request a transfer of funds in the #127 budget and appropriate the homeland security grant funds. He explained he would return next month to transfer some of the grant funds into specific line items.

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

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| From: 127-275.0 – Emergency Funds | (\$ 500.00) |
| To: 127-115.0 – Part-time Clerical | \$ 500.00 |
| 371-410.0 – Equipment | \$ 258,443.00 |
| 372-410.0 – Equipment | \$ 151,465.00 |

INSPECTION FEES – (276)

William Peebles, Planning & Zoning Director, appeared to request an additional appropriation in the amount of \$10,000 to upgrade their computer system and testing equipment for the inspection staff. The revenue is generated from developers for the inspection and testing of subdivisions. The developers may request a refund of any of the funds that are not used for the inspection and testing.

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

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| 276-210.0 – Claims | \$ 10,000.00 |
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TREASURER – (103)

Rita Sievertson, Treasurer, appeared to request a transfer of funds in the amount of \$885 to increase an employee's salary from \$19,500 to \$20,385, effective 1/1/06. She stated the salary was lowered at budget time from \$23,000 to \$19,500 and she would like to give the employee a three percent salary increase.

Mr. Reed moved to approve the request as presented, effective 1/1/06. Mr. Price seconded the motion that carried unanimously.

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| From: 103-199.0 – Overtime | (\$ 885.00) |
| To: 103-113.2 – Deputy – Collections \$19,500 to \$20,385 | \$ 885.00 |

SHERIFF – (124)

Terry McLaughlin, Sheriff, appeared to request a transfer of funds in the amount of \$4,000 to increase an employee's salary from \$28,887 to \$32,887. He has had a very difficult time in keeping the position filled at the current salary. He will need to bring a road officer back into the office to do the training if this position is not filled.

Mr. Price moved to approve the request as presented, effective 2/13/06. Mr. McCarty seconded the motion that carried unanimously.

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| From: 124-170.0 – Part-time Clerical/Pay/Computer | (\$ 4,000.00) |
| To: 124-126.4 – Training Officer \$28,887 to \$32,887 | \$ 4,000.00 |

Johnson County Police Retirement Plan (Deferred Retirement Option Program DROP)(see minutes 1/9/06)

Sheriff McLaughlin and Elaine Beaty from McCready & Keene, appeared to request the approval of the DROP program that was discussed last month.

Mr. West commented he wanted to obtain some information on this program from the Association of Indiana Counties for their input, but failed to do so prior to the meeting.

Sheriff McLaughlin noted if this program is delayed it could jeopardize some the officers being able to lock into the DROP program. He has one officer that has asked about the program for the last two months because he is interested in participating.

Ms. Beaty noted the members that enroll in the DROP program thereby becoming a DROP participant, the following consequences shall apply: (i) he will not be credited with any additional credited service after his DROP entry date, (ii) no increases in salary after his DROP entry date shall be recognized for purposes of calculating any benefit to which a DROP participant may become entitled. The member would continue employment, but for pension purposes they would not receive any additional credit. They would be locking their pension in at a smaller amount. The reason someone may choose to enroll in the program is because they know they will be retiring in a few years and financially have not planned for that, so this would lock the pension in at a smaller monthly rate and allow for twelve months worth of payments to accumulate in a savings account. Then when they retire they would receive less monthly retirement payments but receive a lump sum of money that they otherwise would not have had. Ms. Beaty also noted that the county would not reap any rewards immediately, the savings would occur at the members' actual separation of employment, so the savings for the county will be on the back end.

Mr. Price moved to approve the Deferred Retirement Option Program (DROP) for the Johnson County Police Retirement Plan. Mr. Mason seconded the motion that carried six to one, Mr. West voted nay.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

There was no new business to discuss.

Mr. McCarty moved to adjourn the February 13th Council meeting. Mr. Mason seconded the motion that carried unanimously.