

COUNTY COUNCIL REGULAR MEETING – JUNE 11, 2007

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

I. ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 6/11/07 AGENDA

Mr. Price commented that he had one addition to add under new business; they need to recommend people to the Governor's office for the Indiana Stadium Convention Authority Board. Mr. McCarty moved to approve the agenda as presented, including the addition. Mr. Hollenbeck seconded the motion that carried unanimously.

IV. APPROVAL OF 5/14/07 REGULAR & SPECIAL MEETING MINUTES

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

VI. PUBLIC COMMENTS

Mr. Price asked that any public comments pertaining to the Wheel Tax be held until it is brought up during old business later on the agenda. He also asked that anyone that has previously spoken give courtesy to others by allowing them to speak. And to save time, they would limit the amount of time that each side could speak to about fifteen minutes.

Gary Moody, from Franklin, commented that he has been asking County Officials two related questions, without sufficient response. Those questions are: (1) How well has Johnson County Government managed recent development with respect to increased public costs for county roads? (2) How well has Johnson County Government done in getting developers to pay their fair share of these costs? Mr. Moody then gave an example (development at SR 135 and Whiteland Road) to illustrate his concerns.

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

PROPERTY REASSESSMENT – (265)

Marla Hash, County Assessor, and Mark Alexander, County Appraiser, were present to answer any questions relating to her request to transfer money into her overtime line item. She commented that her office is about six months behind in deeds and sales disclosures due to the extra workload from the trending and the PTBOA hearings that is expected to take place; she has already used all of her overtime money and will need more to get the work completed. She is requesting a transfer of funds from the Reassessment Tech position because they have not had enough time to interview and hire

someone for that position yet; they are not giving up this position, just postponing the hiring of someone.

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

From: 265-113.2 – Reassessment Tech (\$ 23,500.00)
To: 265-161.1 – Overtime \$ 23,500.00

COOPERATIVE EXTENSION SERVICE – (116)

Linda Souchon, County Extension Director, appeared to request that the funds for a work-study program, that she applied for and was rewarded, be placed into her line item from the General Fund.

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

116-112.4 – Part-time \$ 1,995.00

SHERIFF – (105)

Colonel Doug Cox, appeared to request that \$258.88 from OPO/DUI be reimbursed back into their Overtime line item.

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

105-165.0 – Overtime \$ 258.88

MEDICAL OFFICE MANAGER – (307)

Mr. Cox commented that the Sheriff pays for this position from his Commissary Fund and they are asking that the monies be appropriated into this line item.

Mr. West noted that his printout is showing a negative balance in that account.

Barb Davis, First Deputy Auditor, commented that they might need to appropriate more money into this fund later.

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

307-110.0 – Medical Office Manager \$25,750 \$ 3,598.38

IDENTIFICATION SECURITY PROTECTION – (378)

Susie Misiniec, Recorder, appeared to seek approval for an appropriation to pay a claim for redacting technology equipment and support provided by Cott Systems Inc., which relates directly to the redacting of social security numbers from the recorded documents.

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

378-300.0 – Professional Services \$ 29,957.81

COMMUNITY CORRECTIONS / ADULT GRANT – (208)

COMMUNITY CORRECTIONS / ADULT PROJECT INCOME – (209)

COMMUNITY CORRECTIONS / JUVENILE GRANT – (213)

COMMUNITY CORRECTIONS / JUVENILE PROJECT INCOME – (216)

COMMUNITY CORRECTIONS CTP – (220)

Albert Hessman, Executive Director, appeared to request approval and appropriation of the Community Corrections Department salaries for the remaining six months of their fiscal year (July 1, 2007 thru December 31, 2007).

Mr. West moved to approve the following as presented:

Salary from July 1, 2007 – December 31, 2007

208-110.0 – Program Manager \$20,600
208-111.0 – Senior Adult Casemanager \$16,000
208-112.0 – Adult Casemanager \$14,000
208-113.0 – Adult Casemanager \$13,500
208-114.0 – Adult Casemanager \$13,500
208-115.0 – Adult Senior Field Officer \$14,500

209-110.0 – Correctional Officer \$12,163
209-111.0 – Community Service Coordinator \$14,461
209-112.0 – Adult Casemanager \$14,500
209-113.0 – Correctional Officer \$13,785.50
209-114.0 – Field Officer \$14,000
209-115.0 – Field Officer \$13,500
209-118.0 – Correctional Officer \$12,528
209-120.0 – Correctional Officer \$12,528
209-121.0 – Correctional Officer \$12,163
209-122.0 – Correctional Officer \$12,163
209-123.0 – Correctional Officer \$14,461
209-124.0 – Correctional Officer \$12,163
209-125.0 – Correctional Officer \$12,163
209-130.0 – Receptionist \$10,078.50
209-132.0 – Correctional Officer \$12,163
209-133.0 – Computer/Statistical Manager \$17,510
209-134.0 – Assist. Director \$21,444
209-135.0 – Office Administrator \$18,711.50
209-138.0 – Executive Director \$28,325
Part-time rates- Correctional Officer \$10.97, Para Professional \$15.00
Clerical \$7.50 & \$9.00, Commissary Manager \$13.75

213-111.0 – Juvenile Program Coordinator \$18,477
213-112.0 – Juvenile Casemanager \$15,875
213-113.0 – Juvenile Casemanager \$15,132

216-113.0 – Juvenile Casemanager \$13,750
216-114.0 – Family Resource Officer \$13,485

220-100.0 – CTP Program Administrator \$13,500

Mrs. Knowles seconded the motion, which carried unanimously.

FAMILY & CHILDREN FUND –(218)

Laura Gentry, Director of the Department of Child Services, was present to seek approval for the following appropriation:

218-300.8 – Child Welfare Services \$ 50,585.00

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

CUMULATIVE BRIDGE FUND – (206)

Gary Vandegriff, Highway Director, appeared to request an additional appropriation from the Cash Fund for two upcoming projects that would be bid out in July. County Road 200 North/Simon Road is both a road and bridge project and County Road 200 East is for the re-alignment of the S-curves. He also noted that these are also both federal aid projects.

Mr. West inquired if the project for re-aligning the S-curves was the same stretch of road that we have already received about \$600,000 for from the State?

Mr. Vandegriff replied that this project started out as 100% funded but the county still has to pay for the construction and inspection part of it; cost increases caused them to ask for additional increase in funds. The State approved the increase, but made the project a 90% / 10% split and the County still has to pay for the construction and inspection part.

Mr. Canary asked about the acquisition of the right-of-ways.

Mr. Vandegriff stated that the County had to pay for the right-of-ways and that portion is completed.

Mr. West recollected that this project, according to the prior Highway Director, was only going to be about \$400,000 but we received funds around the amount of \$600,000. He then asked what was going to be the County's total cost for this project now.

Mr. Vandegriff clarified that the total project would be about \$970,000 and the County's 10% portion would be around \$97,000 and the balance for the construction and inspection, plus what has already been paid for the right-of-way costs.

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

206-473.0 – County Road 200 North \$ 100,000.00

LOCAL ROAD & STREET – (207)

Mr. McCarty moved to approve following request of #207-473.0 – County Road 200 North for \$ 310,000.00 as presented. Mrs. Boyce seconded the motion, which unanimously carried.

207-473.0 – County Road 200 North \$ 310,000.00

Mr. McCarty moved to approve the following request of #207-408.0 – County Road 200 East for \$ 250,000.00. Mrs. Boyce seconded the motion that carried five to one; Mr. West voted nay and Mr. Canary abstained.

207-408.0 – County Road 200 East \$ 250,000.00

ANIMAL SHELTER GENERAL DONATION FUND – (262)

Commissioner Mitch Ripley appeared to request an appropriation of funds from the Animal Shelter’s General Donation Fund to help pay for triage care for animals of unknown ownership requiring medical stabilization and professional review.

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

262-200.0 – Professional Services \$ 5,000.00

ANIMAL SHELTER BUILDING DONATION FUND – (264)

Mr. Ripley then commented that this request is to pay for architectural and engineering design and project support for the new Animal Shelter.

Some discussion was held regarding the progression of the new building.

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

264-320.0 – Professional Services \$ 97,950.00

VIII. OLD BUSINESS

Ordinance #2007-03 – Johnson County Council Authorizing the Imposition of an Annual License Excise Surtax and a Wheel Tax

Mr. Vandegriff first gave an executive summary for the Wheel and Excise Surtax, which included an introduction, goals, allowable use of funds, who receives funds, and future planning. He also suggested that they try to communicate better to the public any plans for upcoming projects so they can give their input and provide accountability.

Mr. Price and Mr. McCarty both expressed their thanks to Mr. Vandegriff for his hard work, detailed reports and cooperation.

Mr. Canary commented that all townships countywide are being represented on the information that the Council members are receiving from the highway department; everything is not centered around one particular area within the county.

Mr. Price distributed copies of letters from taxpayers in favor of the Wheel Tax, including one from Cheryl Morphew, Executive Director of the Johnson County Development Corporation.

Mr. Ripley stated that he would push for the Commissioners to re-activate the Task Force that was implemented over a year ago, which would include members of the Council and Commissioners, to help determine how we need to proceed with road projects countywide. He also commented that if this tax was passed, then they could look at the current highway budgets to try to find funds to help pay for railroad safety.

Mr. West commented that he has received phone calls from taxpayers concerned that the money from the Wheel Tax will go toward special projects and not for road repair.

Mr. Ripley replied that the funds from the Wheel Tax would not be used for special projects; however, this will help free up monies elsewhere to use for special projects. He added that there was some misconception on how this information was reported in the newspapers.

Mr. Canary reported that he has received several phone calls also regarding the same concerns and if that is going to be the intention of the Commissioners to use this tax money for special projects, then he will not vote for the tax.

Mr. Ripley stated that the Commissioners were just replying to a letter from the Council requesting them to find \$150,000 within their highway budget areas to set aside for railroad crossings. If this were a concern, then they would look at other avenues to address the request.

Mr. McCarty expressed his disappointment that somehow there has been a misconception that the Wheel Tax and the Railroad Crossing Arms are connected when they are two totally separate issues and not dependent of each other. The request from the Council to the Commissioners was to find funds that are already there and are not being currently used for any other purposes at this time and could be used for the railroad crossings. The Wheel Tax is a completely separate issue and should be voted on and taken on its own merit.

Mr. Price concurred and stated that within the letter, they identified some account numbers that could only be used for specific projects, such as on Olive Branch Road.

Mr. Ripley expressed he felt like they were all in agreement that more than \$50,000 should be utilized from that fund; however, the remaining \$100,000 requested from the Major Moves money has already been earmarked for special projects.

Mr. Vandegriff said this year's Major Moves money has not been earmarked for any certain project yet. Last year, all of the Major Moves money was spent on paving.

Discussion was held regarding funding for road improvements and railroad safety for all of Johnson County.

Mr. West again stated that he feels that if this tax is passed, then it places an unfair burden on the majority of the people in this county who neither deserve it nor use the roads to justify it. In consideration of that, he is proposing that the State rebate six cents per gallon of gas back to each county within the state. In Johnson County alone, that would be about \$7.8 million dollars – this is money that people are already spending.

Mr. Canary commented that he is not in disagreement with anyone who opposes the Wheel Tax; however, he feels like they need to take some action now, but continue to pursue other avenues of funding such as the rebate of the gas tax. This tax is set to terminate after 60 months, but it can be rescinded any time before then.

Mrs. Boyce relayed that she had met with Mr. Vandegriff earlier and agreed that we should communicate better to the public showing what their money is going towards, such as posting a sign when a mile of roadway is paved (this is what some other counties do). She felt by doing something like this gives some accountability for the money that is paid by the public.

Commissioner Tom Kite commented that as a commissioner, he feels that it is his responsibility to do the very best that he can to make sure that the people traveling our roads are safe. There are a lot of the roads that are unsafe. Will this fix all of them, no, but it is a start in the right direction. He also agrees that they need to keep looking for other sources of revenue and stated that all the income from this tax will go towards roads and not towards railroad crossings.

The following individuals spoke in favor of the wheel tax:
Jack Russell – White River Township (Saddle Club Road)
Steve Spencer – White River Township (Business Owner)

The following individuals spoke against the wheel tax:
Bruce Pierce – Franklin Township
J.P. Renner – President of the Johnson County Senior Services & Princes Lakes Town Council Member
Joan Pittman – Franklin Township

Mr. Price noted that there was a change to the ordinance that light weight trailers that weigh under 11,000 pounds will be charged \$25; trailers weighing over 11,000 pounds will be charged \$40.

Mr. McCarty recommended setting a flat \$25 fee for all vehicles. He also gave some statistical data on the various registered vehicles and the impact it would have.

Mr. Price responded that this was suggested to him previously so he made some phone calls to Purdue/LTAP and was told that this could be done, but it would not be equitable.

Discussion was held on how vehicles should be classified and how much of a fee they would be charged and how much damage certain vehicles do to the roads.

Mrs. Knowles moved to amend Ordinance #2007-03 (Johnson County Council Authorizing the Imposition of an Annual License Excise Surtax and a Wheel Tax) to change the fee for light weight trailers under 11,000 pounds to \$25, keeping all other trailers over 11,000 pounds at the \$40 fee. Mr. Canary seconded the motion for the amendment. The motion carried four to three; Mr. West, Mr. McCarty, and Mr. Hollenbeck all voted nay.

Mr. Canary then asked to make another amendment. He would like to add an additional statement on page three, between items four and five (this would be a new number five, and the existing number five would become number six). It would state "*This Ordinance shall be immediately reviewed by the County Council if another source of income equal to or greater is made available to us*". Mrs. Knowles seconded the motion. The motion carried four to three; Mr. McCarty, Mr. Hollenbeck, and Mr. West all voted nay.

Mr. West commented that he felt like it should have had the word "rescinded" instead of "reviewed".

Discussion was held pertaining to the verbiage of "rescinding" verses "reviewing".

Mr. Canary then moved to amend the amendment to use the word "rescind" instead of "reviewed" making it; "*This Ordinance shall be immediately rescinded by the County Council if another source of income equal to or greater is made available for use*". Mrs. Boyce seconded the motion. The motion carried six to one; Mr. McCarty voted nay.

Mr. Canary moved to approve Ordinance #2007-03 (Johnson County Council Authorizing the Imposition of an Annual License Excise Surtax and a Wheel Tax) with all amendments. Mrs. Knowles seconded the motion. The motion carried four to three: Mr. Hollenbeck, Mr. West, and Mr. McCarty all voted nay.

IX. NEW BUSINESS

Adult Probation-Discussion of a Probation Officer Position

Richard Pfifer, Chief Probation Officer, appeared before the Council and first thanked them for the budget workshops and felt that it was very beneficial. He and other department heads would like to see this done again next year.

Mr. Pfifer then expressed the need for additional employees; he will be asking for two new employees again next year. However, he would like to start one employee this August and he would fund the salary from User Fees for the remainder of this year, then hopefully the General Fund would pick it up in January 2008. He also stated that there are about 3200 people on probation and he currently has fourteen employees to oversee all of them. He is only here today to discuss this option and will be back in July or August with a formal request.

Indiana Stadium Convention Authority Board

Mr. Price commented that he has been contacted to submit some names for recommendation for the Indiana Stadium Convention Authority Board. They would then make the final decision of who will actually sit on the board. This is a one year appointment and they meet monthly in Indianapolis. One thing this board will be discussing is the Food & Beverage Taxes. Mr. Price and Mr. West both expressed interest in being involved on this board.

Mrs. Boyce suggested that they submit both Mr. Price and Mr. West's names and then email Mr. Price with any other recommendations within 24 hours. Everyone concurred.

There being no further business, Mrs. Knowles moved to adjourn the meeting. Mr. Canary seconded the motion, which carried unanimously.