

COUNTY COUNCIL REGULAR MEETING – AUGUST 10, 2009

The meeting was called to order by President, Charlie Canary.

I. ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. APPROVAL OF 8/10/09 AGENDA

Mr. Canary requested to add one item under New Business; Discussion of Binding and Non-Binding Recommendations Special Meeting dates.

Mr. Hollenbeck moved to approve the agenda as presented with the addition; Mr. McCarty seconded the motion, which carried unanimously.

V. APPROVAL OF 7/13/09 MINUTES

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

VI. PUBLIC COMMENTS

Gary Moody, a Franklin resident, appeared to make the following statement:

Early this year, he watched Johnson County Officials and other parties with a stake in our county seat, that is, downtown Franklin, sit down together and discuss the most beneficial means to achieve their mutual and coinciding goals, which really boils down to obtaining the most benefit for the citizens of both the city and the county. He believed there were a total of two meetings to discuss moving forward in hiring a professional planning consultant to coordinate things. After that, there was a long period of silence on the matter. Sometimes "no news" can be "good news", but on the other had, too much quiet can mean that things aren't working out as they should. In this case it was latter. Now, all parties are flailing about, popping off random ideas, and generally doing their own thing, man, kind of like teenagers with no direction. We now hear that, despite an abundance of unimproved property and unused space, county officials are considering buying more property downtown for immediate needs. It's as if county officials are as wayward as Franklin City Hall. One hope that stemmed from the prior meetings was that one group would not only keep the other in check, but that there would be mutual assistance. If there's any inter-governmental communication now, it's known only to insiders. Buying more land, simply for the sake of having it, may make sense to farmers. But that's different business altogether. The job of county officials is to govern, and to do it rationally and efficiently. Which Johnson County Officials do a pretty good job of, most of the time.

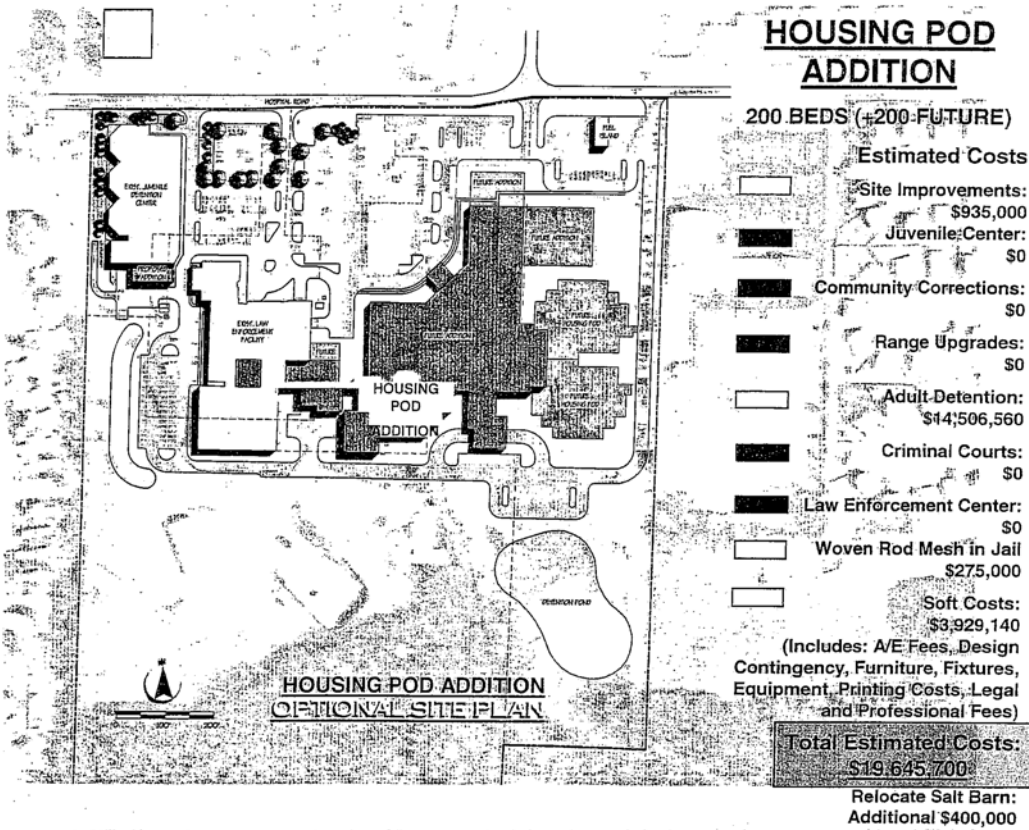
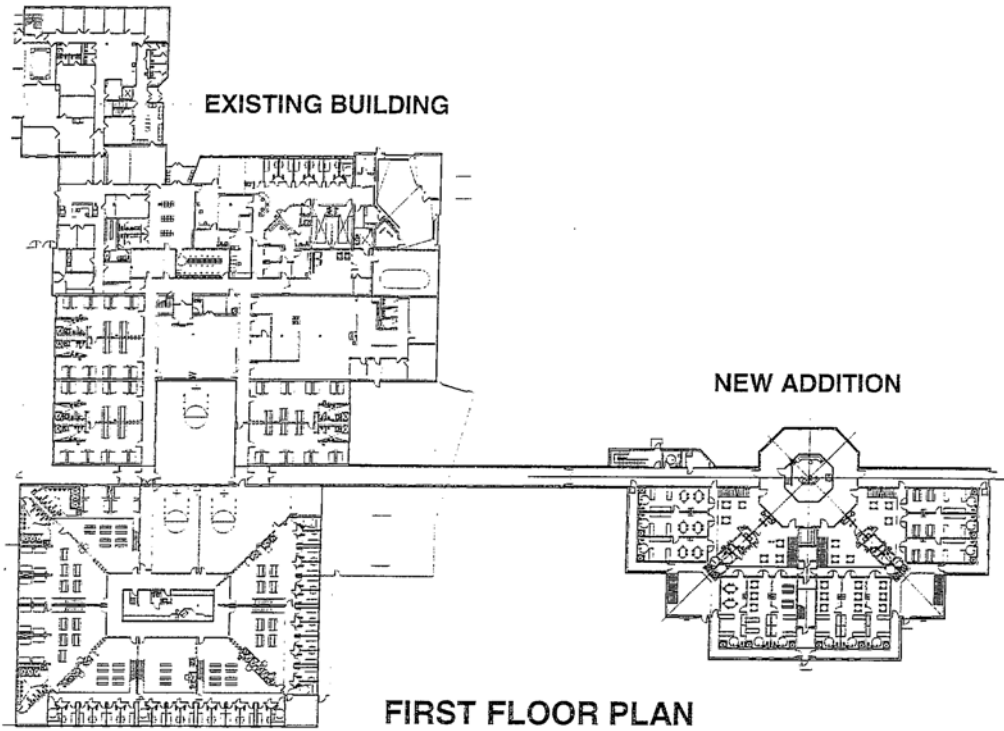
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So please, although valuable time has been wasted, let's get back to where we were going, and get some objective analysis on who should put what where. More public input would be good, after all the facts are laid out and made plain. If that is done, I can assure you that; 1. everyone will have a parking space, 2. everyone will have the shortest walk possible to their office, 3. everyone will have a revitalized downtown Franklin to work in and enjoy.

VII. JAIL COMPLEX EXPANSION DISCUSSION AND VOTE

John Price, County Commissioner, Terry McLaughlin, Sheriff, Rob Creviston, Project Manager for American Structurepoint, and Paul Downing, Criminal Justice Planner with DLZ, appeared to present a revised Johnson County Criminal Justice Complex Expansion Plan.

The following charts reflect the presentation from Mr. Creviston and Mr. Downing.



4 STORY ADDITION

BUILDING AREA

2,050 sf	Basement Level	\$258.00	\$528,900.00
21,690 sf	1st Level	\$258.00	\$5,596,020.00
9,970 sf	2nd Level (Mezzanine)	\$258.00	\$2,572,260.00
19,080 sf	3rd Level	\$175.00	\$3,339,000.00
9,900 sf	4th Level (Mezzanine)	\$175.00	\$1,732,500.00
<u>2,860 sf</u>	5th Level (Penthouse)	\$258.00	<u>\$737,880.00</u>
65,550 sf			\$14,506,560.00

ESTIMATED PROJECT COST

\$14,506,560.00	Building Cost
\$275,000.00	Woven Rod Mesh at Existing Jail Mezzanine
\$725,000.00	Cost to Relocate Utilities
\$10,000.00	Cost to Relocate Drainage Ditch
<u>\$200,000.00</u>	Cost of Site Improvements
\$15,716,560.00	
<u>\$3,929,140.00</u>	Soft Costs (25%)
\$19,645,700.00	Total Estimated Project Cost

OTHER PROJECT COSTS

\$400,000.00 Estimated Cost to Demolish and Build a new Salt Barn

NUMBER OF BEDS

293 Beds	Existing Facility
<u>264 Beds</u>	New Addition (1st and 2nd Level)
557 Beds	
<u>264 Beds</u>	Future Build-Out (3rd and 4th Level)
821 Beds	Future Capacity

4-STORY ADDITION - FUTURE BUILD-OUT OF 3RD AND 4TH FLOORS

BUILDING AREA

2,050 sf	Basement Level	\$0.00	\$0.00
21,690 sf	1st Level	\$0.00	\$0.00
9,970 sf	2nd Level (Mezzanine)	\$0.00	\$0.00
19,080 sf	3rd Level	\$83.00	\$1,583,640.00
9,900 sf	4th Level (Mezzanine)	\$83.00	\$821,700.00
2,860 sf	5th Level (Penthouse)	\$0.00	\$0.00
<u>65,550 sf</u>			<u>\$2,405,340.00</u>

ESTIMATED PROJECT COST

\$2,405,340.00	Build-Out Cost
\$0.00	Woven Rod Mesh at Existing Jail Mezzanine
\$0.00	Cost to Relocate Utilities
\$0.00	Cost to Relocate Drainage Ditch
\$0.00	Cost of Site Improvements
<u>\$2,405,340.00</u>	
<u>\$601,335.00</u>	Soft Costs (25%)
<u>\$3,006,675.00</u>	Total Estimated Project Cost

NUMBER OF BEDS

293 Beds	Existing Facility
<u>264 Beds</u>	New Addition (1st and 2nd Level)
557 Beds	
<u>264 Beds</u>	Future Build-Out (3rd and 4th Level)
821 Beds	Future Capacity

ESTIMATE OF PROBABLE OPERATIONAL COSTS

200 Bed Addition + Shell Space for Future 200 Beds

Staffing Cost	\$661,072	13.68 New Staffing Positions
Utility Cost (2012)	\$518,470	Power, Gas, Water, Sewer and Telephone
<u>Total Operational Cost</u>	<u>\$1,179,542</u>	

Mrs. Knowles reported there are three funding options available for this project; Property Taxes, Local Option Income Tax (LOIT), and Economic Development Income Tax (EDIT).

Andrew Berger, Legislative Director for the Association of Indiana Counties (AIC), appeared to talk about the income taxes.

He explained Local Option Income Tax as follows:

- Option A: increase LOIT to pay for budget increases (instead of increasing levies)
Amount of LOIT increase determined by the state
- Option B: increase LOIT up to 1% to provide dollar for dollar property tax relief
 - Can make a decision each year to reallocate among homesteads, qualified residential property, and broad based property tax relief
 - Relief can be provided to one or more of these classes of property
 - The Board adopting the LOIT must make a public statement that if they provide PTRC; they understand some property owners will benefit from property tax relief without paying LOIT
- Option C: increase LOIT by up to .25% for public safety (must adopt at least a .25% rate of Option A or Option B in order to adopt Option C)
- Adopting Body: CAGIT County- County Council
- Political Subdivisions can agree to pool LOIT for Public Safety to pursue a single project
- Permits political subdivisions to continue to receive LOIT allocations that would otherwise be lost as a result of the elimination of levies

Adoption Dates:

After September 30 & before October 16, 2009

After October 15 & before November 16, 2009

After November 15 & before January 1, 2010

Between April 1 & July 31, 2010

Effective Dates:

November 1, 2009

December 1, 2009

January 1, 2010

October 1, 2010

He noted that the property tax caps for 2010 will be 1.0% for homesteads, 2.0% for (apartments, other residential, agriculture land, mobile home land, and long term care

facilities), and 3% for all other real and personal property. It is estimated that in the year 2010 Johnson County would lose approximately \$593,978 in revenue and \$626,364 in 2011.

If the county chooses to use property taxes and the bond amount is over \$12 million dollars the Johnson County voters would decide by the referendum process. If this was approved the debt would be outside the circuit breaker limits.

Mrs. Knowles asked Mr. Berger if he would explain EDIT.

Mr. Berger noted the deadline for EDIT was the first of August. This income tax adoption date was not changed. EDIT was used in the beginning for economic development; however now it may be used for other projects. The tax could not be used for property tax relief.

Circuit Court Judge, K. Mark Loyd, appeared noting that there are a number of problems with the current facilities (Jail, Juvenile Detention, Community Corrections) some more than others, such as the overcrowding of inmates at the jail. He understands the current economy issues; however, he asks the boards to please keep the other phases in mind for the future.

Mrs. Knowles stated something needs to be done to address the issue of the overcrowding at the Jail. The Council has two options to fund the project; property taxes or income taxes. If property taxes are the majorities' choice, the project would go to a public referendum and if approved that does not help with the additional operating expenses.

Discussion was held regarding moving inmates to other facilities; it could cost the county over \$650,000 annually on average.

Mr. Walker asked about a temporary facility to house the inmates instead of transporting to another county.

Sheriff McLaughlin responded that would require additional staff inside and outside by using an open concept facility.

Mr. West commented the need is definitely there the question is the funding choices. He does not agree taking \$8 million dollars of income tax from the taxpayers in Johnson County and the county would only receive \$3.4 million to fund the jail that services the entire county. He would like to see Community Corrections more involved with their programs to house inmates.

Judge Loyd responded the overcrowding issue at the jail has been going on for several years and did not just occur. The Community Corrections facility is utilized by the judicial officers. He does see any significant change in the number of inmates being housed at the jail. Individuals that belong in the Community Corrections programs are there now as the ones that belong in the jail.

Discussion was held on the current and perhaps additional fees charged for various court services and reimbursements from inmates.

At this time, Mr. Canary asked if there was anyone from the public that wish to speak on the jail issue. There were no public comments.

Sheriff McLaughlin commented for the record if no action is taken on the overcrowding issue everyone is going to pay at some point because it is only a matter of time before lawsuits will be filed against the county.

After further discussion on the funding options for construction and operational costs for the jail, Mr. Walker made a motion to move forward for the consideration of the referendum process for the jail expansion of 400 beds and to relocate the Highway Salt Barn (\$23,052,375). Mrs. Knowles seconded the motion that carried six to one, Mr. Canary voted nay.

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

Mr. West moved to approve the following requests as submitted:

REDUCTIONS:

ELECTION BOARD – (114)

100.11102.000.114 – Absent Voter Board	(\$ 12,993.25)
100.11103.000.114 – Traveling Board	(\$ 3,680.00)
100.11337.000.114 – Precinct Boards	(\$ 24,180.00)
100.11546.000.114 – Absentee Ballot Delivery	(\$ 3,322.40)
100.19900.000.114 – Overtime	(\$ 1,034.00)
100.21500.000.114 – Office Supplies	(\$ 500.00)
100.22000.000.114 – Election Services	(\$ 48,807.00)
100.31000.000.114 – Professional Services	(\$ 1,000.00)
100.31200.000.114 – Printing	(\$ 7,500.00)
100.31500.000.114 – Travel/Training	(\$ 1,600.00)
100.32100.000.114 – Freight/Delivery	(\$ 4,600.00)
100.33000.000.114 – Precinct Kits	(\$ 13,910.00)
100.33200.000.114 – Legal Advertising	(\$ 1,300.00)
100.39200.000.114 – Meals Precinct Boards	(\$ 15,750.00)

REGISTRATION OF VOTERS – (115)

100.27000.000.115 – Voter Registration Supplies	(\$ 1,000.00)
100.31200.000.115 – Printing	(\$ 600.00)
100.36101.000.115 – Maintenance Contracts	(\$ 500.00)

COUNTY ASSESSOR – (109)

100.18206.000.109 – Personal Property Analyst	(\$ 9,629.62)
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100.25200.000.109 – Film & Development	(\$ 100.00)
100.25800.000.109 – Books	(\$ 600.00)
100.31200.000.109 – Printing	(\$ 3,324.00)
100.32200.000.109 – Postage	(\$ 4,300.71)
100.32400.000.109 – Utilities	(\$ 16,554.24)
100.36001.000.109 – Building Repair	(\$ 405.00)
100.37201.000.109 – Office Equipment/Rent	(\$ 17,700.00)
100.38900.000.109 – Office Space/Trustee Assessor	(\$ 600.00)

Total Reductions General Fund \$ 195,490.22

REASSESSMENT – (265)

265.11382.000.265 – Reassessment Technician \$ 25,500 to \$26,000 (effective 7/10/09)

Mrs. Boyce seconded the motion which unanimously carried.

REDUCTIONS - ANIMAL SHELTER – (219)

Michael Delp, Animal Warden, appeared to request the approval of reductions in various line items. The Council requested a few months ago for any departments that could reduce their 2009 budgets to help the funding for 2009 please do so.

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

219.1115.000.219 – Director/Warden	(\$ 3,040.40)
219.11363.000.219 – Lieutenant/Animal Control Officer	(\$ 1,172.63)
219.22401.000.219 – Cleaning Supplies	(\$ 500.00)
219.25100.000.219 – Wearing Apparel	(\$ 2,400.00)
219.31200.000.219 – Printing	(\$ 500.00)
219.31500.000.219 – Travel & Training	(\$ 1,500.00)
219.32000.000.219 – Dues & Subscriptions	(\$ 872.46)
219.36000.000.219 – Equipment Maintenance	(\$ 2,000.00)
219.36001.000.219 – Building Maintenance	(\$ 5,000.00)

Total Reductions Animal Shelter \$ 16,985.49

Mr. Delp also requested a transfer of funds from four line items into Professional Services to pay for veterinarians for spayed/neutered services and vaccinations.

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

From: 219.22600.000.219 – Microchips (\$ 2,980.00)

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From: 219.26301.000.219 – Animal Food	(\$ 500.00)
From: 219.32200.000.219 – Postage	(\$ 250.00)
From: 219.44000.000.219 – Office Equipment	(\$ 2,500.00)
To: 219.31000.000.219 – Professional Services	\$ 6,230.00

SPAYED/NEUTERED FUND – (416)

Mr. Delp requested additional appropriations from the spayed/neutered account for adoption supplies. The revenue is received from adoption fees.

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

416.21500.000.416 – Supplies	\$ 400.00
416.31000.000.416 – Professional Services	\$ 1,400.00

SUPPLEMENTAL JUVENILE PROBATION – (296)

Suzanne Miller, Chief Juvenile Probation Officer, was not present for the meeting.

The request was for an additional appropriation in the amount of \$16,083.50 for Professional Services. The funds were received from a grant through Johnson County Citizens Against Substance Abuse (JCCASA).

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

296.31000.000.296 – Professional Services	\$ 16,083.50
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2007 HOMELAND SECURITY GRANT – (371)

Forrest Sutton, Emergency Management Agency Director, appeared to request an additional appropriation in the amount of \$143,500 from the Homeland Security Grant to be used for a District 5 full scale exercise.

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

371.31110.000.371 – Exercise	\$ 143,500.00
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NATIONAL CHILDRENS ALLIANCE GRANT – (383)

CHILD ADVOCACY CENTER – (284)

FORFIETURE & SEIZURE – (312)

PROSECUTOR DEFERRAL PROGRAM – (327)

Michelle Murray, Prosecutor’s Administrative Assistant, appeared to request additional appropriations for the above funds.

Mrs. Knowles moved to approve the requests as submitted. Mr. Hollenbeck seconded the motion that carried unanimously.

383.44000.000.383 – Office Equipment	\$	998.05
284.20000.000.284 – Claims	\$	1,571.74
312.20000.000.312 – Claims	\$	1,500.00
327.33500.000.327 – Deferral Program Participants	\$	11,700.00

SHERIFF – (105)

SHERIFF LAW ENFORCEMENT CONT. EDUCATION – (325)

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

100.19900.000.105 – Overtime (DUI & BCC)	\$	2,983.77
325.31500.000.325 – Travel & Training	\$	2,350.00

SUPPLEMENTAL PUBLIC DEFENDERS FUND – (299)

CIRCUIT COURT – (131)

K. Mark Loyd, Circuit Court Judge, appeared to request additional appropriations from the Supplemental Public Defenders Fund (\$20,000) and General Fund (\$70,000) to pay a combination of contractual public defenders, hourly public defenders, psychological and other forensic evaluations, and court interpreters. Approximately \$45,000 of the request is due to the increase in the public defenders contracts this year because of the individuals being removed from the health care plan that they were offered in the past.

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

299.32002.000.299 – Professional Services	\$	20,000.00
100.31000.000.131 – Professional Services	\$	70,000.00

STORM WATER MANAGEMENT – (409)

Dan Batta, Director of Planning & Zoning, appeared to request additional appropriation for review and inspection of required storm water management plans for new construction are deposited into this fund. He requested the money for training, operating expenses, and equipment.

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

409.31500.000.409 – Travel & Training	\$ 3,000.00
409.31601.000.409 – Operating Expense	\$ 6,000.00
409.41601.000.409 – Other Equipment	\$ 1,000.00

PLANNING & ZONING – (117)

Mr. Batta also requested to appropriate money for office supplies, office equipment, and other equipment for his department from the insurance proceeds the county received for the flood in June of 2008.

Mrs. Knowles moved to approve the requests as submitted. Mr. Walker seconded the motion that unanimously carried.

100.21500.000.117 – Office Supplies (insurance)	\$ 462.39
100.44000.000.117 – Office Equipment (insurance)	\$ 8,227.97
100.42000.000.117 – Operating Equipment (insurance)	\$ 1,630.00

CUMULATIVE BRIDGE FUND – (206)

Gary Vandegriff, Highway Director, appeared to request additional appropriations for three projects; Bridge 35, five FEMA culvert replacement structures, and the design of two culverts on Roszell Drive. The structures and culverts are flood related issues. FEMA will reimburse the county 75% of the construction costs for the five replacement structures.

Mr. Hollenbeck moved to approve the requests as submitted. Mrs. Knowles seconded the motion that unanimously carried.

206.49335.000.206 – Bridge 35	\$ 25,000.00
206.45001.000.206 – Structures	\$ 655,000.00
206.49020.000.206 – Roszell Drive	\$ 45,900.00

VIII. OLD BUSINESS

There was no old business to discuss.

IX. NEW BUSINESS

Johnson County Public Library – Discussion of the 2009 General Obligation Bond Approval of Resolution #2009-08

Beverly Martin, Johnson County Public Library Director, along with the Library's Board Attorney, B.J. Deppe, and Ryan Fetters, from Umbaugh & Associates.

Ms. Martin explained after a study by an Advisory Committee they recommended that the current site of the Franklin Library Branch is inadequate for expansion. The Library Board selected a Site Selection Committee to locate property in and around Franklin. The Committee has looked at eight to ten different sites in and around Franklin. They have been meeting with city and county officials also about partnering with each other. The purpose of the request at this time is for a two million dollar bond to help with the planning process. This would pay the cost of the purchase of real estate and preliminary expenses related to site investigation and development, engineering and architectural expenditures.

She distributed a Schedule of General Obligation Bonding Capacity for the Johnson County Public Library that reflected \$28,746,699. The Library Board has no intention of that being the project size. Currently they do not know the amount because they need to have a "Needs Assessment Study" done.

Mr. Deppe reported there are some discrepancies of who must approve the issuance of bonds for the Library (City of Franklin or County Council). At this time they have not been able to find out who created the Library so they are coming before both the City and County for the approval.

Ms. Martin reported the City of Franklin has approved the first reading of the Resolution and is scheduled for the second reading on August 17th.

Mr. Fetters spoke on a comparative schedule of the Johnson County Public Library's tax rates from 1996 thru 2009.

Discussion was held on the impact of bonding and the circuit breaker tax caps.

Mr. West asked how much would it be just for the “Needs Assessment Study”. Ms. Martin responded around \$400,000. Mr. West commented he would like to have the studies done first before funding is approved to purchase land.

Mr. Walker asked what the Library Board would do with the current Franklin Branch. Ms. Martin responded they would like to sell the building.

Discussion was held about the possibility of integrating the Library with the County Museum.

Public Comments:

Gary Moody, Franklin Resident, appeared and commented transparency with the Johnson County Library Board has been a serious problem and is ongoing. It may be seen by their website. He asked what sites have the Library Board considered for the new branch. Ms. Martin responded she is not at liberty to divulge that information at this time.

A gentleman from the audience commented he is concerned spending two million dollars for the Johnson County Library and with the current technology most individuals obtain their information and resources online now. He stated there is no information on the Library’s website about this project.

Lester Burton commented he was told from a Library Board member that the Board has purchased the land. Ms. Martin noted they have not.

Craig Wells, a Franklin Resident, spoke in favor of the expansion of the Johnson County Public Library’s expansion for a Franklin Branch.

A Clark Township resident also spoke in favor of the project.

Mr. West moved to table the request until the September 14th Council meeting. Mr. McCarty seconded the motion that carried unanimously.

Resolution to Transfer Funds for Cash Flow #2009-08

Jan Richhart, County Auditor, requested approval of a resolution to transfer funds from the Cumulative Bridge Fund to the County General Fund as a temporary loan for cash flow purposes.

Mrs. Knowles moved to approve Resolution #2009-08 as submitted. Mr. Hollenbeck seconded the motion that unanimously carried.

Special Meetings for Non-Binding Recommendations & Binding Reviews for Units

Mrs. Knowles moved to set the following dates: September 3rd 6:00 pm, October 1st 6:00 pm, and October 29th 6:00 pm. Mr. West seconded the motion that carried unanimously.

FYI: Property tax bills will be mailed around August 21st with a due date of September 10th.

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