

COUNTY COUNCIL REGULAR MEETING – JULY 14, 2008

The meeting was called to order by President, Josh McCarty.

I. ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 7/14/08 AGENDA

Mr. McCarty noted that there is a change to the agenda; item #14, Cumulative Capital Development will be moved to the beginning of the agenda (item A1) and also add another line item to that for Voting Machines (line c).

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

V. APPROVAL OF 6/09/08 MINUTES

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

VI. PUBLIC COMMENTS

There were no public comments.

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

1A. CUMULATIVE CAPITAL DEVELOPMENT – (254)

Jerry Napier, Inspector, appeared to request an appropriation to replace a Counting Scale and Case for Metric Weights that were lost in the flood.

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

a. 254.43410.000.254 – Weights & Measures Equipment \$ 1,965.00

Steve Duke, Fairboard President, appeared to request an appropriation to help cover repair costs to buildings, fencing, and electrical work due to vandalism and wind damage.

Mr. Hollenbeck inquired if there were any leads on the vandalism.

Mr. Duke replied that the Sheriff's department is handling this.

Mr. McCarty asked what the insurance situation is relating to vandalism.

Mr. Duke answered that the county owns all of the buildings and fixed properties therefore they (the fairboard) cannot get insurance on them; however, they do have insurance coverage for any contents or loose materials.

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

b. 254.43400.000.254 – Fairgrounds Repairs \$ 18,154.15

Mr. Price stated that the Clerk attended the Commissioners' Meeting and asked for their approval of leasing voting machines with E S & S for the remainder of this year and also for 2009. A transfer needs to be made so that she can meet a deadline and get the machines certified before the upcoming election.

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

c. From: 254-43300.000.254 – Animal Shelter (\$ 400,000.00)
To: 254-43100.000.254 – Voting Machines \$ 400,000.00

1. ENHANCED 911 – (901)

Mike Sudac, GIS Director, appeared to request a title change only for his employee from GIS Technician to GIS Analyst to better reflect his current duties.

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

a. 901.11250.000.901 – GIS Technician to GIS Analyst

2. SUPERIOR COURT NO.2 – (133)

Mr. McCarty stated that the request is to transfer funds to purchase some equipment and office furniture for the Alternative Dispute Resolution program for domestic relations cases.

Mr. Canary moved to approve the transfer as requested. Mr. Hollenbeck seconded the motion that carried unanimously.

a. From: 100.31000.000.133 – Professional Services (\$ 1,500.00)
To: 100.44000.000.133 – Office Equipment \$ 1,500.00

3. ANIMAL SHELTER – (219)

Dawn Phelps, an employee of Animal Control, and Dr. Emily Williamson, Interim Director of Animal Control, were present to request some transfer of funds to purchase a new copier and to cover the costs of animal disposals.

Mr. Hollenbeck moved to approve the requests as presented. Mr. Canary seconded the motion. The motion unanimously carried.

a. From: 219.36001.000.219 – Building Repair & Maintenance (\$ 2,500.00)
From: 219.36000.000.219 – Equipment Repair & Maintenance (\$ 1,000.00)

To: 219.44000.000.219 – Office Equipment	\$ 3,500.00
From: 219.32400.000.219 – Utilities	(\$ 8,000.00)
To: 219.21600.000.219 – Operating Supplies	\$ 8,000.00

4. DRUG FREE COMMUNITY – (331)

Lori Adams, JCCASA, was present to request an appropriation for administrative costs.

Mr. West inquired where the funds came from.

Ms. Adams explained that the funds are generated from the courts and then they have to be equally distributed to each fund (Prevention/Education, Treatment, Justice, and Administrative).

Mr. Price asked what happens to the monies that were set aside for each program if the program doesn't meet all of the criteria.

Ms. Adams replied the money all reverts back to the big pot and then gets re-distributed equally again to each fund the following year.

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

a. 331.34005.000.331 – Administrative	\$ 30,585.76
---------------------------------------	--------------

5. COOPERATIVE EXTENSION SERVICE – (116)

Linda Souchon, County Extension Director, appeared to request an additional appropriation to cover the lease of their copier that was destroyed by the flood. She noted that this amount is only a portion of what is needed; she will make other transfers within her budget for the remaining portion.

Discussion was held on the best way to cover the costs for all offices' equipment that was destroyed by the flood. Mr. McCarty suggested that all equipment costs be paid from the Cum Cap Fund.

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

a. 100.35000.000.116 – Equipment Lease	\$ 4,104.00
--	-------------

6. SUPPLEMENTAL JUVENILE PROBATION – (296)

Mr. West stated he had a question regarding the hourly rate charged by Kenosis for counseling.

There was no one present to answer his question.

Mr. West then moved to table the request until next month. Mr. Canary seconded the motion, which carried unanimously.

7. COUNTY FAMILY & CHILDREN – (218)

Penny Pitcock, Director of Department of Child Services, and Sandy Weddle, Bookkeeper, were both present to request the following appropriation:

- a. 218.30090.000.218 – Child Welfare Services \$ 121,997.00

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

8. SHERIFF – (105)

Sheriff Terry McLaughlin was present to request an additional appropriation for their participation in the DUI and Blitz 55/Operation Pullover and Fatality Crash Reduction Effort. He also requested an appropriation of \$2,183.93 for gun racks, which will be placed in the deputy’s vehicles.

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

- a. 100.19900.000.105 – Overtime \$ 2,966.76
- 2006 EDWARD BYRNE MEMORIAL JUSTICE – (365)
- a. 365.20000.000.365 – Claims \$ 2,183.93

9. COMMUNITY CORRECTIONS/ADULT GRANT – (208) (7/1/08-12/31/08)
COMMUNITY CORRECTIONS/ADULT PROJECT INCOME – (209)
COMMUNITY CORRECTIONS/JUVENILE – (213)
COMMUNITY CORRECTIONS/JUVENILE PROJECT INCOME – (216)
COMMUNITY CORRECTIONS CTP – (220)

Mr. Price moved to approve the below budgets for the remaining six months of their fiscal year, including their part-time rates as presented. Mrs. Knowles seconded the motion that carried unanimously.

- a. 208.11502.000.208 – Senior Adult Field Officer \$ 14,500.00
- b. 208.11757.000.208 – Adult Case Manager \$ 13,500.00
- c. 208.11110.000.208 – Senior Adult Case Manager \$ 16,000.00
- d. 208.11755.000.208 – Adult Case Manager \$ 14,000.00
- e. 208.11756.000.208 – Adult Case Manager \$ 13,500.00
- f. 208.11009.000.208 – Program Manager \$ 20,600.00

- a. 209.10004.000.209 – Assistant Director \$ 22,087.50
- b. 209.10005.000.209 – Executive Director \$ 29,175.00
- c. 209.11010.000.209 – Correctional Officer \$ 13,256.50
- d. 209.11113.000.209 – Community Service Coordinator \$ 14,895.00
- e. 209.11203.000.209 – Adult Case Manager \$ 14,000.00
- f. 209.11431000.209 – Adult Field Officer \$ 13,905.00
- g. 209.11430.000.209 – Adult Field Officer \$ 14,420.00
- h. 209.11500.000.209 – Office Administrator \$ 19,273.00
- i. 209.11710.000.290 – Receptionist \$ 12,187.50
- j. 209.11755.000.209 – Computer/Stats Coordinator \$ 18,035.50
- k. 209.11901.000.209 – Adult Case Manager Supp \$ 420.00

l. 209.11902.000.209 – Adult Case Manager Supp	\$	405.00
m.209.11903.000.209 – Adult Case Manager Supp	\$	699.00
n. 209.11904.000.209 – Senior Adult Case Manager Supp	\$	480.00
o. 209.11905.000.209 – Senior Field Officer Supp	\$	435.00
p. 209.11906.000.209 – Program Manager Supp	\$	618.00
q. 209.12510.000.209 – Correctional Officer	\$	13,256.50
r. 209.12511.000.209 – Correctional Officer	\$	13,256.50
s. 209.12512.000.209 – Correctional Officer	\$	13,632.50
t. 209.12513.000.209 – Correctional Officer	\$	13,256.50
u. 209.12514.000.209 – Correctional Officer	\$	13,256.50
v. 209.12515.000.209 – Correctional Officer	\$	14,895.00
w.209.12516.000.209 – Correctional Officer	\$	13,256.50
x. 209.12517.000.209 – Correctional Officer	\$	13,256.50
y. 209.12518.000.209 – Correctional Officer	\$	13,256.50
z. 209.12519.000.209 – Correctional Officer	\$	13,256.50
209.11430.000.209 – Part-time rates – C.O., Case Manager, Commissary \$10.97 Commissary Manager \$13.75, Field Officer 15.00, Clerical \$9.00		

a. 213.11011.000.213 – Juvenile Program Coordinator	\$	18,477.00
b. 213.11755.000.213 – Juvenile Case Manager	\$	15,875.00
c. 213.11756.000.213 – Juvenile Case Manager	\$	15,132.00

a. 216.11756.000.216 – Family Resource Officer	\$	13,889.50
b. 216.11755.000.216 – Juvenile Case Manager	\$	14,162.50
c. 216.11504.000.216 – Juvenile Program Coordinator Supp	\$	679.50
d. 216.11505.000.216 – Juvenile Case Manager Supp	\$	476.50
e. 216.11506.000.216 – Juvenile Case Manager Supp	\$	454.00

a. 220.10007.000.220 – Adult Case Manager	\$	13,905.00
---	----	-----------

10. PROSECUTOR DEFERRAL PROGRAM – (327)

Michelle Murray, Office Manager, appeared to request additional appropriations from their Deferral Program to cover expenditures due to the flood issues. Lance Hamner, Prosecutor, arrived later to review his requests.

Mr. Price questioned the amount of \$25,000 requested for Discretionary Expenditures.

Mr. Hamner explained that his office has numerous things that need to be replaced from being damaged or destroyed by the flood. He thought that by putting a lump sum into a line item would be easier than coming before the Council with each item when it is needed.

Mr. Price asked what type of things he was referring to.

Mr. Hamner replied computer equipment, sign makers, projectors, or any kind of things that are needed to do trials with.

Mr. Price then asked if these funds were going to be used just to purchase county owned items, opposed to personal items.

Mr. Hamner responded yes. He also added that these monies could be used to pay for temporary help or professional help.

Mr. McCarty inquired if the items purchased could be reimbursable from FEMA.

Mr. Hamner replied that his office has been keeping track of everything purchased and have been keeping receipts and will submit everything accordingly. However, some of the items may be difficult to get information on to submit for reimbursement because personal items could be reimbursable, but you have to get three quotes on them. For example, several of his employees lost suits and jackets – how do you get three estimates on a suit jacket?

Mr. Price stated that he was not aware that FEMA would replace personal items like that.

Mrs. Knowles asked Kathleen Hash, County Coordinator, if she was aware if FEMA would reimburse for personal items.

Mrs. Hash commented that at one meeting this was briefly addressed and there was no guarantee of reimbursement, but it was strongly suggested that personal items be separated out from county owned items or property.

Mr. Hamner replied that even if FEMA doesn't reimburse for things like this, it will still come out of his discretionary budget.

Mr. Price then asked if it was an allowable expense to purchase items such as shoes, suits, and jackets with the discretionary funds.

Mr. Hamner replied that he feels like it is an allowable expense and added that it is his discretion as an office holder to determine whether or not to replace personnel items for employees that are needed to help perform their job.

Mr. Price stated that he just didn't want to jeopardize the funding from the State for the use of the discretionary funds.

Mr. Hamner responded that by statute, the only thing he cannot use these funds for is to pay or supplement his own salary.

Mr. Canary expressed caution in replacing personal items, since other departments don't have the capability to do that too.

Sheriff McLaughlin spoke up and added that if any personal property in their squad cars is stolen or damaged then the employee pays for that loss out of their own pocket.

Mr. McCarty noted that several departments have requested funding for lost equipment and supplies and the funding has been given through the General Fund, Cum Cap Fund, and other Non-General Funds. He then asked if there was a way to keep the funding requests out of the general fund as much as possible.

Tom Kite, Commissioner, was present and replied that the easiest thing would be if the funding could come from the Cum Cap Fund, then it would help with record keeping and be the simplest way for FEMA to reimburse the County.

Mr. West also inquired about the title change from Deputy Prosecutor to Deputy Prison Prosecutor.

Mr. Hamner explained that because we have a prison in Johnson County, then we are entitled to a part-time pay slot to prosecute cases that come out of prison. These funds are actually being used to supplement the salary of a full-time deputy prosecutor, instead of hiring a part-time prosecutor.

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

a. 327.33500.000.327 – Deferral Program Participants	\$ 6,982.50
b. 327.21500.000.327 – Supplies	\$ 10,000.00
c. 327.31200.000.327 – Printing	\$ 5,000.00
d. 327.25800.000.327 – Books	\$ 5,000.00
e. 327.31502.000.327 – Training & Business Meetings	\$ 3,000.00
f. 327.31500.000.327 – Travel & Training	\$ 5,000.00
g. 327.32000.000.327 – Dues & Subscriptions	\$ 5,000.00
h. 327.33203.000.327 – Public Education	\$ 10,000.00
i. 327.36200.000.327 – Communications	\$ 5,000.00
j. 327.44000.000.327 – Office Equipment	\$ 40,000.00
k. 327.35400.000.327 – Discretionary Expenditures	\$ 25,000.00
PRETRIAL DIVERSION – (286)	
a. 286.19900.000.286 – Overtime	\$ 10,000.00
b. 286.34310.000.286 – Professional Services	\$ 5,000.00
PROSECUTING ATTORNEY – (108)	
a. From: 100.11377.000.108 – Deputy Prosecutor	(\$ 5,000.00)
To: 100.12000.000.108 – Dep. Prison Prosecutor	\$ 5,000.00
	\$11,597 to \$16,597

11. REDUCTIONS-BLUE RIVER TOWNSHIP ASSESSOR – (110)

REDUCTIONS-FRANKLIN TOWNSHIP ASSESSOR – (111)

REDUCTIONS-BOARD OF COMMISSIONERS – (122)

COUNTY ASSESSOR – (109)

PROPERTY REASSESSMENT – (265)

Mark Alexander, County Assessor, and Sandy Pendleton, Blue River Township Assessor, and Vickie Broshears, First Deputy County Assessor, and Mike Watkins, County Appraiser were all present to review their requests.

Mr. Alexander explained that to be in compliance with House Bill 1001, on July 1, 2008, consolidation of the administration and assessing functions of the seven Township Assessors and Trustee Assessors were moved to the County Assessor. As part of this transition the remaining balances of their accounts needs to be reduced from their budgets and placed into the County Assessor's budget. He also noted that some job duties have been re-distributed and salary adjustments were made. In addition, he is requesting an additional \$1,000 for the positions that have reached their Level 2 Certifications.

Mr. Price inquired if an Elected Official's salary could be changed during the year.

Mr. Alexander replied that they did research this issue and was told by Cheryl Musgrave, Commissioner of Indiana Department of Local Government and Finance, that she requested a legal analysis of several issues involving the transfer of Assessor duties to County Assessors under HB 1001 and the official opinion of the Attorney General's Office was given on May 9, 2008. The question of "Would holding both the position of Elected Township Assessor and Deputy be a violation of the prohibition against dual office holding?" was answered with "An Elected Township Assessor or Trustee Assessor may serve as a deputy under the County Assessor without violating the prohibition against dual office holding". He also added that he asked them specifically about Sandy Pendleton's position, her being an elected official and also being a full time County Assessor Deputy.

Mr. Price commented that he doesn't disagree with what Mr. Alexander is requesting, he is just concerned whether or not it is being established properly.

More discussion was held regarding how to get the requests accomplished appropriately.

Mr. West moved to approve the requests as presented with the exception of only allowing paying out \$10,226.00 annually to the position in line item 265.11382.000.265.

Mr. Canary seconded the motion that carried unanimously.

a. 100.11100.000.110 – Elected Official	(\$ 8,548.80)
b. 100.11300.000.110 – Deputy	(\$ 4,634.56)
c. 100.21500.000.110 – Office Supplies	(\$ 151.70)
d. 100.22401.000.110 – Cleaning Supplies	(\$ 30.00)
e. 100.31500.000.110 – Travel & Training	(\$ 328.52)
f. 100.32000.000.110 – Dues & Subscription	(\$ 20.05)
g. 100.32200.000.110 – Postage	(\$ 544.00)
h. 100.32400.000.110 – Utilities	(\$ 718.26)
i. 100.36000.000.110 – Equipment Maintenance	(\$ 60.00)
j. 100.37200.000.110 – Office Rent	(\$ 300.00)
k. 100.44000.000.110 – Office Equipment	(\$ 350.00)

a. 100.11100.000.111 – Elected Official	(\$ 17,870.15)
b. 100.11201.000.111 – First Deputy	(\$ 14,495.61)
c. 100.11300.000.111 – Deputy	(\$ 13,899.97)
d. 100.21500.000.111 – Office Supplies	(\$ 1,098.70)
e. 100.31500.000.111 – Travel & Training	(\$ 944.00)
f. 100.32000.000.111 – Dues & Subscriptions	(\$ 8.00)
g. 100.34001.000.111 – Copier Lease & Maintenance Agreement	(\$ 356.00)
h. 100.36000.000.111 – Equipment Maintenance	(\$ 20.00)
i. 100.44000.000.111 – Office Equipment	(\$ 1,000.00)

a. 100.11900.000.122 – Township Trustee/Assessors	(\$ 12,633.05)
b. 100.11312.000.122 – Deputy Township Trustee/Assessors	(\$ 17,897.64)
c. 100.21502.000.122 – Office Supplies/Trustee/Assessors	(\$ 611.39)

d. 100.31501.000.122 – Travel-Trustee/Assessors	(\$ 250.00)
e. 100.32210.000.122 – Postage-Trustee/Assessors	(\$ 676.52)
f. 100.32410.000.122 – Telephone Trustee/Assessors	(\$ 503.52)
g. 100.38900.000.122 – Office Space-Trustee/Assessors	(\$ 485.02)
a. 100.18200.000.109 – Elected Official-Blue River Assessor	\$ 8,548.80
b. 100.18201.000.109 – Elected Official-Franklin Assessor	\$ 17,870.15
c. 100.18202.000.109 – Deputy Blue River Assessor	\$ 4,634.56
d. 100.18203.000.109 – First Deputy Franklin Assessor	\$ 14,495.61
e. 100.18204.000.109 – Deputy Franklin Assessor	\$ 13,899.97
f. 100.18205.000.109 – Township Trustee/Assessor	\$ 12,633.05
g. 100.18206.000.109 – Deputy Township Trustee/Assessor	\$ 17,897.64
h. 100.21500.000.109 – Office Supplies	\$ 1,891.79
i. 100.31500.000.109 – Travel & Training	\$ 1,522.52
j. 100.32000.000.109 – Dues & Subscriptions	\$ 28.05
k. 100.32200.000.109 – Postage	\$ 1,220.52
l. 100.32400.000.109 – Utilities-Trustee/Assessor	\$ 718.26
m. 100.32410.000.109 – Telephone-Trustee/Assessor	\$ 503.52
n. 100.36000.000.109 – Equipment Maintenance/Lease	\$ 436.00
o. 100.38900.000.109 – Office Space Trustee/Assessors	\$ 785.02
p. 100.44000.000.109 – Office Equipment	\$ 1,350.00
q. From: 100.18203.000.109- First Deputy Franklin Assessor \$29,700 to \$25,992	
To: 100.11200.000.109 – Chief Deputy \$34,085 to \$38,000	\$ 1,957.50
To: 100.11100.000.109 – Elected Off \$48,175 to \$49,175(Level II)	\$ 500.00
a. From: 265.11381.000.265 – County Appraiser \$42,951 to \$38,000	(\$ 500.00)
To: 265.11382.000.265 – Reassessment Tech \$27,726 to \$28,726	500.00

12. TREASURER – (103)

Rita Sievertson, Treasurer, was present to request an additional appropriation of \$20,000 for part-time.

Mr. West commented that last year at budget time, a full time position was eliminated to give the other employees significant raises, plus more money was put into part-time and the part-time rate was increased. He just feels like that when office holders make these adjustment requests, thinking that their office can function without a position and then figure out later that it won't work out, then he doesn't feel like the Council should always be put in the situation of the officeholder coming back and asking for additional appropriations – it defeats the original purpose. This is something that has happened that they created and now they have to deal with it.

Mrs. Sievertson stated that she followed the guidelines that were given and had no control of the increased workload, plus she gave up a full time position, which saved the county paying for a benefit package.

Mr. West replied that he is in agreement with using part time instead of full time and saving the county from paying for benefits.

Mr. McCarty recollected that at budget time last year, a position was eliminated because she didn't need any additional personnel and then gave raises to the rest of employees.

Mr. Canary gave an update of the Master Plan Steering Committee stating that they are at the point now where they are looking at goals and are continuing to move forward.

Mrs. Knowles announced that the County has received 30,000 Prescription Discount Cards as part of the NACO Prescription Drug Discount Program. These are free prescription discount cards available to all county residents. There are several places that these cards can be picked up, such as local pharmacies, the Treasurer's Office, WIC, Health Dept. She also distributed a handout, which showed an update on the savings in surrounding counties for the residents by using these cards.

IX. NEW BUSINESS

Board of Commissioners- Discussion of Codifying the Johnson County Ordinances

Commissioner Kite and County Coordinator, Kathleen Hash gave an update of information gathered to codify the County Ordinances. She showed them an example of what the books would look like once they were completed. Also, they can put them on discs and on the County's website and even check to see if we have any conflicting ordinances and also compare our ordinances to other county ordinances. The overall estimated cost to complete this task is just under \$10,000.

Mr. Canary then asked what happens when this is all set up; what is the maintenance fee? Is there someone that can be trained to do this in house?

Mrs. Hash replied that some jurisdictions do that; however, they do offer a service to keep the ordinances updated and most places get them updated every two years instead of each year.

The consensus of the Council was to move forward with this project.

Mr. Price asked how long it would take to get the project completed.

Mrs. Hash replied it would take less than six months.

Resolution to Transfer Congressional School Funds to the State

Jan Richhart, Auditor, explained that effective July 1st the State will now handle these funds.

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

There being no further business, Mr. Price moved to adjourn the meeting. Mrs. Knowles seconded