

**ALLEN COUNTY COUNCIL MEETING MINUTES
THURSDAY, DECEMBER 15, 2005
8:30 AM**

The Allen County Council met in the County Council Chambers/Commissioners Courtroom at 8:30 am on Thursday, December 15, 2005. The purpose of the meeting was for Economic Development, and transfer of funds in excess of the budget of the current year. 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.

Darren Vogt: There is a slight change in the agenda; the request from Pat Love, County Assessor has been withdrawn. This will probably be addressed at the February meeting. Council Woman Hughes did the Council's Job Description Questionnaire; we will discuss this if time permits.

APPROVAL OF MINUTES:

The minutes of the November 17, 2005 were approved on a motion by Cal Miller and seconded by Roy Buskirk. Motion passed 6-0-1 with Patt Kite absent.

FINANCIAL REPORT:

Lisa Blosser, Auditor: Since this is the final Council meeting of the year there are no requests for additional appropriations. We are showing the amount you have left at the end of the year as \$6,637,929; our outstanding debt to the Boys & Girls School is at \$7,845,191.

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

ECONOMIC DEVELOPMENT:

Mark Royce, Deputy Director of Economic Development: This is a presentation of the Allen County CEDIT Capital Improvement Plan for 2006 and 2007 it was approved by resolution December 14, 2005 by the County Commissioners. This allows CEDIT to remain active and also requires that a plan be in place; this plan must be at least a 2 year plan and has to address at least 75% of the anticipated revenue. The Council moved a majority of DPS back into the general fund from the CEDIT fund and that will help in the future. (A copy of this plan is attached to the permanent record).

The State Board of Accounts wants us to show, in the plan, the actual allocation of what we have for a CEDIT backup on our TIF Bonds. The two bonds are Nestles and General Motors.

Since its original adoption, Allen County has used CEDIT funds primarily for road construction. In the past, this has mostly consisted of road resurfacing and new construction or reconstruction of roads. Other uses have included a portion of salaries, capital expenditures and other expenses of the Department of Planning Services, and the County's share of the funding of other local economic development agencies or groups. Allen County also sets aside a portion of CEDIT funds for unspecified project costs for economic development projects. For example, in 2005 CEDIT funds were used to construct a rail spur for a local expanding company.

We not only use CEDIT to backup TIF bonds but we also use it sometimes up front on projects and then reimburse ourselves with TIF funds; it works both ways.

Cal Miller: On page 5 we can see under the planned projects that these are the projects for which the funds have been committed and there seems to be no wiggle room in those commitments.

Mark Royce: Right, we have multi year commitments to the Allen County Economic Development Alliance, the Innovation Center, the Grand Wayne Center and Uniroyal Goodrich.

Cal Miller: If there were economic opportunities that arise throughout 2006 or 2007 the funds that would be available to embrace would come out of what has been earmarked for the Highway projects?

Mark Royce: The certified distribution is \$7.5 million and what we have appropriated is \$6.9 million; we foresee having the revenue to pay the bonds so if the bonds are met then you can use it in that year or you can roll it over. If

there is an opportunity that comes up this plan is flexible enough that they can shift road projects around.

Cal Miller: With the Aboite annexation taking effect January 1, 2006 and with CEDIT dollars decreasing January 1, 2007, in 2008 the Auditor has projected that the loss in CEDIT revenue will be around 25-26% and because a new census will not be under taken until 2010 there will not be any upward adjustment for those dollars until we find out if the population shift has gone more out to the unincorporated areas. At that time we will be in a pickle and have very tight CEDIT dollars. How will this impact the department and what kind of planning do you have for this reduction? How will it impact what you do and how you approach Economic Development?

Marla Irving: Full speed ahead! We work a lot with the State which helps because some of the projects are infrastructure and if we can relate it to brick and mortar then they will pay a portion of it and that helps. Right now we are trying to think outside the box on how we can continue to have money available for Economic Development. I am sure that if a project needed some help with something other than CEDIT fund versus turning 100 or 200 jobs away we would figure out how to this.

Cal Miller: How far out do the commitments go?

Marla Irving: The commitment to the Grand Wayne was for 4 years and this is the 4th year so that money will be freed up.

Paula Hughes: We know that we will loose population base but we don't know what will happen to employment levels throughout the County. If employment levels grow, this is the whole point of Economic Development, then the overall pot grows so then our share will grow even though we will have a smaller share.

Paul Moss: The income of Allen County residents has clearly dropped; hopefully we will keep that in mind as we are spending their money for taxes whatever that may be.

Paula Hughes: The State has recently evolved the way they calculate CEDIT distributions. Their calculations were beyond descriptions because they were not actual figures.

Lisa Blosser: In 2005 we were up 14.5% so it could be turning around.

Paula Hughes: I wouldn't set any stock in fluctuations of the past because they were far from accurate.

Roy Buskirk: I appreciate the effort you put into this presentation because I know it is difficult to look into the future because of all the variables you have to figure into it. The bond money in the budget is a safety net so that could very possibly become available and also by taking some of the wages out of CEDIT and putting it back into the general fund that money will be available. The Commissioners are working with the City regarding the Aboite Center Road project since it will be annexed into the City. There are a lot of different activities going on to reduce expenses in the CEDIT fund.

Mark Royse: To reassure you; Allen County has never lost a project due to a lack of funding we will find the money. We have only tapped the Tax Abatement Development fund twice and that was for a total of \$50,000. There is money in the Redevelopment Fund and there is money in the Commissioners Economic Development Fund.

Marla Irving: Before we ever turn a business away all 7 of you will be in agreement that there is absolutely no way that we could gather the money and incentive package together to bring them here. The State will help us and come to the table as much as they can because they have certain criteria too. You have my 100% assurance that if there is a company that comes in and needs an incentive we will be knocking on each of your doors and asking for your help.

Paula Hughes: We should have Rob Young or members of Alliance staff come in and share with us some of their totals and the project they have brought in. The Alliance board receives a monthly report which is shared with the Chamber of Commerce board and should be shared with County Council and the Commissioners which ranks the projects.

FORT WAYNE/ALLEN COUNTY CONVENTION AND TOURISM AUTHORITY (Grand Wayne Center)

Marvin Crell, Attorney for the Authority and Bob Lister, Executive Director presented the budget for 2006 for the Fort Wayne/Allen County Convention and Tourism Authority (Grand Wayne Center). They are seeking the approval of this body for the operating budget for 2006.

Paul Moss: What would you say was the average registered attendance at the conferences held at the Grand Wayne Center?

Bob Lister: Probably 500-700 for each conference; some of them are more, the Cities and Towns Conference was 1,200. But mostly it would be 500-700-1,000.

Paul Moss: Is that what the Grand Wayne Center was built for in terms of capacity?

Bob Lister: I think that is what we are seeing right now but we are going after conventions in the 2,000 to 3,000 area and we hope to see them come in.

Roy Buskirk: I appreciate the report you provided, however I would appreciate if you would note on there which ones are new and which ones are repeat business.

Bob Lister: We do very well with repeat business over the years and I certainly will get that report for you.

Cal Miller: In reviewing these two budgets; the Convention and Visitors Bureau gave us their 2005 versus 2006; I would also like to see, in the future, the historical data so Council can pick up on what the significant increases on particular line items from year to year.

Bob Lister: It didn't do any good to compare them this year because the building wasn't really completed until July.

Paula Hughes made a motion to approve the Fort Wayne/Allen County Convention and Tourism Authority budget for 2006. Cal Miller seconded it. Motion passed 6-0-1 with Patt Kite absent.

FORT WAYNE/ALLEN COUNTY CONVENTION & VISITORS BUREAU:

Laura Rhodes, Volunteer Chairman: The 2006 Budget has been before the Board and the County is well represented on the Board with Commissioner Marla Irving, General Manager of the Coliseum, Randy Brown and also trustee of the Coliseum, Mac Parker. With me today is Dan O'Connell the President of the Convention and Visitors Bureau.

Dan O'Connell: We had a very successful 2005 and I think that part of the 10% increase in hotel tax is attributed to the marketing of the Convention and Visitors Bureau and the hosting of the Gold Wing Road Riders Association at the Memorial Coliseum. We look forward to 2006; we have extended our marketing efforts and will be spending some of our reserves to market the new Convention Center. We have gone to more shows than in the past due to the larger building so we will be attending some national shows instead of just regional shows. This will let people know that we have a national facility now that can hold their capacity.

Cal Miller: It appears that your largest increase is earmarked for advertising and promotion. What are you specifically doing that will be of benefit to the County with that additional expenditure.

Dan O'Connell: We will be attending two national shows; one in Washington D.C. and one in Chicago. These are 4 day shows for people who plan meetings and conventions. We are going there with an exhibit booth that spreads out the facilities of the Grand Wayne Center and the Allen County War Memorial Coliseum. We will probably see about 1,500 in Chicago and maybe only 500 in Washington D.C. We have never been to those shows because we didn't have the capacity to house the delegates. It will cost us approximately \$8,000 to send people to these two shows registration for the D.C. show is \$3,500 per person so we are competing nationally that is one area. The second area is that we are gearing up the marketing for the Genealogical Library at the Allen County Public Library as they are about to open. We are spending \$10,000 out of our money, not the Library money, to market that as a destination. It is a great producer for us as it gets 100,000 visitors a year but it could be 200,000 visitors a year. Thirdly is that we are going to print a brand new meeting facilities guide and that is a \$30,000 project; the last one we printed was 4 years ago.

Darren Vogt: Could you talk a little bit about the hotel situation downtown from your perspective?

Dan O'Connell: It is a very important component for a city competing nationally. To have, not only, the main facility of a high standard and state of the art facility like the Grand Wayne but the supporting amenities of housing and accommodations; the two go hand in hand. We lost two convention bids in 2005 due to the fact that they would have to put delegates at the Holiday Inn; they said call us when you get a new hotel. The deterioration of the Holiday Inn has been a great concern of ours. It is falling down in age, quality and design; it is a 40 year old building.

Mike Cunegin: Have you had an opportunity to talk to the owners of the Holiday Inn to see if they have any future plans of reinvesting in that structure?

Dan O'Connell: We have; we had a direct meeting with the general manager here and the regional sales representative. With the assistance of Deputy Mayor Mark Becker we wrote a formal letter to the Holiday Inn President inviting him to Fort Wayne so we could show case to him the capital investments the city is making in the downtown area; mainly the Grand Wayne Center the emphasis being put on beautification and landscape improvements and show him he should be investing in is the new facility and up grading his own. They have 90 properties in the lodging industry and lost 7 of them in Hurricane Katrina. They are struggling financially to get those on line so it is a matter of priorities of where you put your capital investment. They are very aware of Fort Wayne and very proud of the Hilton and not of the Holiday Inn they own both properties.

Mike Cunegin: Thank you for the update and if they come to town will you please let me know so I can be involved.

Paula Hughes made a motion to approve the 2006 budget for the Fort Wayne/Allen County Convention and Visitors Bureau. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

Items 1 & 2: **Lisa Blosser, Auditor** requested a transfer of funds from Postage to Printing in the amount of \$983.

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

Items 3 & 4: **Dan Freck, Superintendent of Buildings & Grounds** was present to request a transfer of funds from Natural Gas into Other Equipment in the amount of \$3,873. This money will be used to purchase an electronic pallet jack to be used to transport goods to various county owned properties.

Roy Buskirk made a motion to approve this transfer of funds. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

Items 5-7: **Tim Miller, Circuit Court Administrator** was present to request a transfer of funds from Maintenance Agreements and Petit Jurors into Office/Computer Equipment so they can purchase a new copy machine.

Mike Cunegin made a motion to approve this transfer of funds. Paula Hughes seconded it. Motion passed 6-0-1 with Patt Kite absent.

Items 8 & 9: **Mindy Waldron, Department of Health Administrator** was present requesting a transfer of funds from Supplies into Contractual in the St Joseph Foundation Lead Program.

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

SALARY ORDINANCE:

Greg Lake, Allen County Soil & Water Director requests the approval of a part time salary ordinance with a salary range of \$9.00 - \$15.00 per hour. The District through State and Federal grants received has need of some additional assistance at times which could be served through part time staff. The District will reimburse the County for the salaries and associated costs of these part time employees.

Cal Miller made a motion to approve the part time salary ordinance for the Allen County Soil & Water District at a range of \$9.00 - \$15.00 per hour. Paula Hughes seconded it. Motion passed 6-0-1 with Patt Kite absent.

Roy Buskirk: I would like a report on the Storm Water issue, what is taking place with that and how you are working with other departments in the County.

Greg Lake: You are all aware of the challenges we are facing with the Storm Water Phase II. There are 6 minimum control measures that are outlined as requirements; two of which deal with education and public involvement. In addition to that you have some housekeeping, road maintenance, erosion and soil control, post construction and the last thing is an elimination of illicit discharges and identification of those discharge points. In the process of trying to minimize the cost; Fort Wayne, New Haven and Allen County are working on these requirements. We have developed the Allen County Partnership for Water Quality and have one full time staff person working on that.

DISCUSSION ITEMS:

The Commissioners request approval of Resolution 05-12-15-01 for the transfer of Byron PERF account of \$6,343,020.86 to the Allen County PERF account. This merger would result in a reduction rate of approximately 0.75% of the net gain to the Allen County Account.

Roy Buskirk made a motion to approve Resolution 05-12-15-02 transferring the Byron PERF account of \$6,343,020.86 to the Allen County PERF account. Mike Cunegin seconded it. Motion passed 6-0-1 with Patt Kite absent.

After some confusion regarding the Resolution number it was determined that it should be Resolution 05-12-15-01 due to the fact that this was the only resolution on the agenda today. The following motion was made:

Paula Hughes made a motion to approve Resolution 05-12-15-01 transferring the Byron PERF account of \$6,343,020.86 to the Allen County PERF account. Cal Miller seconded it. Motion passed 6-0-1 with Patt Kite absent.

Ed Steenman, County IT Director requests permission regarding the search for a Program Manager.

Darren Vogt: You should have all received information regarding salaries and applications; with that I will turn it over to Mr. Steenman.

Ed Steenman: I forwarded to you a copy of the candidate applications and resumes that have been received throughout the entirety of this posting. It was posted on the Allen County Web Site and on Career Builder.com for about 3 weeks. We have received 31 resumes and/or applications; those applications and resumes range from no Project Manager experience to significant Project Manager experience. I wanted to bring that summery back to you as we discussed at the last meeting that to get someone with experience we are looking to pay in the \$55-60,000 range. We have not interviewed anyone at this time; pending advice from Council.

Marla Irving: In looking over the applications there are probably two that have the tools and certifications that we need and we would like to proceed with interviewing before the end of the year.

Ed Steenman: I have reviewed the applications and resumes but I didn't want to move forward until there was time to discuss it with Council.

Darren Vogt: Right now the salary came back as \$38,000 at a PAT 5. There was \$60,000 put into the 2006 budget for this particular position. Remember the problems we had filling the position as a Nurse at the Jail; we don't want to have to go through that again.

Brian Dumford: The evaluation was done on the point factor by the Consultant and it came back at this certain level in our grid. As before we began the complete job evaluation process to see if the grids are appropriate; upon further review and looking at some external data for a Project Manager position the consultant did make a secondary recommendation to support this salary by looking at the market and what would be needed. We do have backup data from the Consultant at the \$60,000 range.

Darren Vogt: Mr. Steenman what you need from us is an approval of the range of \$38-60,000 that is in your budget?

Ed Steenman: As it was presented and approved at the Personnel Committee meeting it was conditional upon some evidence that it was necessary to obtain.

Cal Miller: How is this position going to save us money in the long run? I am concerned that we are adding another high level position and this is a position that is going to be paid almost as much as the Commissioners and as much as you Mr. Steenman. I will go back to the comments I made at the last Council meeting; I understand we need to pay for talent but it also needs to be justified as to how it is going to make us more efficient and if we can save money doing it. I am not satisfied that we couldn't find somebody that wants to work in this environment for the pay that we can pay. If we are going to add another high

level position in terms of salary how will this person be utilized and how is this person going to save money for us both in direct savings or somewhat more intangible savings.

Marla Irving: A good example was the Tax Accounting system that was purchased for \$250,000 and ended up to be a situation that our Auditor, Lisa Blosser couldn't make work when she took the position of Auditor. This would not have happened had we had a Project Manager to look all aspects of and decide if it would be a good purchase for Allen County.

Cal Miller: I understand these arguments but to make an informed decision I need to be able to hear some discussion about how much we are going to be savings.

Darren Vogt: That discussion usually happens in Personnel Committee and it has happened in this case.

Cal Miller: If there is something coming before full Council for a decision I want to be informed.

Paula Hughes: We already approved this in the budget process.

Cal Miller: I am still a member of this Council and have to make an informed decision.

Darren Vogt: These questions you are asking have been asked and the Personnel Committee did pass this position as a recommendation because of the conversation that we had just like this in a detailed manner. I am just giving you confidence that we have had these conversations.

Paul Moss: Your points are valid; the reason I feel this is a good discussion is because it is my fear we are instantly creating inequities at this level. I am done arguing that it is an appropriate salary; I have to assume that the information you have provided is accurate and that our Consultant has taken another look at this and changed his opinion based on additional information. Is the expectation that this person will be doing due diligence on the front end with purchases? That is where mistakes happen and they are going to be expected to understand and negotiate the agreements and make sure there are mechanisms in place to safeguard against accidents happening again.

Ed Steenman: The cheapest place to make changes to any project is in the feasibility and design phase of that project. This person is going to focus a lot of their time gathering requirements from departments for whatever the project may be. This person will be outlining those objectives for the projects so that

department heads, vendors and management know what the project is about before any purchase is made in the design phase. The Project Manager gets into much more detail than I do; when a department head comes to me and says I am thinking of this my role is to help them develop what it will take to accomplish that task. The Project Manager role is; once the high level project is defined then dig down into the details and make sure what each user needs to have on their desk top. This is not from a department head level but from a user level.

Paul Moss: What do you see as the first major project this individual will be jumping into?

Ed Steenman: The list is long but one of the big projects will be the implementation of migration from Novell to Active Directory. There is an e-mail migration that is also part way underway; those are probably the biggest ones to start off with and tax accounting is not that far behind.

Tera Klutz: We need an RFP by July 1st now because of the way it is working out.

Paul Moss: Did the Consultant give us a range or are we just suppose to debate until we come up with something?

Brian Dumford: I haven't read the document recently but I will go pull it and bring a copy back to you.

Nelson Peters: One of the others things this position will be doing is assisting with the implementation and the follow through of the project not only up front but all of the way. What I think this position points out are the inherent inequities that exist in our current system. This position is not creating the inequities; the current structure of county government and the jobs as they are aligned throughout are inequitable this only serves to highlight it. To go back and start it back at \$39,000 and bring it up as we do the other positions does a disservice to the department and to the job that needs to be done to accomplish everything that it has with it.

Roy Buskirk: You came on staff a couple of years ago to help improve the County now we have come so far that we need to hire an assistant for you. Some times we tend to overlook the benefits that the County people receive and also the hours that the county works which are 37.5 hours makes a big difference to someone working 40 hours. I feel that should be taken into consideration as far as wages are concerned.

Mike Cunegin: What is the recommendation at this time for this position?

Brian Dumford: The Consultant went back and did a market study within the Fort Wayne market and found a range of \$56,000 with 2-4 years experience up to \$86,000 with up to 12 years experience. The discussion in Personnel Committee was to allow Mr. Steenman a range including \$60,000.

Mike Cunegin: When this was presented to Council a few years ago I was not in favor of Mr. Steenman's position but in the last few years I understand that he has been well worth what we have paid him. We need to start looking outside the box; technology is the way of the future in every capacity of government as a whole. I have no problem in giving Mr. Steenman what he needs to hire a qualified person for this position. I see this as a positive for the County and for this body and the community as a whole.

Paul Moss: How do you prioritize these projects?

Ed Steenman: Projects are prioritized today by me working with ACS and they execute most of the projects.

Paula Hughes: A formal sub committee of the Data Board worked with Mr. Steenman about a year and a half ago; we visited with each and every department and talked about what their current needs were and what they saw their needs to be in the future. That was prioritized through the Data Board and was presented to Council as part of the budget process last year. We could re-circulate that document and prioritize projects based on County wide impact, how many departments it influenced etc.

Marla Irving: State mandates take priority because we can't afford to get left out in the cold and this Tax Accounting system will take a lot of effort because they are going to approve 6 vendors and we will have to choose which one will work with our situation to our satisfaction.

Cal Miller: The County does offer exceedingly fine benefits and I know the Commissioners recently sent out information regarding just what those benefits are and how much they are worth to the employee. I feel this is an attractive incentive for someone to want to come and work in this environment as we have gotten so many fine people in the past. Technology is something that permeates in every aspect of what this County does on a daily basis and it is certainly getting more complex and we are recognizing that there are opportunities out there to create better efficiencies, better public service and greater accessibility by the people to pay taxes and get those services.

I for one would like to know what the big picture is; we have Ed Steenman now we would like a Project Manager it doesn't end there. I would like to see a little more focus; what is this Technology Department going to look like in five or so

years? Is it something that is going to continue to grow so we can make decisions on a big picture basis about what we need? How are we going to come up with the dollars to support those growing needs when we know we have other needs we have to deal with?

Marla Irving: Until we can negotiate a new contract with our vendor in cooperation with the City I'm not sure I can give you that answer.

Paula Hughes: Do we need to ratify this research so Mr. Steenman can move forward in the interviewing process?

Cal Miller: I understand the needs and the highlighting of our entire pay system of the county and I am willing to support \$50,000 top end range because the benefits we provide are significant; you add the \$18,000 in benefits we are up to \$68,000.

Brian Dumford: The benefit package is definitely part of the total compensation that a candidate or applicant is going to look at, but anywhere you go you have a benefit package on top of that. I don't know if it amounts to \$18,000 or not.

Cal Miller: For an entire family to have incredible health insurance that costs \$250 and let me tell you I don't know of a better deal in town than that. It is an exceedingly important benefit as the cost of health care increases every single year. It is amazing that the County is committed to do that each year. I agree with the overall statement that lots of companies do offer benefits but until we breakdown the analysis as to the cost I don't think we can fairly

Paula Hughes: If I can interrupt; you are trying to predict a value to an individual employee. That has a value of zero to me because I don't take advantage of it, it means nothing. It's not as good as the insurance I have from my husbands' corporation. So, to use that as your destination to this \$50,000 salary; I think there are some errors to that logic.

Cal Miller: Then it won't appeal to those people, I'm satisfied with that and if we loose out on people that have their spouses benefits providing a much better package then so be it.

Paula Hughes made a motion to ratify the County IT Directors research regarding a salary range for a Project Manager candidate to be \$38-\$60,000 Mike Cunegin seconded it. Motion passed 4-2-1 with Cal Miller and Roy Buskirk voting nay and Patt Kite absent.

DIVISION OF FAMILY & CHILDREN LEVY:

Dave Judkins, Regional Manager of the Department of Child Services: I have been the acting director for Allen County for a good part of last year. It is my privilege today to introduce you to the new Allen County Director, Michelle Savio.

Mr. Judkins presented a plan to the Council reducing Allen County's budget by almost \$1,000,000. The plan also included more than \$500,000 in one-time grants from the State allowing for an additional reduction in property taxes.

Property tax levies for County Family & Children Services programs were set to increase dramatically across Indiana, as the state-run program sets its budget and forces counties to pay for the costs.

If a County Council tried to cut the budget, the County Auditor would be required by law to appeal those cuts to the State, with the assumption that the department would get its full funding.

Darren Vogt stated that he was glad the department was able to look at its programs and find ways to reduce costs. He also said that because the State runs the program and hires its employees, it would be simpler for the State to take over the funding as well.

Dave Judkins stated that he was able to cut about \$1,000,000 from his budget by waiting until April to increase the amount of money paid to foster and adoptive homes. He also said certain intensive family preservation and reunification programs won't be ready to start until spring, which will also reduce costs. "We don't need to accumulate money we're not going to spend," he said.

Cal Miller: Does the County Council have the ability to reduce the budget further than that?

Dave Judkins: When I came before, at that point, we had the ability to ask for whatever we wanted and if we were turned down there was a mandatory appeal process. After numerous counties complained of large increases for the programs, Governor Daniels allowed Counties to re-examine the budget request. The answer to your question is yes; you can reduce this budget to whatever figure you think is appropriate. I have just tried to give you a reasonable figure that we could work with for the year.

Cal Miller: What recourse do you have if the Council would vote to reduce your budget by \$5,000,000?

Dave Judkins: We are mandated to provide services, we would continue to try to pay them and then get to the point where we couldn't pay them. I have been in this situation and it is not a pleasant experience. We then return and ask for a loan and would be at a considerable high interest. Reduce this budget to whatever you want but there would be problems in the long run. If it comes to the end of the year and we run out of money that is not such a big problem we will just pay them in January but it would be a much different problem if we ran out of money in July.

Darren Vogt: Before I make my comments I want you all to understand that I whole heartedly support helping our kids in the community but the questions need to be asked. When implementing programs what measurements are you using to make sure they are successful and are we in a position to be able to pull the switch on a program and say we aren't going to do it any more? I know a lot of the increase this year is for new programs that haven't been proven in this community.

Judge Charles Pratt: We are currently in negotiations with the National Council of Juvenile and Family Court Judges to get some additional designation that will help us. It is a work in progress that I think you will see some improvement if we are successful in getting that designation.

I am with you and I fully believe it is ok to try different projects but if you reach a point where they are not bearing fruit you need to step back and dump them or re-fashion them. So far I think that there is evidence to demonstrate that the family decision making and facilitation that we have employed have reduced some of our costs; unfortunately it is being off set by the large caseload.

Darren Vogt: I will now entertain a motion to reduce the budget of the Department of Family and Children by \$1,517,900.

Paula Hughes made a motion to reduce the 2006 budget of the Department of Family and Children by \$1,517,900. Cal Miller seconded it. Motion passed 6-0-1 with Patt Kite absent.

Darren Vogt: Council next on our agenda is the Sheriff. I apologize because I didn't get a copy of the contract regarding his salary into your packets.

Sheriff Herman: I offered to take a salary contract and give the money that is collected from tax revenue to County General. Over the last several years that has proven to be very profitable as we have gotten a lot better on making the collections.

There is a contract out there but I haven't seen the latest version of it; there is some language in it that I didn't want in there. At one point it says that should the tax revenues stop in the middle of the year or if the tax revenue wouldn't be funneled through the Sheriff we would revert back to the salary that is in place now which I believe is around \$65,000. I objected to that because that is not my salary and there are some things that would have to be taken into account. In my view the State has given some guidelines as to the minimum a Sheriff for a county this size should make. That is 100% of what the Prosecutor makes; over the state the Prosecutors salaries are pretty consistent; it depends on how much the population of the county is whether you get a percentage of 100% of what the Prosecutor makes. Once you pass 200,000 in population and we are well over that in fact we are at the top of this chain.

I offered, that if I could get a contract for \$130,000 a year that I would return the tax revenue in their entirety over to the general fund.

Darren Vogt: The reason this is being brought up now is that the Sheriff, being an elected official, has to have his salary set before the end of this year.

Cal Miller: The Sheriff has a very complex job. President Vogt and I met with the Sheriff and discussed what the tax revenues were in prior years. This is an indication that he is willing to give up a great deal. One of the factors impacting the uncertainty of the 2006 collections is the fact that during the amnesty program that the state ran brought in \$250,000,000. I am not sure where that would leave Sheriff Herman's projections for 2006. I want to hear a little bit from our Auditor about how that may impact his collections so we can make an informed decision on whether the \$130,000 is a good figure based on what the current projections would be.

Lisa Blosser: We talked to the Department of Revenue and they said with the changes made in technology you could look at the 2004 and it would probably just increase from there.

Cal Miller: We shouldn't see a significant decrease because of the Tax Amnesty program and I believe that what the Sheriff is proposing is a very fair amount of money considering what he could make if he declined to enter into a contract.

Roy Buskirk asked if this contract would be negotiated with each Sheriff in the future.

Cal Miller said that the County Council would have that option with whoever the new Sheriff is. Hopefully, we may be able to get some legislation changed that would take that component of payment away from the Sheriff since it appears to

be antiquated. According to statute the Sheriff should be paid equal to the Prosecutor in Allen County.

Darren Vogt: I had a conversation with our delegation and it doesn't appear that this will be addressed during this short session.

Sheriff Herman: I think we should embrace this and collect the taxes and make it as profitable as we can for Allen County. The penalties we collected were \$128,000 just multiply that by ten and that is what we got the state. The state is making out on it so why shouldn't we!

Cal Miller: It is to our benefit to continue collecting and getting that 10% for Allen County.

Sheriff Herman: I have a window of opportunity to collect these taxes; the next step is that they send it out to attorneys and their fee is much greater. If we collect it the state will make the most they can make.

Mike Cunegin: Thank you Sheriff and thank you to this body for taking this situation up again. This will be a win for all of the people in this community.

Paul Moss: Sheriff you indicated that most other counties have contracts in place; has there been any affect on their collections to you knowledge?

Sheriff Herman: Not to my knowledge, but I might add that we are on the cutting edge of computer technology that allows us to get tax warrants electronically.

Darren Vogt: We keep using the term most counties have a contract with their Sheriff and I beg to differ with you on that issue; it is only a slight majority that have a contract for their Sheriff.

Roy Buskirk: What is the time frame that you have to collect these taxes?

Sheriff Herman: I think it is a 90 day window that we have to get them on a payment plan.

Roy Buskirk: So if it is not collected then it is turned over to a collection agency whose fees are much higher.

Cal Miller: What do we have to do for closure on this?

Darren Vogt: From our perspective the statute states that all three bodies; Council, Commissioners and Sheriff Herman need to agree on a dollar amount.

This is our last meeting of the year so we would need to have an agreement on the dollar amount.

Cal Miller made a motion for approval of a contract for Sheriff Herman for \$130,000 in 2006 subject to reaching an agreement on the other terms to be included in the contract acceptable to the Council, Commissioners and Sheriff Herman. Paul Moss seconded it.

Lisa Blosser: We need the wording for the salary ordinance because the amount has to be set for elected officials before the end of this year.

Cal Miller: My motion didn't include a salary ordinance so maybe we shouldn't rush into that.

The appropriate thing would be to vote on this motion subject to the Commissioners meeting and then come back by the end of the year and if they agree with us or not then pass the appropriate salary ordinance.

Roy Buskirk: I suggest we pass the salary ordinance and if that is not acceptable then we would have to have an emergency meeting and change it at that time.

Mike Cunegin: Does this salary include just the base salary or does it include longevity etc.

Cal Miller: No it does not include any additional compensation.

Nelson Peters suggested setting the base salary for the Sheriff at the \$115,500 level, with the incentives that would allow it to be adjusted upward.

Sheriff Herman: My response would be, I would not be interested in that.

Cal Miller: I understand what you are saying Commissioner Peters but it doesn't take into consideration what position Sheriff Herman has in this and that is; he has come to the table with the possibility of having a \$200,000 year in 2006 and the least he can do on a contract is \$110 or 115,000 it does not take into consideration what he has been willing to do in light of the fact that he is in a much better position than the Commissioners and County Council are. That is why I would be in favor of the embracing the \$130,000 proposal he made so as to recognize his willingness to give up a great deal that has a lot less uncertainty in it.

Darren Vogt: If I heard the Sheriff correctly he said he would not be willing and he is 1/3rd of the cog in the wheel.

Nelson Peters: I am not saying that the salary being requested is out of the question. I am talking from an administrative standpoint and how it is easier to move a salary one way than the other way based on subsequent contingencies.

Roy Buskirk: I think that would be something to use in future negotiations with future Sheriff's.

Darren Vogt: **We have a motion without a salary ordinance to support the \$130,000 contract. Let's go ahead and vote on the contract since the motion is already out there then we can consider the salary ordinance.**

All those in favor say aye. Motion passed 6-0-1 with Patt Kite absent.

Tera Klutz: Can we make sure we have the correct wording for the salary ordinance as to what is included and what is not included and it has to be set in the salary ordinance at this time.

Sheriff Herman: The contract is the total amount of money that I will be paid in salary. The uniform allowance and longevity can be deleted from that and the rest of any other benefits that go with the job stay.

Tera Klutz: So you want to say that this \$130,000 is all inclusive of any longevity and his uniform allowance so that his pay for 2006 is \$130,000.

Mike Cunegin made a motion for \$130,000 for the Sheriff's base salary inclusive of longevity and uniform allowance. Roy Buskirk seconded it. Motion passed 6-0-1 with Patt Kite absent.

Darren Vogt: I will work with the Commissioners on the outcome of the contract. Thank you for your efforts Sheriff in trying to make sure that this moves forward.

Nelson Peters: We have completed our due diligence on the Merchant Street building that we have made an offer on to house the Sheriff's 4-B department. We received a couple of appraisals one came in \$750,000 the second one came it at \$850,000 we offered \$800,000. The cost of converting the warehouse into offices is expected to be \$1.8 million. The Commissioners are willing to fund \$1.8 million and the Sheriff will put up \$300,000, but County Council will have to fund \$500-600,000 of the project.

Cal Miller: Is this an official request to move forward for the purchase of the property?

Nelson Peters: Yes it is

Cal Miller: I received a note from City Council President Tom Smith asking that we be open minded in considering the co-habitation of the City Police Department and the Sheriff's Department. We have a lot to consider and discuss regarding the amount of money it will take to renovate the warehouse or could we do better on a piece of ground that we own with our money that would provide a better more suitable long term solution for the Sheriff's building. I would like to explore other options and am not in favor of moving ahead with this building at this time.

Mike Cunegin: The city is about 5 years out on that project. Where are we with the City and are staying in our building or not?

Linda Bloom: Because of the space study we have been doing for the past year, it is still premature. We are to the point where we are going to have to extend our contract to the people who are studying our space. Now that the City is exploring; leaving, staying or combining, we have meetings every week and no decisions are being made. I am being held hostage because of lack of answers.

Mike Cunegin: I don't think the Sheriff or his department can wait. By waiting could we loose another building like we did with the NAVL building.

Paul Moss: The downtown issue and the issue of combining departments downtown is a difficult one to answer. I am not on the 'everything needs to be downtown' bandwagon at this point and the way I look at it is probably simplistic in some ways. As far as the Sheriff's department is concerned we have had these conversations several times; I have yet to hear anyone really complain about the current service the Sheriff's department is providing. In fact it is just the opposite I hear that they do a superb job and do a great service out there. Given that, I have a difficult time understanding why we want to reinvent the wheel. If we are doing a good job it appears to me that we are serving the County at the current location, so I'm not so sure we need to move at all. Obviously that building needs to be demolished but I am not comfortable going forward with the purchase of this other property when we could spend that money at a better site that would be more suitable on a long term basis at the current property on Lima Road because that is a valuable piece of property. There is a sense of urgency with this problem and continuing to study this to death and waiting for the City to make a decision because whatever decision they are going to make which clearly has not been made is taking too much time. I think we should move forward, do what is best for the County and the City can do what they want to do. If we need space in this building then move the City out; give them notice whatever the date is and then I think you will find

that they will be a little more forth coming responsive in terms of the discussions that you have had. I am not supportive of purchasing this building.

We need to let the person who is selling this property know our decision regarding this building sooner rather than later.

Darren Vogt: Councilman Miller, you have reviewed the contract; at this time do we need to make a motion?

Cal Miller: Yes, Commissioner Peters made request for approval, which is what he has to do under the contingencies set forth in the contract; request for approval of purchase. The Commissioners by, making that request, have satisfied that obligation contractually and we have to vote on that today. I will echo Councilman Moss's comments and have seen Councilwoman Hughes nodding her head as well that we cannot tie this property up as it would be unfair to the current owner.

Cal Miller made a motion to deny the request to purchase the property at 4031 Merchant Drive. Paul Moss seconded it. Motion passed 5-1-1 with Mike Cunegin voting nay and Patt Kite absent.

Darren Vogt: Commissioners Peters, I think it has been clearly stated as to the desire of this Council and I think going forward we need to explore all of the options that are out there whether it is another building and perhaps this building if it is still available when we have all of the information. If we build a building, buy an existing building and potentially co-habiting with the City Police force. I want to make sure that you understand that we are not talking about combining the forces just about locating in the same building. Those are the options we need to explore before we enter into another purchase agreement because it is clear that this Council needs a lot more information before they can make a decision.

Mike Cunegin stated that he didn't think that the Sheriff could wait. I commend you and this body for doing and trying to work with the City but it has to be both entities; we keep trying hard and they don't.

Paula Hughes: That goes back to what Councilman Moss said; we need to make the decisions that are best for County government. Not only can we not count on the City responding to us in a timely manner we can count on them **not** responding in a timely manner even by their own set deadlines. It is beyond frustrating in the operation of County government; there is no need to pay heed to the unpredictable whims of City government in these space issues.

Cal Miller: Just so no one is left with the wrong impression, I am in support to dedicating funds to create a solid, long term solution for the Sheriff. I am dedicated to doing that in one of the forms that we discussed today, the one that makes the most sense and we won't know that until we have all of the information. I can't imagine that it will take a long time to decide how much it would cost and how well served the Sheriff and the community would be by building a new building on existing property. Or, for the Commissioners to say ok to the City we cannot wait for you to make a decision we believe that we can re-structure in this building and fit the Sheriff in here or one of our other buildings by moving things around and we are going to do that if we don't have an answer within a certain number of days. This is not my idea it is something I have heard from Commissioner's Bloom and Peters and echoed by Councilman Moss today. When we have all of that information I believe you are going to see that the resolve is to move forward.

Sheriff Herman: Thank you for those comments. I want to say that in spite of the fact that when we were looking at the NAVL building we thought we were on the fast track and were going to get situation solved rather quickly and everything was going to be fine. I have to say that I am more optimistic now than I have been over the long period of time that we are going to do something about this. I appreciate your due diligence and I appreciate what the Commissioners have been doing to try to make this move forward. I am convinced that we are going to get something done; at this point in time we will be spending the winter in that building. The only thing I am asking you for is that we continue to look at this with an eye toward getting us out of the building at 4B and getting on with a solution that is good for everybody. I understand the economics that if this building is vacated by the City there may be room for us here but it needs to be done in a timely fashion.

From everything I have heard from Council people I have talked to and the Commissioners that we are on track to get something done about this and that makes me feel good and I want to thank you for your efforts.

Paul Moss: How do we request a study on the Lima Road property, someone needs to go out to that property and see what the needs are?

Linda K. Bloom: We have all of that information; in fact we have been working on it for quite a while as an option to bring to you. My concerns are that we are sitting on a very valuable piece of property out there.

Darren Vogt: Let's plan on putting on our January agenda this topic to discuss and hopefully you will have had enough time to get some of the preliminary plans together and if not hopefully we can address it at the February meeting.

Paula Hughes: We talked about forming a sub-committee with the Sheriff, Commissioners and Council; that didn't move forward because of the holidays. I think we should move forward in that and much like we do with the Personnel Committee having a smaller group of us dedicated to moving forward toward the answer. That answers Councilman Moss and Sheriff Herman's concern that we keep moving forward toward the solution. We are not treating our own employees kindly by continuing to let this building situation go on.

Darren Vogt: Unfortunately we are in a position that we need to make a decision. I put this on to the Commissioners because you are responsible for the buildings. We have to put the ultimatum to the City in some fashion that we need an answer.

Paula Hughes: We want the Commissioners to know that they are backed up by this Council.

Cal Miller: To put this in crystal clear perspective; how can we responsibly say 'Sheriff let's spend \$2.6 million to buy a warehouse and renovate it or spend \$2.6 million on Lima Road to build you a new building that is going to be a good long term solution'? Or six months from now the City County Building is a third of the way vacant sitting here; how can we spend that money responsibly without knowing?

Roy Buskirk: With my experience in commercial real estate it is my understanding that the County can give the City notice that they need a response if they are going to extend their current lease or they will have to move.

Linda K. Bloom: That has already been discussed.

Roy Buskirk: Pardon me Commissioner but I don't think it needs to be discussed; it needs to be put into writing and that they be served notice the first day that you are able to do that.

Linda K. Bloom: We have done that too.

Roy Buskirk: That's fine, but follow up with it; this is not an idol threat.

Cal Miller: We can't make this decision if there is going to be some room for the Sheriff in this building. The timing is so critical that we are at the last possible moment we need to know what their plans are so we can move forward. Can we have an alternative with respect the building of a building and an alternative with respect to if the City should move out how the space in this building would be utilized? We could be guided by that so we could address the Sheriff's needs.

Nelson Peters: We will provide that.

Darren Vogt: I want to keep this moving but I think that you see we are willing to help you get out of this situation. Thank you very much for all of your hard work.

We have left on our agenda a discussion regarding the Job Description Analysis study. The information was provided to each department head and elected officials and they were to go through and evaluate the jobs of full time County employees.

Paula Hughes: There is a copy of one of these JAQ's that I filled out for Council and I would welcome input from council members regarding our positions. I will e-mail it to each member so that you can make any corrections or additions and return it to me.

Brian Dumford: We are through the month of November and I have seen several things come to fruition. We have had close to 50 meetings throughout the county with employees explaining the form to them and to give them guidance. Most of the questionnaires have been returned and I would like to publicly thank the department heads for setting aside time to get the task done. There are a few departments that have yet to get them in and it is because we were not able to get their employees to the meetings until later in the month.

Also going on now is the external market study; the consultant normally requires 35% return on the study to satisfy the analysis and he said we are looking at 50% return on our study. We will meet Monday to have a draft preliminary review of the job grids and pay grids as they are being retooled through the process of the study. The consultant has already begun evaluating the JAQ's and is working on the first round and drafting the job descriptions.

Darren Vogt: We send an update along with our payment for Boys & Girls School regarding ACJC population.

Cal Miller 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 December 15, 2005. Paul Moss seconded it. Motion passed 6-0-1 with Patt Kite absent.

Roy Buskirk: I have been working with the Auditor's office on property taxes and how different bills and legislation makes a big difference. Part of the money collected with the Tax Amnesty is COIT money and I asked Lisa to call the State and see potentially how much we would be receiving. They told her that they didn't know for sure how much, if any, of that \$200,000,000 we would get. The

taxes that they collected were from businesses that needed to send it in because they were delinquent etc. Obviously I would think that there would be some COIT in that amount.

I want to show Council how different legislation affects disbursement of funds. Family and Child Services is almost 20% of our tax levy and our county levy would be reduced by that much and would affect our miscellaneous income and \$1.6 million COIT. The formulas need to be changed so we don't lose that money. We need to stay on our toes regarding these issues and the impact they will have on Allen County.

Lisa Blosser: We are preparing graphs showing the impact. We are following the legislation.

Tera Klutz: It appears to be completely revenue neutral; we will not lose any excise tax after 2010. The excise they plan on giving Family and Children is just what they are currently receiving.

Paul Moss stated that he is frustrated with ComCast and the Cable Access Fee and would like to have some further information regarding our situation. We are providing them a substantial benefit by allowing them access to public right of way.

There being no further business the meeting was adjourned at 11:51 am on a motion by Paula Hughes; seconded by Mike Cunegin. Motion passed 6-0-1 with Patt Kite absent.

