

**COUNTY COUNCIL REGULAR MEETING – NOVEMBER 10, 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 11/10/08 AGENDA**

Mr. McCarty noted the request submitted by Juvenile Probation to transfer funds has been withdrawn. The transfer was approved last month.

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

**V. APPROVAL OF 9/30/08 & 10/14/08 MINUTES**

Mr. Hollenbeck moved to approve the 9/30/08 minutes as presented. Mr. Price seconded the motion that unanimously carried.

Mr. Canary moved to approve the 10/14/08 minutes as presented. Mr. Hollenbeck seconded the motion that carried unanimously.

**VI. PUBLIC COMMENTS**

There were no public comments.

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

**INFORMATION TECHNOLOGY – (141)**

Mr. Canary moved to approve the following request as submitted. Mr. Price seconded the motion that carried six to one, Mr. West voted nay.

From: 100.21500.000.141 – Office Supplies	(\$ 1,200.00)
To: 100.19900.000.141 – Overtime	\$ 1,200.00

**MAGISTRATE COURT – (136)**

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

From: 100.31000.000.136 – Professional Services	(\$ 1,000.00)
To: 100.21500.000.136 – Office Supplies	\$ 1,000.00

***“Indiana Sheriff’s 457 (b) Plan”***

Elaine Beaty, Vice President of McCready and Keene, Inc., appeared to explain the Indiana Sheriff’s 457 (b) Plan. First she wanted to discuss an amendment to the Johnson County Police Retirement Plan that updates the language of an Internal Revenue Code: Section 415, that limits the maximum benefits allowed to be paid from a qualified retirement plan and must be adopted by the Council by the end of the year. The defined benefit dollar limitation is one hundred sixty thousand dollars (\$160,000) per year.

As a result of increasing interest in other retirement savings program (beyond the county police retirement plans), the Indiana Sheriff’s 457 (b) Plan is being offered. The Plan allows all employees of the sheriff’s department to participate (merit employees and civilian employees), deferring their earnings through payroll deductions. There is no cost to the county or departments of adopting the 457 (b) Plan and there is no cost to employees who elect to participate in the Plan. The Indiana Code does require that the County Commissioners pass an Ordinance and Ordinance 2008-21 was approved on September 8<sup>th</sup>. Investment planning services will be provided free of charge by Morgan Stanley representatives and quarterly statements will be provided by McCready with the county police retirement plan information.

***“Survivor Benefits”***

Ms. Beaty explained the current Police Retirement Plan does not pay survivor benefits if the officer is not married, even if the deceased has children. A number of Sheriff’s Departments around the State have requested a change in the survivor benefit. If a member has earned a benefit that is owed to them and passes away then the benefit would go to whom the member has designated even though he is not married. This will not be an additional cost to the county because when they (as the actuaries) make their calculations each year they assume everyone is married.

Ms. Beaty stated she would prepare a draft copy of the wording for the Council to review and address at their next regularly scheduled meeting.

***“Sheriff’s Pension Plan”***

Dean Abplanalp, a representative from Wachovia Trust Company, distributed a summary of the Johnson County Police Plan to each Council member. He noted the Sheriff asked if he could attend to give the Council an update of the Sheriff’s Pension Plan. The portfolio shows the break down of the Pension Plan and the Benefit Plan.

The asset allocation for the Pension Plan is 65.60% in equities, 31.06% in fixed income, and 3.34% in cash equivalents. The Plan began 1/01/08 with a market value of \$9,445,779 and as of 9/30/08 the ending market value is \$8,247,956.

The asset allocation for the Benefit Plan is approximately 48.02% in equities, 48.37% in fixed income, and 3.62% in cash equivalents. This Plan began 1/1/08 with a market value of \$654,642 and as if 9/30/08 the ending market value is \$571,656.

He commented the market is experiencing dramatic declines and will take several months to begin to rebound. The market does not go down forever and does not go up forever. To say that the portfolio has not been impacted by the recent market changes is not true and the Council needs to be aware of the changes.

The Council members thanked Ms. Beaty and Mr. Abplanalp for attending the meeting.

**SHERIFF – (105)**

Terry McLaughlin, Sheriff, appeared to request an additional appropriation in the amount of \$14,606.97 for Overtime. He explained \$9,784.27 of the \$14,606.97 Overtime request is from the FEMA reimbursement and the remainder is for their participation in OPO/DUI and Fatality Crash Reduction Effort Grants. He also requested \$6,219 for Office/Other Equipment and \$2,282.65 into Radio Maintenance/Contracts from the funds they received from FEMA.

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

100.19900.000.105 – Overtime	\$ 14,606.97
100.44000.000.105 – Office/Other Equipment	\$ 6,219.00
100.36100.000.105 – Radio Maintenance/Contracts	\$ 2,282.65

Sheriff McLaughlin requested a transfer of funds from Dispatcher to Part-time Dispatch.

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

From: 100.12815.000.105 – Dispatcher	(\$ 1,000.00)
To: 100.11400.000.105 – Part-time Dispatch	\$ 1,000.00

**COURTHOUSE/BUILDING SECURITY – (126)**

Sheriff McLaughlin requested an additional appropriation in the amount of \$1,578.76 for Overtime. The insurance reimbursed the County for the overtime that was used for security at the Annex during the construction of the lower level that was damaged from the June floods. He explained the funds are needed because security was provided during the past election.

Discussion was held if the various departments should pay for the security.

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

100.19900.000.126 – Overtime	\$ 1,578.76
------------------------------	-------------

**DRUG ALCOHOL RESISTANCE – (304)**

Motion was made by Mr. Price to approve \$200 for Drug Alcohol Resistance. Mrs. Boyce seconded the motion that unanimously carried.

304.20000.000.304 – Claims \$ 200.00

**SUPPLEMENTAL PUBLIC DEFENDER – (299)**

**CIRCUIT COURT – (131)**

**SUPERIOR COURT NO. 2 – (133)**

**SUPPLEMENTAL PUBLIC DEFENDER – (299)**

Cynthia Emkes, Superior Court No. 2 Judge, and Kim Van Valer, Superior Court No. 3 Judge, appeared to request additional appropriations for their courts and Circuit Court. Circuit Court Judge, Mark Loyd, was unable to attend the meeting.

Judge Emkes explained the requests are similar due to shortage of funds for Professional Services. She also needs funds for Printing and Communication line items.

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

299.32002.000.299 – Circuit Court (Professional Services)	\$ 12,500.00
100.31000.000.131 – Professional Services	\$ 7,500.00
100.31000.000.133 – Professional Services	\$ 5,000.00
100.31200.000.133 – Printing	\$ 400.00
100.36200.000.133 – Communication	\$ 350.00
299.39104.000.299 – Superior Court No. 3 (Professional Services)	\$ 12,500.00

**ANIMAL SHELTER – (219)**

Emily Williamson, Animal Control Warden, and Dawn Phelps, Administrative Assistant, appeared to request several transfer of funds within the Shelter’s budget to pay part-time help and purchase equipment and cages for the new shelter.

Ms. Phelps explained when they hire new employees she starts them as part-time employees to make sure they understand the job and can accomplish the day-to-day tasks. The request to purchase equipment is to use current funds for the new shelter instead of requesting additional appropriations.

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

From: 219.11361.000.219 – Senior Kennel Attendant	(\$ 2,000.00)
From: 219.11362.000.219 – Dispatcher/Deputy Warden	(\$ 2,400.00)
From: 219.11363.000.219 – Lieutenant/Deputy Warden	(\$ 3,000.00)
From: 219.11364.000.219 – Deputy Warden	(\$ 400.00)
From: 219.11701.000.219 – Administrative Assistant	(\$ 3,700.00)
To: 219.11400.000.219 – Part-time	\$ 11,500.00

From: 219.36000.000.219 – Building Repair/Maintenance	(\$ 1,000.00)
From: 219.33100.000.219 – Vehicle Repair/Maintenance	(\$ 1,000.00)
From: 219.32200.000.219 – Postage	(\$ 500.00)
From: 219.31000.000.219 – Professional Services	(\$ 1,000.00)
From: 219.26301.000.219 – Animal Food	(\$ 700.00)
To: 219.41601.000.219 – Other Equipment	\$ 4,200.00

**“Crematorium Discussion”**

Ms. Williamson explained there are four possibilities on the crematorium:

- New Crematorium – \$37,000 added to the \$26,506
- Old Crematorium repaired and moved to new location - \$ 5,000 to \$9,000 added to the \$26,506
- Old Crematorium repaired and not moved – Tom Kite (County Commissioner) not in favor of this option - \$26,506
- \$350 to \$400 a month for disposal at a landfill plus fuel cost

Mr. Price made a motion that the disposals of the animals remain at the current procedure of taking them to the landfill. Mr. Canary seconded the motion that unanimously carried.

**EMERGENCY MANAGEMENT – (127)**

Stephanie Sichting, Administrative Assistant for Emergency Management , appeared to request additional appropriations for flood related expenses. The County has been reimbursed from FEMA in the amount of \$10,913.34.

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

100.19900.000.127 – Overtime	\$ 4,456.64
100.27500.000.127 – Emergency Funds	\$ 150.44
100.31500.000.127 – Travel & Training	\$ 135.72
100.36000.000.127 – Equipment Maintenance	\$ 1,170.80

**COMMISSIONERS – (122)**

Kathleen Hash, County Coordinator, appeared to request an additional appropriation to purchase the furniture for the lower level of the Annex that was destroyed during the flood. She explained the county has received an insurance check in the amount of \$160,000 and anticipates receiving the balance of \$180,000 soon. Fineline Furniture required a deposit of \$149,398 to order the furniture. She would ask that the remainder \$180,000 be included on the December’s Council Agenda.

Mr. Hollenbeck expressed concern on the cost of the replacement of furniture in the basement of the Courthouse Annex. Mr. West concurred with Mr. Hollenbeck.

She also requested an additional appropriation in the amount of \$727.93 to pay a lease off that was destroyed in the Veterans Service Office from the June Floods.

Mr. Price moved to approve the requests as presented. Mrs. Boyce seconded the motion that carried six to one, Mr. West voted nay.

100.42700.000.122 – Capital Improvements (Furniture)	\$160,000.00
100.42700.000.122 – Capital Improvements (Veterans Lease)	\$ 727.93

**“FEMA Update”**

Kathleen Hash, County Coordinator, and Stephanie Sighting, Administrative Assistant for Emergency Management, appeared to present an update on FEMA. They distributed an updated list to each Council member. The project worksheets contain the FEMA projects submitted, date signed, total project cost, anticipated percent from FEMA, category, date approved, approved dollar amount, and money received to date.

The Council members thanked both of them for their hard work and efforts on the project.

**HIGHWAY – (201)**

**CUMULATIVE BRIDGE FUND – (206)**

Gary Vandegriff, Highway Director, appeared to request additional appropriations, transfers, along with a reduction. The requests are needed to cover communications, salt, and bridge projects.

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

Reduction: 201.37800.000.204 – Stop Light Maintenance (tabled)	(\$ 2,000.00)
Additional:201.36200.000.202 – Communications (tabled)	\$ 2,000.00
From: 201.31201.000.204 – Road Stripping & Markers	(\$ 75,000.00)
To: 201.26200.000.204 – Calcium Chloride (salt)	\$ 75,000.00
206.49011.000.206 – Culvert WR-011	\$ 34,600.00
206.49056.000.206 – Culvert WR-056	\$ 28,600.00
206.49058.000.206 – Culvert F-058	\$ 24,100.00
206.49501.000.206 – Bridge 503	\$100,000.00

**TREASURER – (103)**

Rita Sievertson, Treasurer, appeared to request a transfer of funds to cover equipment maintenance (cash registers), part-time, and tax statements/duplicates. She also requested an additional appropriation in the amount of \$7,000 for tax statements/duplicates.

Mr. Price moved to approve the transfer of funds as presented. Mrs. Boyce seconded the motion that carried six to one, Mr. West voted nay.

From: 100.31002.000.103 – Lockbox Fees	(\$ 7,000.00)
To: 100.36000.000.103 – Equipment Maintenance	\$ 1,000.00
To: 100.11400.000.103 – Part-time	\$ 2,000.00

To: 100.33800.000.103 – Tax Statements/Duplicates \$ 4,000.00  
100.33800.000.103 – Tax Statements/Duplicates \$ 7,000.00

Mrs. Sievertson asked if she could transfer \$105 from Postage to Office Supplies. She just realized the account had a negative balance.

Mr. West moved to approve the transfer as requested. Mr. Price seconded the motion that carried unanimously.

From: 100.32200.000.103 – Postage (\$ 105.00)  
To: 100.21500.000.103 – Office Supplies \$ 105.00

**WIC – (215)**

Motion was made by Mr. Price to approve an additional appropriation in the amount of \$1,800 for Office Supplies. Mr. Hollenbeck seconded the motion that unanimously carried.

215.21500.000.215 – Office Supplies \$ 1,800.00

**VIII. OLD BUSINESS**

**Johnson County Park – Innkeepers Tax Assessment & Johnson County Park Master Plan (preliminary draft)**

William Hart, Park Board President, and Chris Johnston, Park Director, along with representatives from Taylor Brothers Construction, Browning Day Mullins Diedorf Landscape Architects, and H. J. Umbaugh & Associates, appeared to discuss the Innkeepers Tax and Johnson County Park Master Plan. The Master Plan was distributed to all Council members.

Brian Colton, a representative from Umbaugh & Associates, distributed a list of Indiana Counties with the Innkeepers Tax showing their present rates, collection point, and authorizing statute. A schedule from year 2002 through 2008 of historical hotel/motel revenues, estimated Innkeepers Tax revenue, comparisons of bond issue amounts and usable proceeds was also distributed. The purpose of the reports is to provide preliminary information regarding the potential implementation of an Innkeeper’s Tax in Johnson County. The schedule and underlying assumptions are based on information provided by Smith Travel Research. The estimated Innkeepers Tax revenue if the tax were in place the county would receive approximately \$500,000 per year if the percentage were at a 5%.

Discussion was held on who decides the percentage of the Innkeepers Tax that would be retained for the Johnson County Park improvements and who decides each year.

Mr. Hart suggested the President of the Council, Council Attorney, and the Park Board Attorney, work together on the details of the percentages. He noted they would like to return to the Council’s December meeting to ask for approval of the Tax.

Craig Wells, Franklin City Council, appeared and stated that he would be in favor of an Innkeepers Tax, however had no opinion on the Johnson County Park Bond Expansion Project.

Randy Royer, a representative from Browning Day Mullins Dierdorf Landscape Architects, appeared to discuss the Johnson County Park Master Plan. Taylor Brothers Construction and Mr. Royer's Company drafted the Plan. The intent of the Plan is to provide a document that becomes a tool for the county and the many user groups to guide and direct the present and future programming and facility improvements of the Johnson County Park. He briefly reviewed some of the proposed Park amenities with the Council.

## **IX. NEW BUSINESS**

### **Civil Taxing Units (excluding schools) Tax Levies & Tax Rates Non-Binding Recommendation**

A spreadsheet was provided by the Auditor's Office showing the civil units 2007 pay 2008 (actual) and 2008 pay 2009 (proposed) property tax levies and tax rates.

Discussion was held on the current process to make a non-binding recommendation since units adopt their budgets at different times. It was discussed how the Association of Indiana Counties plan to address this process next year.

Mrs. Knowles moved to approve a non-binding recommendation of the civil taxing units. Mr. Canary seconded the motion that failed with a vote of two to five. Mrs. Knowles and Mr. Canary were the only favorable votes.

### **Governmental Consulting Services**

Mr. McCarty reported he received an email from Melissa Ambre from Governmental Consulting Services as a follow up to the circuit breaker proposal she presented to the Council in August. Mr. McCarty read the following paragraph of the email:

***" My understanding is the county council decided to wait on any analysis. After a subsequent review of the proposal, I believe that we could do circuit breaker analysis for 2 years at an amount closer to the lower end of our proposal sent to you in August. The original proposal covered circuit breaker analysis for one year. Since the original proposal was presented, we have a better understanding of costs associated with the project.***

***Additionally, we can run local option income tax "LOIT" scenarios for the county to give council members a better understanding of how LOIT may or may not be something they want to consider. There is a statutory requirement that the council hold at least one hearing before the end of the year to consider whether or not to impose or increase a rate for LOIT, for operating purposes. I am not sure if you have held the hearing yet but thought a study in this area might prove beneficial in determining whether or not LOIT is something the council may want to consider at some point.***

***If you are not interested in further discussing this or have questions/comments, please let Mike Reuter or me know."***

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