

COUNTY COUNCIL REGULAR MEETING – FEBRUARY 12, 2007

The meeting was called to order by President, John Price.

I. ROLL CALL

The following members were present: Steve Hollenbeck, Josh McCarty, Beth Boyce, Ron West, Charles Canary and Anita Knowles. Phil Wilson was present as the Council's attorney.

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 2/12/07 AGENDA

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

V. APPROVAL OF 12/28/06 SPECIAL MEETING MINUTES

Mr. McCarty moved to approve the minutes as presented. Mr. West seconded the motion, which carried unanimously.

VI. APPROVAL OF 1/8/07 MINUTES

Mr. McCarty moved to approve the minutes as presented. Mrs. Knowles seconded the motion that carried unanimously.

VII. PUBLIC COMMENTS

Mr. Price noted that he received a letter from the Greenwood Economic Development Commission asking that Jerry Sargent be re-appointed to their board.

Mr. West moved to approve the re-appointment of Mr. Sargent to the Greenwood Economic Development Commission Board. Mr. Hollenbeck seconded the motion, which unanimously carried.

Jerry Sargent then spoke before the Council stating the different public offices he has held previously over the years and thanked them for appointing him again to the Greenwood Economic Development Commission Board and for their services to the public.

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

SUPERIOR COURT NO. 2 – (133)(effective 1/1/07) – tabled from January

Superior Court No. 2 Judge, Cynthia Emkes, appeared to request an increase in salary for a full time employee who has a lot of court experience. Judge Emkes had previously requested this increase at budget time, but was asked by the Council to come back after the first of the year.

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

133-117.0 – Assistant Court Reporter \$25,504 to \$26,524 \$ 1,020.00

WIC – (215)

Mr. Canary commented that Tracy Smith, WIC Coordinator, had called him and stated that she was not going to be able to be in attendance. The \$200.00 request is to purchase two new televisions and a VCR due to equipment failure.

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

215-410.0 – Equipment \$ 200.00

MARCH OF DIMES – (360)

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

360-210.0 – Claims \$ 84.90

PLANNING & ZONING – (117)

Brian Waterman, Director, was present and first introduced himself to the members of the Council as the new Planning Director. He then stated that due to some personnel turnover within his department he is looking at re-structuring the job duties of his staff and determining what is in the best interest of his department as they serve the county. His request tonight is to transfer some money from the Building Commissioner line item, which is currently a vacant position, and put that money into the Subdivision Inspector line item to make the salary more competitive so they can hire a qualified person. He also commented that he would be back next month to request an increase in the Building Commissioner line item. He will also be changing the title of that line item and will use money from within his department to fund the increase; he noted that he feels very competent that his department can run effectively with just two building inspectors.

Mr. McCarty moved to approve the request as presented. Mrs. Knowles seconded the motion, which carried unanimously.

From: 117-130.0 – Building Commissioner (\$ 3,742.00)

To: 117-121.0 – Subdivision Inspect \$26,258 to \$30,000 \$ 3,742.00

COUNTY SURVEYOR CORNER PERPETUATION FUND – (269)

Doug Lechner, Surveyor, was present to seek an appropriation from the Section Corner Perpetuation Fund.

Mr. West asked if this was something that is done about every three or four years.

Mr. Lechner answered yes; state statute says that if you are a licensed surveyor, then you get \$4.00 for every corner you perpetuate and it takes about three or four years to generate enough money to ask for it to be appropriated.

Mr. Canary asked where the money went.

Mr. Lechner replied that it goes to him.

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

269-110.0 – Surveyor \$ 2,039.04

MAGISTRATE COURT – (134)

Mr. Price commented that he had spoken with Judge Tandy and the request is to transfer funds to purchase headsets for his staff that will work with the county's new telephone system.

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

From: 136-361.0 – Equipment Repair & Maintenance (\$ 1,000.00)
To: 136-420.0 - Office Furniture & Equipment \$ 1,000.00

TITLE IV-D JUVENILE COURT – (137)

Marla Clark, Juvenile Court Judge, appeared on behalf of Judge Loyd, who was not able to be in attendance. She then asked if anyone had any questions regarding their request.

Mr. West inquired what exactly was a security supplement.

Mrs. Clark responded that she has been assessing the needs of her court and she currently has a security officer/bailiff that serves as security to the building; however she is in more need of clerical help. The Sheriff has agreed to take on the responsibility of the building security so they are putting the difference of the salary into this new line item to help offset any additional cost to the Sheriff's budgets.

Sheriff Terry McLaughlin added that the funds would be used to help offset any overtime funds that may be incurred during the year to assist Judge Clark with her needs during her busy times.

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

137-113.0 – Security/Bailiff – change title to
Assistant Court Reporter and reduce salary \$ 26,500.00

137-117.0 – Security Supplement – NEW \$ 5,187.00

COMM CORR/JUVENILE PROJECT INCOME – (216)

Albert Hessman, Director, appeared to request a salary amendment to a line item that is paid from a grant, however it was short the 3% salary increase, so they are funding it from their Project Income funds.

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

216-118.0 – Juvenile Casemanager – NEW \$ 440.50

COMM CORR/ADULT PROJECT INCOME – (209)

Mr. Hessman stated that he would like to increase the part-time hourly rate from \$10.97 to \$13.75. He explained two years ago, when he first started at Community Corrections, their budget was struggling financial and their ending balance in Adult Project Income was about \$25,000 and their Commissary Fund was about \$2,000, plus they were dependent on the General Fund for two full time positions. Now, they have absorbed the funding for the two positions and their balance in the Adult Project Income is about \$317,000 and their Commissary Fund has over \$55,000. The request for the increase of the part-time hourly rate is to pay the people that are doing such good work operating the Commissary Funds and he wants to make it more beneficial to them so that he can maintain them as employees.

Mr. McCarty noted that this line item has a negative balance.

Mr. Hessman replied that he was unaware of the negative balance and asked to do more research on it and come back next month with more information.

Mr. McCarty then moved to table the request until the March Council meeting. Mr. Canary seconded the motion, which unanimously carried.

COMMUNITY CORRECTIONS CTP – (220)

Mr. Hessman commented that this request is for a newly formed position. He commented that Community Corrections is pretty much self-funded, except for the grants that they get from the State Department of Corrections (D.O.C.). To receive these grants, which are usually between \$200,000 to \$300,000, they have to abide by the State’s requirements, which they have changed their requirements and expectations to be able to continue to receive those funds. One procedural change is for all Community Corrections organizations to use evidence based programming, which we are starting to do. In order to do this though, they have to do a risk and needs assessment for everyone in their programs. It takes about 2 to 3 hours per person and they currently have around 300 people in both home detention and work release. The assessments are then used to identify risk areas and needs areas of the offenders within their programs and then direct them to the proper educational treatments and training classes that they need. Those classes are then identified as what is recognized as evidence based, meaning they have been researched and have indicated that over a period of time have been identified as effective in reducing recidivism so that the offenders don’t come back into the program. This new position would be responsible specifically for these assessments and coordinating, researching, and identifying evidence based programs.

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

220-100.0 - CTP Program/Assessment Admin –NEW	\$ 11,154.00
220-142.0 – FICA	\$ 854.00
220-143.0 – PERF	\$ 1,004.00
220-144.0 – Insurance	\$ 500.00

COMMUNITY ALCOHOL & DRUG FUND – (332)

Mr. Hessman explained that there were some training classes offered for the Alcohol & Drug personnel; however, there were not enough funds to cover the classes at this time. He added that they received a scholarship from the Indiana Judicial Center, which will be used to reimburse this account once it is received.

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

332-340.0 – Travel & Training \$ 2,400.00

CHILD ADVOCACY FUND – (284)

DEFERRAL – (327)

PROSECUTOR IV-D – (118)

PRETRIAL DIVERSION PROGRAM – (286)

PROSECUTOR DEFERRAL PROGRAM – (327)

PROSECUTING ATTORNEY – (108)

Mr. Price commented that Michelle Murray, Administrative Assistant, had went home sick and had asked that her requests be tabled until the March Council meeting.

Mr. Canary moved to table the Prosecutor's requests for the above budgets until the March Council meeting. Mr. Hollenbeck seconded the motion that carried unanimously.

SHERIFF – (105)

Sheriff McLaughlin first asked for an appropriation into his Overtime line item from the OPO/DUI fund for the OPO project during the month of December. He then requested an increase in the hourly rate of the part-time dispatchers from \$9.50 to \$12.50. He added that surrounding agencies pay more on the hour so he is trying to stay competitive to maintain personnel.

Mr. West moved to approve the request as presented. Mrs. Knowles seconded the motion, which unanimously carried.

105-165.0 – Overtime \$ 1,346.44

105-162.0 – Part-time Dispatchers – increase hourly rate from \$9.50 to \$12.50

JOHNSON COUNTY SHERIFF DEPT L.E.C.E – (325)

Sheriff McLaughlin stated that these funds are being used to purchase equipment and uniforms for the new security personnel.

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

325-200.0 – Supplies \$ 5,700.00

SPANISH TRANSLATION GRANT – (384)

Sheriff McLaughlin then noted that Duke Energy had awarded them a grant to help with the translation of the Spanish speaking population.

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

384-300.0 – Professional Services

\$ 2,000.00

EDINBURGH TOWER – (510)

Sheriff McLaughlin then commented that he was asking for an appropriation to help pay the bills for the Edinburgh Tower. The 911 Board and the Board of Commissioners previously approved this tower. They had received a grant for around \$155,000 to buy equipment for the tower, but they needed more money for labor costs, which they had to take out a loan for \$180,000 to cover those additional costs.

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

510-400.0 – Equipment

\$180,000.00

ANIMAL SHELTER – (219)

Animal Warden, Shawn Donovan, was present to request an increase in salary for the Animal Warden position. He gave each member a handout that contained statistical information about the number of animals, cases, and adoptions. It also contained salary comparisons of other county Directors (Wardens).

Mr. Canary made a motion to table this request until next month so that they would have more time to review the information that they were just given. The motion died due to a lack of a second.

Commissioner Mitch Ripley was also present and spoke in support of the requested salary amount and commented that they could not replace a person like Mr. Donovan at the current salary if they had to in the future.

Mr. Donovan also expressed that he would like to continue to improve the operation of the shelter, including updating ordinances and re-evaluating the fees for fines.

Discussion was held regarding the amount of the increase. Everyone agreed that Mr. Donovan is doing a wonderful job at the Animal Shelter; however, they could not see approving the 32% salary increase as requested.

Mr. Price inquired about the amount of workload that Mr. Donovan is doing and questioned why he would be doing away with positions; why not spread out the workload and keep the personnel.

Mr. Donovan replied that there are certain things that he has to do himself and be accountable for and stressed that he felt like his department could run efficiently without the Administrative position, noting that a lot of his hours recently have been spent on road work due to being short a road officer. Once he gets a road officer back on staff then his hours should be reduced.

Mr. McCarty commented that it has always been his theory that if a department has monies to use within their 100 series and can still run their department efficiently, then he had no problem adjusting salaries; however, he could not approve an increase of 32% for one person at this time.

Mr. West stated that he has been impressed by how Mr. Donovan has ran the department and improved the operation. Also, knowing that the new shelter is getting close to being built, he suggested that they re-address the whole situation later, when hopefully the shelter will be a little more self-funding. But for now, he suggested allowing a 10% salary increase for the director and then at budget hearings they could look at the director's salary again along with the other personnel at the Animal Shelter.

Mr. Donovan commented that a 32% increase is a large increase, but when there hasn't been much adjustment over the past nine years you have to play catch up at some point.

Some more discussion was held regarding the salary of the Animal Warden's salary, as a department head compared to other department head's salaries within the county.

Mrs. Knowles asked if this was discussed at the 2007 budget hearings.

Mr. Donovan replied yes, but it was withdrawn due to personal reasons.

Mr. Canary expressed concern that by eliminating a position, the overtime costs would increase and down the road additional appropriations would be requested.

Mr. West stated that first he would like to make it a commitment of the Council to re-evaluate the Animal Shelter at budget hearings this year, taking into consideration the revenue generated from the shelter. He then moved to approve the following:

From: 219-112.0 – Administrative Assistant	(\$ 3,638.00)
To: 219-111.0 – Animal Warden \$36,375 to \$40,013	\$ 3,638.00
From: 219-112.0 – Administrative Assistant	(\$ 6,000.00)
To: 219-113.3 – Kennel/Office Part-time	\$ 6,000.00
From: 219-112.0 – Administrative Assistant	(\$ 2,028.00)
To: 219-199.0 – Overtime	\$ 2,028.00

Mr. Canary seconded the motion.

Mr. Ripley asked for consideration to do a compromise of a 20% increase, which would make the salary more realistically close to what is more competitive.

Mr. Price called for the vote; the motion carried unanimously.

OLD BUSINESS

There was no old business discussed.

NEW BUSINESS

Discussion of Indiana Commerce Connector (Beltway)

Mr. Canary stated that due to the many questions concerning the economic impact to Johnson County and the amount of citizen opposition to the proposed Indiana Commerce Connector he is making a motion for the Council to have their attorney to draft a resolution opposing the proposed toll road in its present form. Once the members have time to read the resolution within the next two or three days, he suggested holding a special meeting to approve passage of it.

The motion died due to lack of a second.

Mr. West commented that he feels like there are still so many unanswered questions and the situation is so open-ended that he doesn't feel like a resolution would be very beneficial at this time. He feels like they would have better luck, either individually or collectively, to contact their State Legislatures to express their concerns.

Mr. Canary agreed that it was so open-ended, but the Senate had an opportunity to make it right and send it to a study, which the citizens have asked for, but they voted against it. He was hoping that the resolution would be helpful when it goes to the House for their vote.

Mr. Wilson stated that he and others in Union Township have already contacted their local state legislatures, but they are not listening and not responding to the voters concerns.

Mr. Price expressed that he would be in favor of preparing a letter to find out more information for the taxpayers.

Mr. Wilson also commented that he does have some personal property that will be affected by this toll road, but he has not spoken one word about it. The fact is it doesn't matter, because eminent domain will take place and there is nothing that can be done, not to mention we could not complain about the taxes or the economic development. It will be a big impact fiscally and economically. Government bodies speak through resolutions or ordinances; resolutions have no binding effect, but with an ordinance, you can request that it be read on the floor.

Discussion was also held regarding the effects on the cut roads and maintenance of those roads as well as the impacts on other entities.

It was decided that the members email Mr. Price, within the next few days with their thoughts and concerns, then he would draft a letter.

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