

**ALLEN COUNTY COUNCIL MEETING MINUTES
THURSDAY, NOVEMBER 17, 2005
8:30 AM**

The Allen County Council met in the County Council Chambers/Commissioners Courtroom at 8:30 am on Thursday, November 25, 2005. The purpose of the meeting was for Economic Development, additional appropriations, transfer of funds in excess of the budget of the current year and grant approval. Also discussion and other business to come before Council.

Present: Darren E. Vogt, President; Paula S. Hughes, Vice President, Michael W. Cunegin II, Calvert S. Miller, Paul G. Moss, and Roy A. Buskirk. Paulette L. Kite was absent.

Also Present: Lisa Blosser, Auditor; Tera Klutz, Chief Deputy Auditor; Jackie Scheuman, Financial Advisor; Susan Whetstone; Administrative Assistant.

President Darren Vogt called the meeting to order at 8:30 am with the Pledge of Allegiance.

APPROVAL OF MINUTES:

The minutes of the October 25, 2005 were approved on a motion by Cal Miller and seconded by Roy Buskirk. Motion passed 5-1-1 with Darren Vogt abstaining and Patt Kite absent.

FINANCIAL REPORT:

Lisa Blosser, Auditor: The amount you have left for appropriation today in the County General Fund is \$7,709,322. For your consideration today there are additional appropriations in the amount of \$1,071,443. The outstanding debt to the Boys & Girls School is \$7,845,191.

Roy Buskirk: I have a question regarding the actual figure which is a negative figure.

Lisa Blosser: That situation will occur a couple of times a year; until we get our property tax distribution. You have to remember that all of our money sets in one big account that we report separately for you. Next month there should be a positive number.

Mike Cunegin made a motion to approve the financial report as reported. Roy Buskirk seconded it. Motion passed 6-0-1 with Patt Kite absent.

Darren Vogt: We will now move to Economic Development.

Mark Royse, Deputy Director of Economic Development: We have a late breaking item on the agenda today. If you have followed the automotive industry at all the past year it has been a tumultuous one especially for General Motors. Darren Vogt, Marla Irving and I were asked out to the plant late last week to discuss a potential project and I emphasize potential. They requested to be on your agenda today for approval of a statement of benefits. I assume you realize that their property is designated as an unlimited economic revitalization area but every time a new investment is made they need to come before you and request approval of a statement of benefits. Basically this boils down to the fact that any industry is guided by productivity and cost competitiveness. Our responsibility at the local level; being Council, Commissioners and staff is to work with the local plant management team and the folks at headquarters to get positive decisions on capitol investments at this facility. Without continued capital investment we stand to be put in a less competitive situation than we like. Troy Kennedy the Regional Tax Manager and Mike Donovan controller of the Fort Wayne Assembly Plant are present to answer any questions you might have.

Mike Donovan: We are pleased to be joining you today to talk about a potential investment at the Fort Wayne Assembly. This plant opened in 1986 and has approximately 2,900 employees. We build the Chevrolet Silverado and the Sierra Pickup Truck. As you know GM's management is reviewing a potential investment at the Fort Wayne Assembly Plant; if approved the investment would be used to expand the current facility by approximately 280,000 square feet. The additional space will be required to store and sequence parts for the assembly line for our new truck program that we talked to you about in January. The investment in Fort Wayne Assembly is a win-win for everybody in the community, not just the hard working men and women at Fort Wayne Assembly by providing job security, but will also provide additional tax revenue for Allen County.

The tax abatement also sends an important message to Detroit regarding our long term liability and the willingness of local and state government to continue our important business partnership.

On behalf of GM the men and women of Fort Wayne Assembly and Local 2209 we respectfully request your favorable action on the abatement application before you.

In conclusion, I would like to thank the County Commissioners and County Council President Darren Vogt for continuing to support GM's business ventures; I would especially like to thank Commissioner Marla Irving. We looked at other alternatives prior to choosing our on site location and Marla along with Mark

Royse were very helpful in helping us look at alternatives and very supportive through the process. Again, GM appreciates your continued support.

Darren Vogt: Are there any questions for the gentlemen from General Motors? If not; we thank you for your business and continued investment in our community. We pledge to work with you any time we can to continue to make your operation as competitive as possible.

Cal Miller made a motion to approve the Statement of Benefits related to General Motors Economic Revitalization Area #14 Resolution 05-11-17-01. Mike Cunegin seconded it. Motion passed 6-0-1. Patt Kite was absent.

Darren Vogt: Next on the agenda is the Cedar Creek Township Assessor, he called and said he would be a little late so we will move on to Item 2.

Item 2: Bruce Little, Purchasing Director: Before you today is a request for seed money to start a unified mailing program for various County offices. The request I am asking for is not actually money that is going to be spent out but rather returning; as I bill back to the departments for mailing out their pieces. We are attempting to bundle the out going mail together of smaller County departments in order to qualify for the special first class/presort discount from the Post Office. By working with a local company; Postmasters Inc. they are able to take our mail and send it out at a reduced rate. Depending on whether or not the department has a postage meter, depending on various factors such as size and weight of mail; I estimate that we could probably save \$8-9,000. That is based on the 2005 postal rates; but with the announcement recently that the Post Office is planning a rate increase this makes this plan even more viable. While your first class postage is going to be going up .2 cents; the first class presort is only going up .1 ½ cents. The first class presort discount will be greater next year than it is now.

The plan calls for departments centrally located downtown to drop off their out going mail in the County Print Shop. I don't want anyone to get confused and think we are opening up a mail room because we don't have the personnel to process the mail. The print shop will be acting as a collection place for out going mail and collecting the forms as the mail is turned in indicating how much mail is going out. The departments will continue to fund their budget line item for postage. I will get a bill each month from Postmasters and based on the forms the departments turn in when they mail their pieces out; I will be billing back to them so there will still be accountability department by department for their postage costs.

I am not going to know for certain, when I send out mail first class presort, that each and every piece is going to qualify for the best discount. There are several factors that could lead to a bad read on an outgoing piece of mail such as a poor selection of font style or poor contrast and this would result on a slightly higher surcharge from Postmasters. In those cases I am not going to be able to track down, piece by piece, which mail didn't qualify for the best discount. The fund that I am starting may be absorbing some of those extra costs. Postmasters will help me identify the mail that continually comes through as a bad read so we can get to the source of the problem. I just want to let you know that I cannot guarantee I will be able to return exactly \$20,000 but it will not result in extra costs.

Paula Hughes: Mr. Little gave me and a couple other council members a good presentation earlier and I totally support the program. Does Postmasters provide a write up encouraging people to follow the guidelines that are acceptable? Will this be communicated to the departments?

Bruce Little: Absolutely; various County offices have been working with Postmasters for years and we have found them to be extremely helpful and cooperative; it has been a very good relationship.

Mike Cunegin: Will there be any type of training to have Postmasters sit down with the various departments?

Bruce Little: Yes, Postmasters is always there to help provide information. If you are kind enough to grant me the funds today I plan to launch this program by actually visiting each department as they each have different mailing needs. This program is designed only to work with out going mail that qualifies for first class presort. Anybody who is sending out the large catalogue size envelopes, mail heavier than 2 oz. or overnight mail; whatever process they are using now will remain unchanged as I will not be able to save them any money going through Postmasters and I don't want to start off with a system over burdened for no good purpose. I also want to remind you this is something that we have never tried before so maybe a year from now this program will look totally different.

By visiting every department and seeing what their mailing needs are. I can identify the departments who could benefit by a visit from Postmasters to help them with their special needs.

Mike Cunegin: They are very user friendly and willing to work with us. Your presentation was very helpful; thank you.

Roy Buskirk: I understand there are 6 offices that mail over 100 pieces a day and they will be working as they are now by taking advantage of programs they have set up.

Bruce Little: There are some departments already working, as I would say, at peak efficiency. I am not able to improve their program by doing this. The biggest example is the Clerk's office she mails thousands and thousands of pieces a week and I am not able to help her save any money and I don't want to muddy the waters.

Other departments have enough daily outgoing mail that it's not to their benefit to attempt to pool their mail with mine. Their out going mail is already at a high enough level as they can work directly with Postmasters and see those savings. The Auditor's office is one that is already working with Postmasters. As long as a department is sending out regularly at least 100 pieces of mail every day Postmasters is happy to deal directly with that department, pick up their mail on site and bill them directly for their services. This is just for the smaller departments that send out a few dozen pieces a day, which is not large enough for Postmasters to economically set up an account and send out their mail on production level. This is the purpose in bundling those departments together through this funding.

Roy Buskirk: I would like to thank Commissioner Peters and Bruce; this is one item that County Council suggested at the budget hearings that this would be an opportunity for savings. My understanding is that postage will increase January 16th approximately 5%. This is a win/win situation in which the County will be saving money and also we are doing good in the community because Postmasters is affiliated with Anthony Wayne Services which is a non profit organization. I think the two of you need to be congratulated on the outstanding job you have done.

Nelson Peters: Thank you, let me just say that Lisa Blosser needs to share in that credit as well as she continued to push for the first 6 months of my tenure for what we are approaching you with today.

Roy Buskirk made a motion to approve item 2 for \$20,000. Paula Hughes seconded it. Motion passed 6-0-1 with Patt Kite absent.

Darren Vogt: I see Mr. Yoder is here so we will go back to item 1.

Item 1: Tom Yoder, Cedar Creek Township Assessor: My request today is to be able to pay the utilities for my office for the rest of the year and I am going to reduce my request from \$400 to \$350. I returned \$700 back into the general fund this year; there was some encumbered money that was not needed.

Cal Miller: Do you have any line that you can transfer from?

Tom Yoder: I looked into that but I wasn't able to find anywhere to transfer from.

Darren Vogt: How did you budget for 2006? Will you be short next year?

Tom Yoder: I shouldn't be.

Mike Cunegin made a motion to approve item #1 in the amount of \$350. Cal Miller seconded it. Motion passed 5-0-2 with Patt Kite and Paula Hughes absent.

Darren Vogt: Council you will see that item 3 submitted by Auditor Blosser is for our first installment of 2005 for Boys & Girls School debt. I am going to discuss this situation at this time. This morning I received a fax from Mr. Armstrong of an amended plan. They came up with a resolution for us to sign and as you will notice it does not include any legal language that we requested in case of any law suit would benefit Allen County. I spoke with them this morning and they realized they had made an error in leaving that information off and I do have a new resolution in front of me.

Cal Miller: Are they going to insert the language we requested?

Darren Vogt: I will have you look at that and further discuss it as it is a resolution they would like us to pass in order to come to an agreement with the State and our juvenile debt. This request of \$974,442 is so we will have enough to pay our first installment. The total amount will be \$1,961,298.

Cal Miller: I think we can vote on the resolution whenever we feel comfortable and everyone needs to look at it. It does have the two paragraphs that this Council wanted included in the event that Marion County and St. Joe County are successful in their law suit. It also leaves open an opportunity, depending on what happens on the cost of housing juveniles here is left in there too. I appreciate you going back rather than going to the State and demanding those provisions be left in tact because I think they are important for us.

Paula Hughes: Does it address the issue of any excess funds from the Child Psych Fund and what happens with the over or under funding of that amount because we have counted on disbursement of that overage to help fund with this.

Lisa Blosser: that is a County function so we just handle that here by transferring the money.

Cal Miller: That is not addressed and as I recall part of what we were hoping for was that if the Child Psych fund fluctuated downward the difference of what we were anticipating getting and that fluctuation.

Paula Hughes: We were budgeting approximately \$800,000.

Lisa Blosser: We have adjusted the figures.

Cal Miller: There is nothing in there to guard us against the fluctuation in the Child Psych fund. For instance if it were eliminated the revenue stream that we were counting on will make things more difficult for us. If that fund were to maintain constant the County will have all the dollars it needs to retire the debt in the amount of time set forth in the agreement. But if that fund is eliminated we will be looking at having to find \$800,000 from some other source whether it is reducing the allocations to the departments that come before us each year or we get a roll over that is positive. As Council Woman Hughes pointed out there are some uncertainties regarding that funding.

Darren Vogt: This number was lowered to \$400,000 after our discussion with the Division of Family & Children Services.

Paula Hughes: We need to make sure that department heads are aware that this puts an extra burden on us; we have been aware of it but now it is in concrete and we are obligated in a way we have not been to make those payments and it gives us much less flexibility.

Mike Cunegin: There has been some talk of doing away with the Child Psych fund however; the AIC is working so this will not happen.

Roy Buskirk made a motion to approve item 3 in the amount of \$974,442 and to approve the resolution that was just received today. Mike Cunegin seconded it. Motion passed 6-0-1 Patt Kite was absent.

Item 4: Lori Mayers, Emergency Management Agency was present requesting an additional appropriation in Repair/Maintenance in the amount of \$11,601. One of the tornado sirens in Harlan was damaged in August and the Insurance Company has reimbursed them for the bill that they have.

Mike Cunegin made a motion to approve item 4 in the amount of \$11,601. Paula Hughes seconded it. Motion passed 6-0-1 with Patt Kite absent.

Paula Hughes: I was involved in conversations yesterday about when the tornado sirens are set off and what the weather conditions are. I know there was a lot of activity with the sirens Tuesday evening and I wasn't clear on what triggers the firing of the sirens.

Lori Mayers: We do have protocol for those; Allen County Dispatch sets off the sirens and the reason they set them off as they did was that the National Weather Service contacted them and said that they had 'rotation' in Allen County. When we get information from them that they indicate on radar there is rotation; County Dispatch will go ahead and set them off.

Paula Hughes: So not necessarily has a formal tornado been sited it is more that the sky conditions are optimal for it.

Lori Mayers: Because it is indicated on radar that is a pretty good source for them to set them off.

Items 5 & 6: Jerry Noble, Court Executive and Superior Judge Charles Pratt: I noticed that this is the first time we have come before you for a general fund appropriation in 2005. Today we are requesting additional funds in Pauper Attorney for \$45,000 and Guardian Ad Litem for \$20,000. These funds will be used in CHIN's cases for termination of parental rights. We anticipated that we would need more in these lines and so we increased them for 2005 and have done so in our budgeting for 2006.

Judge Pratt: Jerry is right; you may recall that in June when we were here we indicated that we would need more in these two lines. Part of it is because of more CHIN's cases and because the new federal and state statutes require we get permanency for children in an expedited fashion. We have had an increase of plus 40% in these cases and sometimes these cases are 1-3 days long and there would have to be three attorneys appointed in each of those instances. Also if there is an appeal we are responsible by statute to pay for the appeal process as well.

I want to go on record that since we recognized that we were running short I started to do all I could to cut costs. Our local Bar is very good to us; not only are they getting about half of what they could get paid out in the private market place they are a blessing in disguise as they are coming to me in some pretty innovative ways to reduce the cost.

Mike Cunegin: For the record I want to thank you for your innovative cost cutting ideas and reorganizational skills.

Cal Miller: One of the things that this Council has done and that was to institute a new process of allocating funds. By doing this we try to eliminate items that fall out and cannot be controlled of a budget. Our goal is to allocate funds to Superior Court that can be used in a prioritization process; I know that you have done that to avoid coming here.

We would like to try and eliminate as many of these uncertainties from year to year as we can. I don't think that these are things that could have been anticipated but at the same time this is going to be an issue because we can't get our hands around these increases. It seems like you are going to try to do this in 2006. We appreciate your efforts in doing that. It sounds like you have a frame work in place for the future.

Jerry Noble: The budget allocation process has made us take a very hard look at prioritizing and I can tell you that these are two line items that we loose sleep over.

Cal Miller: I hope my comments weren't taken as criticism it is just that we have concerns and I appreciate all of your hard work in trying to control those costs the best that you can.

Darren Vogt: We received a letter from Melissa Hansen, Commissioner of the DLGF. It talks about delaying implementation of new plans for the Department of Family & Children Services. I will give you a copy of this so you can review it.

Paula Hughes: I am satisfied that the need is there and it is genuine. I move approval for the appropriation of \$45,000 for Pauper Attorneys and \$20,000 for Guardian Ad Litem. Cal Miller seconded it. Motion passed 6-0-1 with Patt Kite absent.

Judge Pratt: We have two grants today and they are both continuation grants. The one is a Foellinger Grant for Great Kids Make Great Communities and the second is a Title V grant and we use it for our families in decision making and our mediation process for CHIN's.

Lin Wilson, Grant Administrator: I just want to add that the Foellinger Grant is for \$90,000 and it will include funding for the conference each year and for Great Kids Make Great Communities. We are going to set up a separate fund for the Title V grant so that it is not co-mingled as it is a pass through grant, the amount is \$76,946. The match will be provided by the YMCA.

Paula Hughes made a motion to approve the Foellinger Grant; Great Kids Make Great Communities for \$90,000. Paul Moss seconded it. Motion passed 6-0-1 with Patt Kite absent.

Mike Cunegin made a motion to approve the Title V grant for \$76,946. Cal Miller seconded it. Motion passed 6-0-1 with Patt Kite absent.

Kim Churchward, Director of Criminal Division Services, Allen Superior Court requested approval of the application for an Indiana Criminal Justice Institute (ICJI) Edward Byrne Memorial State and Local Law Enforcement Formula Grant. The total amount being requested is \$162,453.

Paula Hughes made a motion to approve this ICJI grant application. Roy Buskirk seconded it. Motion passed 5-0-2 with Patt Kite and Paul Moss absent.

Item 7 & 8: Al Frisinger, Allen County Surveyor: I am requesting a transfer of funds from the salary line item for the Hydrologist position. We are in need of office equipment and computers as I have been successful in bringing on a Hydrologist but I need office equipment and computers to bring everything operational. My office is not very functional and I would like to update it so it will be more efficient. I would actually like to have 7 new workstations for my staff.

Cal Miller: Is the reason you have this money because that position had not been filled?

Al Frisinger: Yes and I would like to transfer the money from that account. We had offered the position to 4 people and I feel like I have come up with a good selection; he is a Purdue graduate.

We have been operating on hand me down furniture from other department and some of the things are approximately 40 years old.

Roy Buskirk: Was Ed able to provide you figures for the cost of the computers.

Al Frisinger: Yes two computers have been ordered and they are approximately \$2,200 plus software.

Darren Vogt: Do you have a breakdown of what all of the \$15,000 will be used for?

Al Frisinger: I got this request in at the last minute so I don't really have much of a breakdown at this time. I would even be open to used furniture but I don't want to have built in furniture.

Roy Buskirk: Part of the fact is that he currently has personnel working in hallways because of his limited space. He is also looking at used work stations

because of the possibility of the space study we are going through; then he would be able to move this furniture if his office is moved. However Al, you kind of shocked me when you requested 7 work stations, could you please explain?

Al Frisinger: Like a said I have people working in the halls and it is inappropriate for efficiency; I think it is always beneficial to have a proper setting to work in. I also have an office in the basement and their equipment is in much the same shape.

Cal Miller: It sounds like you have a legitimate need for the reasons you have stated. What appears to be lacking is that we don't have a plan for what you are going to purchase and how much it is going to cost.

Paula Hughes: I would echo Councilman Miller's sentiments; I am generally very supportive of departments who are finding ways to transfer funds within their own department. I have been in your office and I realize there is clearly a need. I am supportive of that need but it is hard for me to approve a blanket request without a breakdown. I feel we have gone to lengths to create a standard of information for decisions that we make. It sounds like you have an idea of how you arrived at that amount; we just need a breakdown of what you are requesting.

Al Frisinger: I apologize for not having exact numbers but we are going to be just as frugal as possible when obtaining the items.

Paul Moss: I honestly can't say that I can sit here and assume that there is a need because of the vagueness of the request. **I think we should table this but then for future purposes you should take the time to itemize your requests.**

Mike Cunegin seconded the motion to table.

Paula Hughes: I would be supportive of a motion to transfer a partial amount for the computer equipment that you have solid figures with the tabling of the other part of the request until we have a clearer outline. The amount of the computer equipment is \$4,287.22 (\$4,288.)

Paul Moss: I will withdraw my motion to table the entire request. Mike Cunegin withdrew his second.

Paul Moss made a motion to table all but \$4,288 which will be used to purchase the computer equipment. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

Cal Miller: Mr. Frisinger when you find out what you need and will be most well suited for the new equipment we would be happy to entertain that.

Al Frisinger introduced his new employee Matt Jarrett.

Items 9-13: C.J. Steigmeyer, Manager of Finance & Administration for the Coliseum was present requesting additional appropriations for 5 different part time line items in the amount of \$39,500. All five of these lines are event based and this year we 1,950 new rental's in our facility and this is an all time high for us. This has surpassed our expectations even with the closing of part of the facility for installation of the new floor.

Mike Cunegin made a motion to approve the amount of \$39,500 in items 9-13. Roy Buskirk seconded it. Motion passed 6-0-1 with Patt Kite absent.

Item 14 has been withdrawn.

Item 15: Mindy Waldron, Department of Health Administrator: I am before you today to ask for an appropriation in the amount of \$7,500 to cover additional medical bills. Due to the on going TB outbreak over the last 2 years we have exceeded the amount that was appropriated.

Paul Moss: In the interest of full disclosure are any of these payments going to be made to Lutheran Health Network? If so I will abstain.

Mindy Waldron: No, they are paid to St. Joe and _____

Roy Buskirk: St Joe is Lutheran.

Paul Moss: Can I assume that you are getting, what you believe to be, an appropriate rate for those charges?

Mindy Waldron: We get a reduced rate at about 40% or less and in some cases 50% or less of the going rate because we do multiples.

Cal Miller made a motion to approve item 15 for \$7,500 Medical/Hospital Services in the TB Clinic. Paula Hughes seconded it. Motion passed 5-1-1 with Paul Moss abstaining and Patt Kite absent.

Items 16-18: Chris Dunn, Executive Director of Youth Services Center requested an additional in the Youth Services Per Diem Fund in the total amount of \$5,000 to be used as follows: \$1,000 for Gas, Oil & Lube; \$500 for Garage & Motor and \$3,500 for Furniture & Fixtures.

Mike Cunegin made a motion to approve items 16-18 in the total amount of \$5,000. Paula Hughes seconded it. Motion passed.

Items 19-21 were withdrawn.

SALARY ORDINANCE:

Sheriff Jim Herman & Chief Deputy Bill Smallwood requested a change in the range of pay for their part time hire in the Sheriff's budget, Jail budget and Work Release budget as follows:

Sheriff Budget	From: \$10.50 - \$15.00	To: \$10.50 - \$18.00
Jail Budget	From: \$8.00 - \$15.00	To: \$8.00 - \$18.00
Work Release Budget	From: \$9.50 - \$15.00	To: \$9:50 - \$18.00

Cal Miller made a motion to approve the Part Time Salary Ordinance for the Sheriff, Jail and Work Release budgets as indicated above. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

GRANT:

Sheriff Herman requested approval for a Sam's Club/Wal-Mart Foundation Grant in the amount of \$1,000. The money will be used to purchase 10 Tactical Door-Viewers that are priced at \$99.00 each. The equipment will be used to determine officer safety prior to entry to serve criminal warrants.

Paula Hughes made a motion to approve this request. Cal Miller seconded it. Motion passed 6-0-1 with Patt Kite absent.

SALARY ORDINANCE:

Sheila Hudson, Executive Director of Community Corrections requested two salary ordinances for a change in her organization. The Manager of Finance & Personnel is in the process of being evaluated and split into a Compliance & Personnel Director PAT 5/4 at \$44,059 and Controller at PAT4/2 at \$36,360. There are no additional funds requested; there is a net decrease due to this change.

Darren Vogt: The Personnel Committee has not met to accept the report from the Temple Group as the report wasn't received until November 13th. There were a few changes in what was requested as the Controller position came back a PAT 4 and a PAT 5 was requested; the other position Compliance Personnel Director is the same as requested. Is there any objection from the Personnel Committee to accepting these recommendations from the Temple Group?

There were several questions to Mrs. Hudson regarding the positions and the titles of the jobs. She explained the reasons for the titles of these positions and the reasons for taking the existing job and adding responsibilities; splitting those responsibilities from the Controller position.

Cal Miller: Why aren't we going through the normal sequence of events despite the fact that we just received the information from the consultants?

Darren Vogt: That is because of the timing factor due to the fact that Mr. McNaughton is leaving at the end of the year. We need to move forward so she can hire his replacement and he can train the new person. Mrs. Hudson did bring this situation before the Personnel Committee.

Roy Buskirk made a motion to approve the salary ordinance for the two positions in Community Corrections. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

Items 22-28: Mike Fitch, Highway Director requested a transfer in the Highway budget from 6 salary lines into Gasoline & Oil in the total amount of \$104,600. These funds were available in the salary lines because of employee turnover and one of the positions had not been filled.

Paula Hughes made a motion to approve items 22-28 for transfer of funds in the total amount of \$104,600 from Personnel lines into Gasoline & Oil. Roy Buskirk seconded it. Motion passed 6-0-1 with Patt Kite absent.

Items 29-31: Mike Fitch, Highway Director requested a transfer of funds in the CEDIT/Highway Fund from Right of Way Acquisition for \$45,500 and Geotechnical Study for \$45,500 into the Aboite Center Road Project.

Paul Moss: Was there any consideration given when they were in the process of ROW acquisition of taking into consideration, for instance, the Northwest Trail and the Aboite New Trail efforts in terms of that ROW getting a little extra space or not?

Mike Fitch: Yes part of the Aboite Center Project is that the trails were designed into the project plans. We asked INDOT since I-69 is widening and they are replacing the bridge if they could build a 10 foot wide sidewalk on both sides and they did that. During all of our planning for roads and bridges we look at the scope of the work and the bicycle and pedestrian plan and include them in the project.

Paul Moss: Can you give me a guess percentage wise what that adds to the cost of the project?

Mike Fitch: Somewhere between 5 & 7% for the total project.

Paul Moss: Do you feel that the County is supportive of the Northwest Trails and the Aboite New Trails projects?

Mike Fitch: Yes, I think those facilities are a part of the 20/30 Transportation Plan regarding pedestrian and none motorized vehicles for moving people around the County.

Paula Hughes: The Plan Commission also requests all projects that come before it to allocate ROW for future trails to eliminate to purchase ROW down the road.

Roy Buskirk: Correct me if I am wrong but on projects like Aboite Center Road which is a Federal Project at 80%, I believe, that they require a clear zone behind the curb which is 10 feet?

Mike Fitch: Behind the curb is 18 inches to 2 feet. You can't put any fixed object in that area such as light poles etc.

Paula Hughes made a motion to approve items 29-31 for a transfer of funds in the total amount of \$91,000. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

Mike Fitch: I am retiring from public service at the end of the year and I would like to thank you for your guidance and assistance through the years; I appreciate it very much.

Cal Miller: Thank you; your level of organization, detail and the methodical way you approach things is refreshing and it has been a joy. Whenever you come before Council we always know that thoroughness is put first in everything you do. You have always put what you believe to be right first and you fought for that; I commend you for that and I think you have done a whale of a job. It has been a pleasure knowing you on a professional level and a personal level.

Paula Hughes: I echo that; you will be missed.

Darren Vogt: We all wish you well in what ever endeavors you choose.

Items 32-35 were withdrawn.

DISCUSSION:

Ed Steenman, County IT Director: At the last Personnel Committee meeting there was discussion on the Project Manager position, it was approved and this is a request to discuss this position. I am here to share with you the candidate pool we have, at this point, and to get your feedback. We have had 5 candidates apply; the posting was a salary range between \$38,000 and \$60,000. Four of the applicants have no project management experience at all and their desired salary ranges from \$24,000-50,000 per year. There is one candidate that has more than four years of experience in project management and his desired salary is \$60,000.

Darren Vogt: The reason this came before us was that this job is a technical job and requires technical experience. The way the grid system works is that the entry level position starts at a certain level and then there is an experience factor you get as you go throughout the County and continue to be employed by the County. The Personnel Committee has strongly encouraged that if we find someone with experience they don't necessarily need to be brought in at a lower entry level position. Sometime you can't find that person but they have experience in some of the areas. This is a technical oriented job with some knowledge base and set jobs that they have to have.

When the salary was evaluated Mr. Steenman immediately brought to our attention that we would probably not find someone for \$38,000. The Personnel Committee set forth and gave him the leeway to post a salary range to see what kind of a pool of candidates we would get if we advertised a range of \$38-60,000. I asked Mr. Steenman no to come back to this meeting and give us a report on what they have so far.

Nelson Peters: I think that if you look at web sites like Salary.com and some of those it will allow you to draw salary comparisons. I think what you are going to find is that the reason we have only been able to obtain applications from 5 candidates is that we are not yet where I think this position needs to be. Far be it from me to want to push a position up and up and up but we thought that this, at the upper range, would at least get us somebody who could fulfill the functions on a nominal basis to begin and allow us to grow them into that position. I guess what I am saying is that had the salary range been expanded further say another \$10,000 we probably would have been able to get applications from 20 instead of just 5.

Paul Moss: Far be it from me to contradict the President however as far as technical component; this is not a programmer position this person would not be expected to write code or anything along that line. There are varying degrees of the technical component; project management is project management as

opposed to what I would call a more detailed level of technical expertise. I am still a little concerned that we are going to start out hiring somebody at \$60,000 plus based on what you are saying. If we do that are we not creating a substantial inequity right off the bat if this position pays more than what Mr. Steenman makes? The other concern I have is this is a position that is not going to be supervising anybody; I just don't know if we have given it enough time. I feel bad to be the one that bogs this down but I am just not convinced we can't get somebody out there that may not have a lot of experience but you can bring them on board and train them to grow in that position pretty well.

Ed Steenman: If I could interject one thing; being a department of one makes it very difficult for me to foresee being able to bring somebody in with very little or no experience and being able to bring them along. The goal of this position is to enhance the department and I feel that if I don't bring in somebody that has some experience in project management in the technology realm then I am going to be spending so much time mentoring and advising them that it is going to set me back.

Paul Moss: I want to say, very clearly, that for an organization of this size to have one individual responsible for all of the IT needs is just almost unconscionable. You clearly should have some assistance; there is on question about that. The issue in my mind is the salary and creating some immediate inequities right off the bat.

Paula Hughes: I echo that sentiment; I think that we are extremely fortunate to have Mr. Steenman in the position he is in and the fact that he has been willing to work at the pay scale he has been working at is to our good fortune not necessarily to his; although he has excelled in this position. Up until 2 years ago we didn't even have that position. A Project Manager might not have a direct supervisor roll; but in a sense they are supervising or would be supervising all of the technology vendors and over seeing a lot of those relationships which in its own way is a crucial type of supervision and I think it has that level of responsibility. I get the impression that getting someone else in that department with him is more of a priority than the potential pay inequity.

Ed Steenman: The research that I did before budgeting this position for 2006 was through reviewing Monster Hot Jobs, Career Builder and several of those on line job markets and the pay range that I found in Indiana for a project manager with 3 years of experience was anywhere from \$55,000 - \$95,000 per year. I feel very comfortable that we are not going to find someone for any less than that.

Cal Miller: I understand your frustration but I find that very hard to accept given that we have a wonderful person filling your position; namely you and that

you are willing work for this organization at a salary that is below the private sector market. You are a prime example of why your argument bothers me. I want to know if we can get a hungry person in there that doesn't have that experience and if they can't do the job get them out and get somebody else in there within the salary range we talked about. I have to imagine that there are people that want the opportunity and are willing to accept it at that level. If we could have more of you we would be in great shape.

Nelson Peters: I would like to respond quickly to that. I do believe, in this situation, lightning doesn't strike twice; we are very fortunate to have Mr. Steenman and perhaps there is a rock out there that has been unturned. I have recruited my entire professional life and I recognize what he is going through at this particular point. He has described the position that he feels is necessary to move this County forward from an IT perspective. Yes we can probably back up and pare ourselves down and probably bring somebody in that can grow with time; but part of the problem with government is that we do that all too often. If we want to move forward and be progressive and get the things done that we need to get done in a timely fashion and in the way we need to get them done we've got to have the horses to move us forward right now. We are very lucky to have Mr. Steenman in this position but I don't know if we can do it again.

Mike Cunegin: A year or two ago when we were discussing Mr. Steenman's position and salary under a similar situation; in a governmental magazine from the Silicone Valley in California they were showing people from the private sector looking for governmental positions because they were secure positions. I am concerned that we are setting ourselves up to fail with these salary ranges.

Roy Buskirk: Why did you take the position you have with the County two years ago?

Paula Hughes: That is an awful personal question and I would give Mr. Steenman leeway not to answer that.

Ed Steenman: I had an opportunity to move to Austin Texas and didn't want to move.

Cal Miller: That's the point and I certainly know that Commissioner Peters has a long history in Human Resources and we do value you Mr. Steenman and perhaps there is someone out there that perhaps doesn't have the experience you would hope for but is eager and would value this job.

Paula Hughes: Mr. Steenman is here today because after the initial posting of the position they didn't find the right person; they have gone through the first round. Are you suggesting that they go through another round?

Cal Miller: Yes, I am suggesting that we keep looking within the salary that we have.

Darren Vogt: Where has this job been posted?

Nelson Peters: Northern Indiana Human Resources Association and I believe it was posted on Fort Wayne.jobs so it actually went through a further process than what we normally do.

Darren Vogt: Isn't there only one applicant that has 4years of experience?

Ed Steenman: That individual has 4+ years experience.

Darren Vogt: Do the others have experience in the computer area?

Ed Steenman: No one is a teacher, one is an engineer, one is from the financial field; I can't remember where the other one was from but it wasn't technical.

Paul Moss: I don't question that we are getting a significant value with you there is not doubt about that at all. Is this for a 40 hour work week?

Ed Steenman: It is for a 37.5 work week.

Paul Moss: We need to remember that because that has an impact. I don't know how that is communicated when the job is advertised. Do you want us to say OK \$60,000 and above or do you want to increase the top range to \$70 or 80,000?

Ed Steenman: No, I am not asking for any kind of increase at all; I am updating you on what kind of a pool we have received. There was some concern at the Personnel Committee meeting about going to that extent outside of the PAT 5 range itself and I feel this is just an illustration it will not fit.

Paul Moss: Was the PAT 5 established by Temple?

Ed Steenman: Yes

Paul Moss: Our consultant said this should be the salary range for this position but you indicate that we will have a great deal of difficulty at that range.

Nelson Peters: I believe that once the consultant has the opportunity to come back and benchmark some more jobs as this was about the first one out of the gate; he too will find that perhaps the original classification was in error.

Paul Moss: How long has this been posted?

Nelson Peters: About a month or 5 weeks.

Roy Buskirk: Have you been able to interview or talk to the person who has the experience?

Ed Steenman: No there have been no interviews.

Cal Miller: I would rather devote more resources to expanding our search because maybe there are other avenues and I know Commissioner Peters is well aware of them. I would like to find a person that is enthusiastic about this job that might not be looking in the places where you have placed the posting. A one month job posting doesn't lend me to start jacking up the salary until we have done a little more; perhaps spending some resources by posting in other avenues and maybe head hunting to find someone that would be well suited to work with you in this environment. Failing that and having the job linger a little while longer I think at that point we would be better off with information to say that we are just not going to find someone.

Darren Vogt: One of the reasons he has come before us today was to update us on the search. Commissioner do you have funds that you could post this on Monster.com? We still see the need for justification of this position.

Nelson Peters: We can find it somewhere. With your permission we will continue to advertise it at the rate that we are doing currently. We would like to start out the New Year hoping to knock some of these things off with the appropriate personnel in place. If December is ok with you we will be happy to come back and bring you the results of our search?

Cal Miller: Sounds good Commissioner.

Darren Vogt: We will put that on the agenda for the December meeting. Please keep in touch with me and others on the Personnel Committee.

Nelson Peters: The Sheriff and I would like to briefly update you on where we are on the current Sheriff Headquarters building. There is still a lot of work to do as to where we need to be in some of our due diligence but we have made an offer that has been accepted of \$800,000 for the building. We have had some engineers go through on a preliminary basis to give us just a ballpark sketch of whether or not the thing is worth continuing to pursue. They came back with real rough figures of \$1.8 million to get the building up to where we believe it is going to be inhabitable for the Sheriff's Department. I think that is a figure that we will work to reduce in the meantime. We have some additional architects that

will be going through to make sure the number of \$1.8 million is a solid number for us. We have set about getting two appraisals on that building that I expect back hopefully by December; but I have been told along the lines of four weeks or so. That is where we are in the process; if we can get those back with the figures I have suggested we would like to begin work on the project.

Paula Hughes: In the interest of full disclosure; as my full time profession I am a Commercial Real Estate Broker and another agent in my office has been working as the broker for the county in this. I have been involved only to the extent that I am trying to oversee the County interest. I have more knowledge about how commercial real estate transactions work than most of the people at this table and in some instances more than the Sheriff and Commissioner Peters.

I advised them that it was a good move to go ahead and make an offer on this space. The last time the County went through the appraisal process before they made an offer on the building and spent money on the process and lost the money we spent on the appraisal because the building was bought by somebody else in the meantime. I advised the County that it was more appropriate to tie up the property first; make an offer, have it accepted with the contingency that appraisals must come back that support the value of the building and with the contingency that County Council approve the purchase. That way we will not go through the same kind of thing we did the first time. I was not happy how it went the first time; it did the County a disservice to operate in that way so I got involved and talked to the parties. I have absolutely no financial interest in this transaction; I am an independent contractor as is the agent who is working for the County on this but I wanted to make sure this is known by the members of the Council. I have been involved to the extent that I want to make sure the County is smart as they go through this transaction.

Cal Miller: Thank you for the disclosure. The way in which the property was tied up was done so intelligently learning from the prior lessons with respect to the NAVL property we can tie something up, under law, with contingencies that have to be met within a certain time period. It is a very wise strategy to employ with the Commissioners with the assistance of Council Woman Hughes.

I will say, and I am sure we are all aware, that recent editorials published in the morning paper have launched a number of different topics. One of those topics we will talk about today, with the Sheriff, will be the inequities in the tax collection which Sheriff Herman has been glad to talk about and how we ought to contract with him for an amount that doesn't allow him to have a windfall. I appreciate your taking the lead on that Sheriff and bringing it up.

Commissioner Peters and Sheriff Herman I want you to be prepared when you come before Council and ask for our approval for purchasing a new building and

why you believe it is necessary to move forward now without sharing a building with the City. I believe that those are items that must be discussed to come to a decision, at least in my mind, before I am prepared to vote one way or another. I want to give you fair warning so you don't feel like you are being ambushed.

Sheriff Herman: Thank you Councilman Miller; I do understand what you are saying and quite frankly this building, even though we have done what we have done to tie it up, is not a done deal because of the contingencies. We rely on Council, after we learn a little more about this, to say whether it makes sense or if it is a good move or not. We are still pursuing other places and looking at other buildings and even to the extent that we would like to see what a pre-engineered building on our own land might cost as opposed to the kind of building we had originally outlined and get some figures on that too.

I can respond to the editorials right now as how they are looking at the situation saying 'the Sheriff doesn't want to be downtown'. The divisions we have that interact with the downtown area and work within the City limits are downtown and that is not going to change. This building, basically, will house the divisions that serve the unincorporated areas so it is not like we are moving divisions out into the County that should be downtown.

As far as the City building goes, if you have answers to that mystery about what they are going to do and when they are going to do it; that is another factor in this. Even though they are probably talking 3 years down the road in spite of the fact that they tell us month after month after month we will tell you next month; we still don't know what they are doing. For us to wait and wait and wait to see what they are going to do doesn't serve us well either but I will be prepared at the time we bring this to you for a decision to discuss all of the things you brought up.

Darren Vogt: There are several questions that need to be brought up during the discussion regarding the Sheriff's building. We may not be able to get all of the questions answered in December.

Nelson Peters: Part of the purpose of the discussion today was two fold; 1. to bring you up to date on where we are regarding the building on Merchant Road and 2. to try and get some sort of direction from you in terms of where we ought to be heading from a fiscal perspective. I have mentioned to you that we have \$800,000 to pay for the building and that there could be another \$1.8 million wrapped up in the renovation etc. My suspicions are that any amount in excess of that we would probably need to start thinking about a bond; now, as Commissioner, I'm not prepared to bond for the Sheriff's headquarters'. I believe that bonds should be used for bridges, streets, roads and things that all of us are going to share in. There are alternatives out there that are more

expensive, less expensive that mirror pretty closely to where we are right now in terms of the cost outlay. My question to you is: Are you prepared to have us come back with alternatives that may exceed the number that was posed today?

Roy Buskirk: I am not so concerned about the number; I am concerned about the fact of the building being designed so it can be of good use and being prudent of spending taxpayer's money; that is what I am concerned about. I have not seen the building but I can just imagine what it looks like. I would like to look at a new building being designed and built the way the needs are.

Nelson Peters: We looked at that years ago and the cost at that time was \$4.1 million.

Darren Vogt: I have seen those numbers and they are extremely inflated.

Sheriff Herman: We have talked about that too. In order to get back on track about the things we need to do and I want to tell Councilman Miller that Chief York and I are still talking about the combination and have reached some area that stops them having to have 10 new people. I will be meeting with him Tuesday or Wednesday of next week.

Paula Hughes: I want to comment on a statement that Commissioner Peters made because it has also gotten back to me that some of the candidates for Sheriff and it is out in the public being discussed that we could just bond for a new building. I have, to date, not heard anything that would make me want to bond. I do not think it is an appropriate purpose for bonding; I think we can find the funds within existing budget monies that are available and I'm appalled that people would talk about bonding so loosely. I want that kind of conversation to stop because I will do everything in my power to stop it if it would actually hit this Council table.

Cal Miller: If there are funds available, short of bonding, then it makes sense to invest more to get a better long term solution for the Sheriff's operation I am willing to consider that, short of bonding. Spend more money on something that makes more sense for the long term; we not only need to focus on the up front dollars it will cost; but is this an investment that will solve a problem for a long time to come.

Sheriff Herman: I couldn't agree with you more. This is an important move and we have waited 30 years to make it; it seems like we should make the right move when we make it and have it be a user friendly building and one that will last for a good long time so the Council and Commissioners will not have to worry about this again.

Paula Hughes: I have been working, unofficially, with the Sheriff and Commissioners on this and I would like to invite another Council Member to join me as we go through the steps.

Nelson Peters: We would welcome it as well.

Paula Hughes: I think it is important that we have good vigorous discussion on this and the more we get involved the better.

Cal Miller: I would volunteer to do that.

Paula Hughes: I'm not suggesting we form a committee; I have been helping on an ad hoc basis. I feel there should be more of a joint effort between the Commissioners, Council and Sheriff.

Darren Vogt: There is a two prong approach; one is the existing facility and the other is looking at other alternatives. Right now the focus has been on the existing building and the alternatives haven't focused on; which were the comments that Councilman Miller, myself and others made. There are alternatives out there that haven't been explored yet that we have seen and that will be the crux in making a decision. I think that is what Councilwoman Hughes is saying. We need to get those influences in and say here is the existing facility and that is going down a track and here are all of the other concerns Council has and how to move forward and make decisions.

Cal Miller: It is all interrelated because for us to make an intelligent decision that would also include, perhaps, a decision about waiting 3-4 years would have to see what could be done for the Sheriff in the mean time because he has to either get out or substantially improve.

Sheriff Herman: In reality, I don't think that the building can be substantially improved for less than \$1,000,000 because of some of the failings the building has. We did talk about doing something short term but in order to get a building that someone is going to develop for you so it can be user friendly for a short period is cost prohibitive. A land lord doesn't want to go to the expense of doing this and then after a couple of years have to redo it again to fit somebody else. Those are the things we ran into in our quest to go somewhere temporarily.

Darren Vogt: There are all types of things you can do to a building for a quick fix but this discussion will be for another time. Council Woman Hughes, Councilman Miller and I will be willing to be involved in that as well so plan on having some more communication regarding this issue.

You all should have received, this morning, the final report from the Local Government Study Committee that I sat on this year. There are two things that are important for us to look at; they are items 4 & 5 on recommendations. One is that one dispatch center was the recommendation of the committee per county. There was some discussion if there would be a backup situation and this was also discussed. The other more important thing that we, as a Council, need to look at is #5; that is moving forward and continuing to move in a direction that talks about what we need to do to make sure there is an effort to put together the roles of County government and City government that continue to overlap. I am in the process right now of putting together some of that information and will hopefully have it early next year or maybe by the December meeting. That is the quick version of what I wanted to talk to you about and the reason I wasn't at the last meeting.

You also have in front of you information that talks about the current placements for Allen County Juveniles; this could be an invoice to the State at \$60.00 per day for placements we have here in Allen County it is a total of roughly \$1.8 million for juveniles that we place in our facility not DOC placements. Our Attorney, John Okeson is researching the Statutes but I haven't talked to him yet. The rationale is that these are placements that are not placed with the state that we will keep here to be closer to their families and get better education versus putting them in the State program.

I am opening it up for your thoughts; it is my thought that I would draft a letter for Council approval stating here is the amount of services that we have rendered to juveniles that we keep here.

Paula Hughes: Does every county have a juvenile facility?

Roy Buskirk: No

Paula Hughes: So Allen County has gone above and beyond the requirements for a County to take care of its own; so we are saving the State money by handling these placements locally. This is the theory we are using by going down this path of billing the State for placements that are held locally. I am supportive of that; I think it is a good path to follow.

Roy Buskirk: In other words if we had sent all of our juveniles to the State we would owe the State \$1.8 million so far this year.

Darren Vogt: As of July of this year they went to \$60.00 a day so instead of going back and arbitrarily coming up with a number we just figured it at \$60.00 throughout the entire year.

Mike Cunegin: There may be more costs involved because it depends on what the juvenile is down there for and the services rendered for that particular reason. I support this but there are State Legislators looking at rewarding Counties for what you are talking about doing here; but that is not going to happen until 2007. It doesn't hurt the effort and I will stand behind you. The AIC is also looking at this program. There are other counties pursuing this same avenue.

Cal Miller: Let's get our tab running. I think the day we receive the State bill would be a good time to send them our quarterly invoice for the juveniles. Is John Okeson looking into our nuts and bolts of your letter, President Vogt, along with the invoice?

Darren Vogt: Pretty much, yes.

You have in front of you a letter the Sheriff sent to me dated October 31st. I have compiled some information for you and there is a copy of the Statute that the Sheriff was happy to provide for us. On the bottom of page 562 of the Statute says that a County having a population of more than 200,000 must pay at least 100% of the Prosecutors salary which is currently \$115,000. The next page you will see the Sheriff's wage history which the Auditor's office helped provide which covers the years of 1999-2004 the average was \$136,330 the low end of that was \$97,000 and the high end was obviously last year of \$210,000 plus some change.

There is another paper that I had put together which are the Sheriff's salaries for 2005 and it included all of the Sheriff's in Indiana except for 7. It list whether they are on contract, if they received warrants or if they receive money for meals to give us a perspective of what Sheriff's make. As you can see from this information the salaries are all over the place.

I want to open this up for discussion as to what your pleasure is regarding going forward. If you will read the second paragraph at the bottom it says: "Salary contracts for Sheriff's requires provisions and stipulates that the County must pay the Sheriff 100% of what Prosecutors are paid." In my opinion that would be a minimum starting for negotiations.

Paula Hughes: Is this something that requires the Sheriff to agree on the salary we set for him?

Darren Vogt: Yes it is.

Paula Hughes: This is an unusual situation.

Roy Buskirk: It is tax warrant money.

Cal Miller: He is entitled to warrant money; by State law.

Paula Hughes: Unless he is paid a set salary that is at least as much as the Prosecutor's salary. I would like further clarification on this.

Roy Buskirk: I think that is the negotiation point. One thing that the newspaper missed is that it is a State Tax Warrant and that the State Police ought to handle it and take it out of the County altogether. I have talked to State Legislators regarding this situation and also I know that the Governor is trying to find funds for the State Police and to me that would be a perfect opportunity to pick up funding for the State Police. It has only been the last couple of years that it has increased tremendously. In talking to the Sheriff and other sources it is the fact that because of the computer now days the delinquent warrants are made available to the Sheriff in a more timely fashion that they were in the past.

Paul Moss: Councilwoman Hughes is exactly right and it is the same question I have. Who is primarily responsible for negotiating this; because it clearly is a negotiation with the Sheriff? The Commissioners are responsible for signing contracts; don't they have any responsibility in this? I am unclear as to who has primary responsibility; we could talk this to death when it really should be a fairly simple process.

Darren Vogt: Reading just from one section Statute it says "the County, having population over 200,000, must pay the Sheriff an annual salary of at least 100% of the Prosecutor's salary". So it is not saying anything other than the County.

In looking further **President Vogt** read: "the Sheriff, the executive and the fiscal body may enter into a salary contract for the Sheriff".

Paul Moss: That is not my point; my point is; who is going to negotiate? I would assume looking at that obviously we as the fiscal body would have to approve it and the Commissioners as the executive body would have to approve it. Who is responsible for sitting down with him and spending the time to actually negotiate with the Sheriff? Is it our responsibility; is it your responsibility as President, is it the Commissioners responsibility; that is what I am trying to get at?

Cal Miller: I don't know if there is a clear answer but we don't even have to answer the question if we appoint someone from Council to align themselves with the Commissioners to sit down and have this discussion with the Sheriff then we will side step this question all together. To even begin these discussions

we need to understand the situation fully and from what standpoint we are negotiating. We have to look at the strength of the tax warrants and how much he gets from them; there is a provision 36-2-13.2.8 that talks about him getting some of the tax warrants. I talked with the Sheriff about this information and he made a point of saying he wanted Council or whom ever to talk about this. We are not in a very good negotiating position currently because we see this upward trend and all of these big dollars that have come to the Sheriff almost automatically. If we had started this when the delinquent tax collections were down a quite a bit we would be in a better position. As part of these negotiations; is this a trend that is going to continue or is it one that is going to fall back? We would have to know the answer to that question as it will be a factor in our negotiations as well.

Darren Vogt: Why is the general fund paying deputies and officers to collect these funds and yet he is collecting part of the revenue and the County sees none of it. I see this as a State Legislative issue; we lobby our local legislators to remove this archaic form of or give us some leeway to take a percentage of it and then we get the money to, at least, pay for the salaries of the staff for the people who are doing the collection. That is the approach I prefer to take and the salary that is set for the Sheriff is the salary that we set; this is a long term approach.

Cal Miller: The Sheriff acknowledges this and that is the right way to go President Vogt, but in the meantime the Sheriff of Allen County as well as other Sheriff's are making more than 98% of all the people that are working for a living in the United States of America. That's unacceptable; so if the State Legislature approach fails and we continue to have this enormous windfall that shouldn't exist and the Sheriff recognizes that. He works hard but \$210,000 is just a boatload of money that should not be allowed to continue along that line while we are trying to get the State to change the law. If we can't get the law changed do we know enough or who are we going to ask about whether this trend is going to continue to pay these big dollars.

Lisa Blosser: It is driven by the economy.

Roy Buskirk: Any kind of an agreement would have to state subject to legislation because if legislation would change obviously his salary should change. We are at a very poor negotiating position as Councilman Miller stated; when you look at the last two years and what the averages are for 2005. Any kind of an agreement should be subject to legislation changing and if it did the agreement becomes null and void and he falls back to current wages.

Mike Cunegin: This is something that is very important to the County as well as the State. There are two things that I would suggest; I believe Councilman

Miller said that we need to have a Council person working on it here in Allen County and I also agree we are in a vulnerable negotiating state. I highly suggest that with the Sheriff's salary and the Juvenile Placement invoice that Allen County is not the only County of the 92 that are having these problems. We need to work with our legislators and the AIC where we pay dues. If we have more than one County working with the legislators and the AIC we should be able to get some action. As they say, 'the squeaky wheel gets the grease'.

Paul Moss: I agree I think it is a two pronged approach; I'm not sure if this is one of the items we discussed as part of our legislative agenda but it certainly should be so I suggest that we get that on there. I also agree that we should appoint somebody to begin discussions and prod the Commissioners along to begin discussions with the Sheriff. I think we do have a little bit more leverage than we might give ourselves credit for as we are in an election year and it should be an election issue and there should be public pressure applied if the Sheriff were to say he needs \$200,000 a year (I don't think he will do that) or whatever that might be if it seems a little high there is public pressure that I hope would come to bear particularly during an election year. I would hope we can move this along fairly quickly and I am certainly willing to participate in any of those discussions.

Roy Buskirk: Councilman Moss brought up that there is another negotiation item and that is that it is an election year and the candidates should say publicly what they would do with the funds.

Cal Miller: That brings up an interesting question; let's assume we are able to reach an agreement with Sheriff Herman as to what would be a suitable salary to be locked into; how does that bind, in anyway, a new Sheriff? Do we have to go through this every time we have a new Sheriff?

Darren Vogt: I would think so until legislation could be changed.

Paul Moss: Any Sheriff coming into office would, I think, have a difficult time saying that he/she needs a lot more money, that would be very difficult and unlikely but it is a valid point.

Cal Miller: If a new Sheriff came in and wanted to have some discussion about adjusting it or we may want to adjust it if tax collections go down?

Darren Vogt: It would be my position that the tax collections wouldn't come to us as they are handled through the State.

Roy Buskirk: It is the penalty the 10% penalty that the Sheriff collects that we would see.

Darren Vogt: That is if the sheriff is still collecting the warrants. I agree with you Councilman Buskirk that someone else ought to be doing it, not the County.

Cal Miller: Because I have volunteered to work with Councilwoman Hughes, Commissioner Peters and the Sheriff on the new Sheriff's building and some of the things we would like to have knowledge about before the next meeting; I would be happy to, at the same time, take up this issue to begin some dialogue about what kind of a contract we could enter into with the Sheriff to avoid this windfall.

Darren Vogt: In the interest of time let's agree that we will move forward on the discussion with the Sheriff as to what we need to do to come to some sort of an agreement with his salary. That was the purpose of getting the salaries from the other Sheriffs so we have an idea of what others are making that are in contracts and are of similar size communities.

I was going to ask Mr. Judkins and Judge Pratt to respond to the letter that was received regarding the Division of Family & Children levy and I will ask them to come before us at the next Council meeting.

Mike Cunegin made a motion to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of November 17, 2005. Roy Buskirk seconded it. Motion passed 5-0-2 with Patt Kite and Paula Hughes absent.

Paul Moss: In terms of the take home car policy, Ms. Blosser are you aware of any follow up that we are going to have on that?

Lisa Blosser: I thought that as soon as Mr. Little completed the report we were going to meet again, nothing has been set yet.

Paula Hughes: I have not been involved with the take home car sub committee but I have been involved with other governmental agencies and other law enforcement agencies that, even with take home cars, have mileage limits. This is for officers that cover an entire county and sometimes more than an entire county. Every time I have brought that up it has been poo poed. I think it is a very appropriate discussion to have, there is an institutionalize sense of entitlement that we really need to air out in this County.

The next meeting will be December 15, 2005 at 8:30 am.

There being no further business the meeting was adjourned at 11:47 am on a motion by Mike Cunegin and seconded by Cal Miller. Motion passed 6-0-1 with Patt Kite absent.

