

**ALLEN COUNTY COUNCIL
MEETING MINUTES
MAY 20, 2010
8:30 AM**

The Allen County Council met on Thursday, May 20, 2010 at 8:30 a.m. in the County Council/Commissioners Courtroom. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Paula S. Hughes, President; Darren Vogt, Vice President; Roy A. Buskirk; Maye Johnson; Paul G. Moss; Larry Brown and Bob Armstrong.

Also Attending: Lisa Blosser, Auditor; Tera Klutz, Chief Deputy Auditor, Jackie Scheuman, Budget and Finance Director; Nelson Peters, Commissioner and Becky Butler, Administrative Assistant.

The meeting was called to order by President Paula Hughes with the Pledge of Allegiance and a moment of silence.

Paula Hughes: First we have the Consent Agenda, I look for a motion to approve. Actually, does anyone have anything that they want to pull off the Consent Agenda?

Larry Brown: I want to discuss one thing on the meeting minutes from last month, on page 26.

Paula Hughes: Let's pull the minutes off and we will discuss that after we approve the Consent Agenda.

Larry Brown: All right.

Paula Hughes: Is there anything else that you want to pull off the Consent Agenda? If not, I look for a motion to approve.

Maye Johnson: Motion to approve.

Bob Armstrong: Second.

Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 6-0-1 (Moss). All right, now let's talk about the minutes.

Larry Brown: On page twenty-six of the minutes, a motion was made for an additional to appropriate \$3 million for the co-location of City and County offices. It does not say, nor did we indicate where we are appropriating that to and the

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question has come up. I thought the intent was that we were giving the Commissioners the go-ahead to use that \$3 million. Should it not be?

Paula Hughes: Your question is that we didn't appropriate it into a specific line?

Larry Brown: As I understand it, and Tera can correct me where I am wrong, the way it stands today every expense would have to come before us.

Paula Hughes: Oh. That certainly wasn't my intent. Do we need to wait a month to have a separate motion to appropriate into a specific line?

Tera Klutz: It is in the Council's budget now. You appropriated it into the Council's capital line and that was the request when it came through. We would have to wait a month because we have to reappropriate and unappropriate if we want to make it into the Commissioners' budget.

Paula Hughes: Okay, I guess for me, I would say that is what the intent was. I certainly didn't want to see all of that come before us. Is that the pleasure of the rest of the Council? Okay, the minutes are accurate but you just wanted to talk about that issue.

Larry Brown: Correct.

Paula Hughes: I look for a motion to approve the minutes of April 15, 2010.

Larry Brown: So moved.

Bob Armstrong: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** All right, moving along to Jerri Lerch.

Jerri Lerch: My name is Jerri Lerch and I am the Executive Director of the Allen County Drug and Alcohol Consortium.

Paula Hughes: In front of us today, you have the Program Grants. Could you, real briefly, remind the Council where this funding comes from and how the process works?

Jerri Lerch: The Indiana Statute provides for the Drug Free Indiana Commission. That statute is about twenty years old and by filing an annual comprehensive plan that includes data and a broad-based community input, we file the report and it is reviewed at the State level. Once that report is approved, which includes problems, statements and goals, and then we are permitted to have access and direction and suggestions for the way that the funding is spent from the local Drug Free

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Communities Fund. Those funds are generated as a portion of OWI and drug interdiction fines. It is on an annual basis and once the calendar year closes and we look at where we are in our revenues, our Coalition meets regularly and we again review what we want to do. We create a funding committee and open the grant application process to a variety of members of the community that helps us complete our goals. That is where the funds come from.

Darren Vogt: Can you briefly talk about the follow-up to make sure that the program is actually getting results and that there is an impact?

Jerri Lerch: Certainly. As a grant administrator, we only fund on a one-year basis. We never fund multi-year. On a one-year basis, we require a six-month and twelve-month follow-up report. As a part of the grant request process, the applicants have to tell us how they are going to help accomplish the outcomes that we have identified and promised to the State. Sometimes it is a collection of data and sometimes it is by using research and evidence case prevention programs. Then we will look for penetration rates. We may also opt to have site visits. For some of our organizations, some of which are very grass roots, we will give regular guidance or provide some support in how to handle the financials or program administration. Some of the governmental requests that you see, we have less oversight because their protocols are more accepted and widely known. There is a range of how we respond.

Darren Vogt: Great, thank you.

Paula Hughes: Are there any further questions from Council? I look for a motion to approve.

Maye Johnson: Motion to approve.

Bob Armstrong: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** Thank you for coming in this morning.

Darren Vogt: Before you go, this number was \$257,228 and on the thing that you just handed us, you have \$261,138.

Jerri Lerch: What happens is that either we have unspent or returned funds or we have carryover funding. We are actually granting out to the grantees this \$261,138 and the only amount that we need for the fund is the \$257,228.

Darren Vogt: Okay, I just wanted to make sure.

Paula Hughes: All right, moving along, the next thing on the agenda is Salary Ordinances that were approved at the Personnel Committee but a member of

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Personnel Committee requested that they come before the full Council. Is that correct?

Larry Brown: Correct.

Paula Hughes: All right, the first department is Youth Services.

Jean Jones: Good morning, Jean Jones, Office Manager.

Paula Hughes: Does a member of the Personnel Committee want to review this? Did this go through the Personnel Committee?

Jean Jones: We kind of put the cart before the horse. We have it set up for the June third meeting. We didn't realize that we had to because all we are doing is moving money between appropriation lines. We are not asking for more money.

Darren Vogt: You have a retiring employee?

Jean Jones: Yes, we have someone retiring and would like to have someone train with her for four weeks.

Tera Klutz: This is a temporary salary ordinance.

Larry Brown: When this was brought to my attention, I don't question the specific request but I question the process. In my opinion, we either have a process or we don't. If we don't, then let's do away with wasting our time with the Personnel Committee and we will start hearing all of them. That is my input on this. I don't have a problem with the specifics of this request but the process that we need to fine tune, identify what the responsibilities are of the Personnel Committee and proceed forward with that.

Jean Jones: We apologize, we weren't sure of what we were supposed to be doing.

Paula Hughes: Okay, so you are on the agenda in June for the Personnel Committee. Is there an urgency within the office? I don't know why we would approve it ahead of the Personnel Committee.

Jean Jones: The employee is leaving the 24th.

Darren Vogt: Of June?

Jean Jones: Yeah.

Darren Vogt: To their point, we have to figure out if they call an emergency meeting for things like this. I think that is where the Personnel Committee needs to set a

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policy, get it confirmed by Council and be done. Here is what the process is and if there is a timing issue, we will call a special meeting.

Larry Brown: Those situations are going to occur and hopefully they are minimal.

Paula Hughes: What is the pleasure of the Council on this specific issue? I think part of it is ratifying whether or not the Council wants to continue with the existence of the Personnel Committee if it means that everything would have to come in front of the full Council. The Personnel Committee has existed since before I was on Council and has always been seen as a body that would have the luxury of time to delve into more of the personnel issues and then bring the recommendations to the Council. I think that is a worthwhile thing.

Roy Buskirk: The other thing that you don't have is the fact of the grading of the Human Resources Department on that particular position.

Paula Hughes: Right, if the Personnel Committee is bypassed.

Bob Armstrong: My question is the person that is going into that position, is that going to be an outside hired person or is this going to be an internal person that is being upgraded?

Jean Jones: It could be either. We are interviewing right now. We could hire someone from the outside and we have had internal applications too.

Bob Armstrong: But that hasn't been determined if it is going to be inside or out?

Jean Jones: No because we are still interviewing.

Roy Buskirk: Correct me if I am wrong but the job has to be posted.

Jean Jones: It was posted.

Roy Buskirk: That is the reason Bob that you don't know if it is going to be inside or out.

Bob Armstrong: I will make a motion that it goes back to the Personnel Committee and they go through the process. We have to get back, like Larry said, either we are going to do it or we are not going to do it. The procedure is there and I make a motion that if it hasn't been to the Personnel Committee, this or anything else that is on the agenda today, it goes back to the Personnel Committee and we follow the procedure.

Paula Hughes: Okay, we have a motion on the table. Is there a second for the motion?

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Larry Brown: I will second the motion so that we can get to discussion.

Paula Hughes: Okay, we have a motion and a second. The motion is that all personnel matters must go before the Personnel Committee before coming to the Council table. I will say that I think there could be exceptions to that and whether those exceptions are handled by a special meeting of the Personnel Committee or bringing it to the full Council, I think we ought to talk about it. What are the feelings of the other folks at the table?

Darren Vogt: On this specific request, I think there is a timing issue if they don't meet until June 4th or whatever...

Roy Buskirk: It is the Council meeting.

Darren Vogt: That is what I am saying. They have a four week window where they want to get training done. In this particular case, the timing doesn't make sense to not approve this salary ordinance. At some point, you have to take it before the Personnel Committee and have a special meeting or if the Council meeting is right beforehand, why have a special meeting of three people that are already having a scheduled meeting.

Larry Brown: Keep in mind that the Personnel Committee meeting is a public meeting and it requires advertising and all of that.

Bob Armstrong: My only point is that there is always going to be an emergency. In government, everything is an emergency. The only thing that scares me is, and I am not saying that they are doing this, but they can just take and get all of their ducks in a row and we need this done now instead of going to the Personnel Committee. I see it becoming a game to where they position themselves to forfeit the Personnel Committee and come directly to the Council. I think it should go to Personnel Committee and have it discussed and come out of the Personnel Committee like most things are done in government with a prior approval or a do-pass. I don't want to see the system start to be manipulated.

Larry Brown: Are you saying no exceptions whatsoever?

Bob Armstrong: You are going to have exceptions. We know that. I agree with you that the parameters have to be laid out of what really is an emergency. Did someone fall ill or let go right away? That is an emergency and is something that has to be filled. That is why my question was is this going to be an internal person or an outside hire? If it is an internal person, you would think that they have some inkling of the operation and how things are done and so the training, in my viewpoint, should be probably less. That is what I am looking at. Yeah, there is going to be an emergency somewhere.

Paula Hughes: Councilman Buskirk?

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Roy Buskirk: The job has to be posted and so they don't know if it is going to be an internal hire or if it is going to be an outside person. The other thing is on an emergency, would you be willing to have a special meeting so that it could accommodate if there was an emergency of this type? You still would have the full Council that would have to vote on it at the regular monthly meeting. You could have the Personnel Department, later in the month, and still get it on the agenda for the full Council. Would you be willing to do that in order to facilitate someone's emergency?

Bob Armstrong: Yeah. Like I said, I don't have a problem with the emergency part of it. I don't want to get into, it just seems to me that the short time I have been on Council and on Personnel Committee, trying to figure out a way to wiggle around before going to the Personnel Committee. Like Larry said, if you are not going to utilize it then let's disband it and just bring them in here and line them up and hear everything that is going on. I just think it is smarter to go through the Committee and through the process with a do-pass or no recommendation and then bring it to the Council and let them deal with it. I understand when you talk about the grading and the job description and everything. I totally understand all of that. I just don't want to see everything start to become an emergency and I can see that happening.

Paula Hughes: Councilwoman Johnson?

Maye Johnson: I think that first of all, we don't want to throw the baby out with the bathwater. There is a reason to have a Personnel Committee and it does work. What we need to do is establish a process or procedure to handle emergencies and it still should come before the Council. Whether it is having a meeting before or whatever, there is a way to deal with that.

Paula Hughes: Councilman Brown?

Larry Brown: I think I already expressed my point but to reiterate exactly what Maye said. I think we need to work on establishing a written policy and procedures.

Maye Johnson: And adhere to them.

Paula Hughes: We have a motion on the table. Councilman Buskirk?

Roy Buskirk: Is there any other line item or anything else that they could get for funding like Overtime?

Tera Klutz: They are not asking for funding. This is just a planned retirement that they want a temporary employee to fill in. The Commissioners did this earlier and went through the Personnel Committee.

Paula Hughes: If there was a planned retirement, there should have been plenty of time to go through.

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Tera Klutz: There was. They just didn't realize that they needed to do it this way, correct?

Jean Jones: Not at all.

Jackie Scheuman: It is kind of a new process that we created. The Commissioners was the first time that we had done this temporary salary ordinance so that the person could come in at the level and train with the current employee. It is not a new job and is not being re-graded. We just need a few weeks of two exact same positions so that they can train with the current employee. Then the one will go away and we will be down to the one.

Paula Hughes: So we have two or three issues that we are talking about right now. We have a motion talking about the specifics of whether or not everything dealing with personnel should go through the Personnel Committee first. That is the specific motion. We are also talking about what is going on with Youth Services right now. We are also talking about this new advent of co-training people and having dual salary ordinances and how long those should last. There has been a discussion about putting a window on that and having it end in fourteen or thirty days or something like that. I know there was some question about that.

Tera Klutz: They have all kind of said how long they want.

Paula Hughes: Let's stick with the motion that is on the table which is do we enforce the previously traditional position of Council that all personnel issues should go through the Personnel Committee. I suggest that we amend that motion, if the author is agreeable, that the Personnel Committee will establish a policy to submit to the full Council for acceptable exceptions to that.

Bob Armstrong: I have no problem with that. That's fine.

Larry Brown: Likewise.

Darren Vogt: Does your motion include these that are currently on the agenda? I want to make sure that is what we are talking about.

Paula Hughes: Did you want to make a motion on this specific issue?

Bob Armstrong: There are really only two of them that I see going through here that are on here. The rest of them came through Personnel Committee.

Darren Vogt: I just want to clarify the motion. Does the motion have these positions in it or is it just regarding the process?

Bob Armstrong: It is really just the process. It needs cleaned up.

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Larry Brown: Are we clear on what the motion is?

Paul Moss: Are we sure that we need a motion for this? Don't we have an HR Department and a Personnel Committee that can just take this? I agree with your intent but I think we are starting to have a circular conversation. I don't think that there is a need for a motion because after we approve that, does it become ordained somehow that we have it written somewhere? I am concerned that we don't have flexibility with a motion like this, if it passes.

Bob Armstrong: I don't have a problem with that. I just think that the process needs to be cleaned up, put in writing and distributed out to the people that have to use it and say that here are the guidelines.

Paul Moss: Totally agree with you.

Paula Hughes: Would you like to withdraw your motion?

Bob Armstrong: I will withdraw my motion.

Larry Brown: I withdraw my second.

Paula Hughes: The motion and second have been withdrawn and instead we have the consent of Council to request that the Personnel Committee drafts a policy for exceptions. There is a sense that Council would like to have something more formally in writing, correct? There has been, maybe, an increase in exceptions and concern about the looseness of the application.

Paul Moss: I assume that the appropriate vehicle for policing that would be someone in the HR Department working with the Commissioners and Council.

Larry Brown: And our Assistant HR Director. I mean Interim HR Director, Commissioner Peters.

Paula Hughes: Okay, we have taken care of the general and let's talk about the specific request of Youth Services for a temporary salary ordinance for an Assistant Office Manager at OSS 4/1. Is there any conversation from the Council?

Paul Moss: It certainly appears that the need is there. I would move that we approve the salary ordinance for the Youth Services Center Assistant Office Manager in the amount of \$32,181 at OSS 4/2.

Darren Vogt: Second.

Larry Brown: Discussion?

Paula Hughes: Discussion.

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Larry Brown: We have to give Chris two demerits.

Paula Hughes: We have a motion and a second. Is there any further discussion?

Roy Buskirk: Yes, I have a question. This is a temporary salary ordinance, when is the cutoff date that it ceases to exist?

Paula Hughes: Is there any end date?

Lisa Blosser: How long will your new employee be in training?

Jean Jones: We are hoping for four weeks.

Roy Buskirk: Until June 24th when the employee retires? That is what I mean, should it be inserted in this temporary salary ordinance that it is until June 24th?

Paul Moss: It does state that it is temporary but I think you are right that if this is going to be a fairly common practice, we need to have specific dates.

Darren Vogt: That would be the date of the retirement of the person that they are replacing. That makes sense. I will withdraw my second if you want to amend the date.

Paul Moss: I will withdraw it and amend it. I will move for approval of the Assistant Office Manager position at the salary that I can't read right now, \$32,181, on a temporary basis to end on June 24th, 2010.

Maye Johnson: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** We will move along to salary ordinances for the Department of Health. These did go in front of the Personnel Committee.

Nelson Peters: Good morning, Nelson Peters, Allen County Commissioner.

Mindy Waldron: Mindy Waldron, Administrator for the Department of Health.

Nelson Peters: As you are well aware, the Department of Health is in the throes of moving into a new facility and as such,, it was looked upon that this is probably as good a time as any to do some of the reorganization that was necessary given the logistics. What you have before you is six positions, two of which are the same. There is a request for a decrease in a Disease Intervention Specialist from a PAT 4 to OSS 5. A reclassification of the Community Health Nursing Division Supervisor from PAT 5 to PAT 6 and the STD Clinic and Infectious Disease Center Supervisor from a PAT 5 to a PAT 6. There is a Clinical Director of Nursing from a PAT 6 to a

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PAT 7. There is also the elimination of the Community Health Nursing Division Director. The net to the entire reorganization is actually a savings of \$53,668. With that, I will ask Ms. Waldron to explain a little bit more what the reorganization looks like.

Mindy Waldron: They are two separate issues but nonetheless there is a net savings of \$53,668. We felt that the timing was good. Since we were moving to the new clinic, we not only wanted to have efficiencies in service but also efficiencies within. To do that, we were combining three locations and had three different supervisors and we didn't need that to occur any longer. What we decided was to eliminate one full-time Director's position and distribute that amongst and promote a few supervisors within to have one Clinical Director of Nursing over the entire clinic. With the Disease Intervention Specialists, we realized that they were very similar duties being done by two positions and were classified at different times and so we asked that they be reclassified lower.

Paula Hughes: For a bit of clarification, at the beginning of the year we had talked about making all of the salary ordinances that had gone through the Personnel Committee a part of the Consent Agenda unless a specific Councilperson wanted to pull them from the Consent Agenda. Last month we had a conversation and there was some hesitancy and it was referenced that perhaps if the department was coming in front of the Council anyway, they might as well talk about the salary ordinances. For me, I am finding that we are listening to information that we already have in written form, three of our members have already listened to exhaustively and made a decision on and made a recommendation to full Council. I want some discussion and clarification. This is just a Personnel morning. Let's talk about what really is our intention.

Larry Brown: As Chairman of the Personnel Committee, let me give some input on this. First of all, you will notice on the agenda that Mindy is next for discussion and so she was here anyway. Secondly, the Personnel Committee met and Councilman Buskirk was laid up and could not attend. I took it upon myself to anticipate his thought that perhaps this should be on the agenda. I requested that it be pulled from the Consent Agenda and put on the regular agenda for that purpose.

Paula Hughes: Okay.

Larry Brown: Sometime we need to discuss what our intent is. I believe that our intent is that something like this, that has received a do-pass recommendation from the Personnel Committee, can be on the Consent Agenda.

Paula Hughes: That was my understanding. Do the Council members have a different perspective on that?

Darren Vogt: If I made some comments about the person already being here, I don't think that was really my intent. My intent was that if the person wanted to talk about

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it while they were up talking about their other item, they could bring it up and say whatever they wanted to say about it.

Larry Brown: How about, could we, defer that to the Personnel Committee with this policy and procedure that we are going to work on?

Paula Hughes: Absolutely. Councilman Buskirk?

Roy Buskirk: I know the reorganization of the Health Department and the closing down of individual sites and bringing them all into one building has led to some of this reorganization and elimination of some positions. I think that the Health Department needs to be recognized for saving the County money. If for nothing else, I am glad you are here today.

Mindy Waldron: Thank you.

Paul Moss: Move for approval of an amended salary ordinance for the Disease Intervention Specialist from PAT 4/5 to OSS 5/5 with an annual salary of \$38,324.

Darren Vogt: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.**

Paul Moss: Move for approval of an amended salary ordinance for the Disease Intervention Specialist from PAT 4/4 to OSS 5/4 with an annual salary of \$36,499.

Darren Vogt: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.**

Paul Moss: Move for approval of an amended salary ordinance for a Community Health Nursing Division Supervisor from a PAT 5/2 to PAT 6/2 with a salary of \$49,817.

Bob Armstrong: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.**

Paul Moss: Move for approval of an amended salary ordinance for the STD Clinic and Infectious Disease Center Supervisor from a PAT 5/2 to PAT 6/2 with a salary of \$49,817.

Darren Vogt: Second.

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Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.

Paul Moss: Move for approval of the amended salary ordinance for the Clinical Director of Nursing from PAT 6/4 to PAT 7/4 with a salary of \$62,194.

Bob Armstrong: Second.

Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Thank you now let's talk about the building.

Mindy Waldron: I will be brief. I know we are at the beginning of the agenda and we appreciate that. Four years ago, we started talking about what we considered as our co-location. We were hoping to get all of our medical folks under one roof for not only internal reasons but for external reasons as well. It was just a concept at the time and we had support from all of you from the start and from the Commissioners at the start. It was the matter of finding a good place that was a safe place and something affordable for the County and for our budget. Three years ago we got a little serious about it. Two years ago we received the earmarking and in less than eight months, it has been renovated and we are in. With the exception of a few bumps that we are going over now, from the construction standpoint, everything went very well. We are finding the location to be safer for not only the staff and for the services that we provide. We have heard good things from the clients, as far as finding it but we still have a few that come to the fifth floor every day. Commissioner Peters and I talked a year-and-a-half ago about the location and initially I shot it down but he asked me to revisit that and it tended to be a good site. Being on the bus line, which has worked out and we studied that it is a real need. They actually moved the drop-off point for us so that it is closer. All in all, in an effort to be brief, we appreciate your support and we are hoping that you can attend the grand opening so that we can show you the building and how well it has turned out. I wanted to thank the Commissioners, as well, for their support throughout the project and in getting things done for us. I am glad to answer any questions, specifically about the project. I do have one budget point. We were under budget. I know that you earmarked a full \$2 million and with a few last minute change orders and they were rather large ones, ADA issues, building department issues and some others and we found out we couldn't use cell phones in the basement which is a large problem for the field staff. That is the last road bump. We do still feel that we will probably be able to return about \$125,000. That will hopefully be on the July agenda.

Paula Hughes: Excellent, that is what we like to hear. The grand opening is Monday, June 21st at 9:00 a.m.?

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Mindy Waldron: Correct. We would still like someone from Council to say a few words. Let me know who that would be and we do hope to dedicate the building as well and have a little unveiling.

Paula Hughes: Thank you. Moving on with the agenda, we have a salary ordinance request from Superior Court.

Jerry Noble: Good morning, Jerry Noble, Court Executive of Superior Court.

Brian Cook: Brian Cook, Magistrate of Superior Court.

Jerry Noble: If I may clarify, in the Consent Agenda, did that include the grant?

Paula Hughes: Yes.

Jerry Noble: We appear before you this morning with a request for a temporary salary ordinance and we are certainly aware of your discussion a few minutes ago. Our request has to do with the Small Claims Division. We have an employee that has been in the Small Claims operations for about thirteen years and had worked in Small Claims in the Clerk's Office for about ten years. She is really a treasured resource for us. She is moving to Florida and has been a tremendous, I hate to say, workhorse in our very high volume environment in Small Claims. There are 25,000 cases a year filed there. There is quite a high percentage of those, when they receive a judgment and the post-judgment proceedings that, for many of those cases, just a repetitive thing over ensuing years after a judgment has been issued. This person deals with those proceeding supplemental and for the most part the self-represented litigants which is kind of an additional challenge, in some ways. I have with me, Magistrate Brian Cook who is one of the three Small Claims Magistrates who feel the loss of this person. We are hopeful that a Clerk's employee or someone from inside the County. If we are fortunate to do an internal hire, we want to be able to provide the training without that person losing benefits or have a break in service. We are new to the concept of a temporary salary ordinance. In this case, the timing is such that it would have been extremely difficult especially with the lengthy lead time for the Personnel Committee agenda. We didn't receive this resignation in a timely way to do that. Our request is for a temporary salary ordinance. Magistrate, do you have anything to add?

Brian Cook: Her position is key to us. Everyone talks about having a right hand. She is our right hand and our left hand and makes it so that we can get things done. Councilman Armstrong said something about internal hires should know something about the position and if we do get someone out of the Clerk's Office or another County position, they will know about twenty-five percent to a third of the job but two-thirds of the job they are going to have to learn. We are requesting this for two weeks because we run things and to be more specific on the numbers, we do approximately 172,000 supplemental hearings and every one of those crosses her desk. I have seven staff and she is one of those. I have a receptionist and two

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schedulers, two court reporters, her and kind of an assistant who floats amongst all of those jobs to pick up the slack. We have a quarter of a million active cases and Councilperson Blosser can attest to the filing room downstairs in the Clerk's Office is huge and even though they try to purge, there are probably over 400,000 files there. It is high volume and she needs to know the court rules and procedures to deal with pro-se litigants. Two weeks will get a person's feet barely wet. The three Magistrates are probably going to have to pick up from there for probably a full year. I did this job as a law clerk and it was a law school graduate that filled this position on a rotating basis with the Judges as they rotated through Small Claims. That went away in 1999 when I and another Magistrate were hired and so there are three now in that division. We hired a Judicial Assistant in 1997 and she does it all now. You have to have a lot of information and you train on the job. Two weeks and they will barely have their feet wet.

Paul Moss: So what is the date that this will end?

Jerry Noble: My letter specified June 25.

Brian Cook: To add to that too, our Assistant, Chris Mataraza, was very good in giving us her resignation as soon as she found out that her husband took a job in Florida. May 6th, she gave us her resignation and the job was posted May 10th. We are hoping to start interviews tomorrow and if we can get someone hired by next week, they can give their two-week notice and then that will leave us two weeks of training.

Paul Moss: I move for approval of a temporary salary ordinance for a Judicial Assistant, PAT 3, at a salary of \$35,490 and it is up to June 25th.

Darren Vogt: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** You also have the next item on the agenda which is an appropriation request in Superior Court.

Jerry Noble: The Court has four locations and we are spread out over a variety of places downtown and out on Wells Street. In some respects we are still very much a paper driven operation. We have a request for some Office/Computer Equipment for \$19,215 which is the price for replacing three copiers. One is in Misdemeanor Traffic which is a very high volume area. This one was purchased in 2002. Another one, of the three, is in an administrative office and was purchased in 1999. The third one is in the Felony Division on the third floor of the Courthouse and was purchased in 2001. These machines literally have tape on them, I'm not kidding. The one in the Felony Division has tape to hold the doors closed and is literally on its last legs. They have been beat up. We have quotes and been working with the Purchasing Department to get proper quotes and so on. We are looking forward to being able to replace those machines. The other request is in Miscellaneous Capital and is to

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replace the analog recording equipment down in the Bud Meeks Justice Center. We have two large courtrooms there and they are in use every day. We are in the process of going over to the Odyssey Case Management system and the two are related. We need to have court reporters that have access to the Odyssey Case Management system at their workstations in the courtroom. There isn't any physical space, at the workstations, to have both analog and their computer. We have upgraded to the digital recording system in the Courthouse and at the Juvenile Center several years back and we just need to get these two up to the same technology. That is the request on Miscellaneous Capital.

Darren Vogt: Jerry, you also have one more courtroom that isn't done?

Jerry Noble: That's true. The entire Small Claims Division is still using the analog system. Even though it is a high volume environment, not everything goes on the record and it is not used as heavily. That is why we haven't replaced it yet but there will come a time when we will need to do that.

Darren Vogt: I just wanted to make sure that Council was aware of that.

Jerry Noble: There are actually four hearing rooms over there.

Darren Vogt: When you look at your Strategic Plan, make sure that it is mentioned somewhere.

Jerry Noble: Absolutely.

Paula Hughes: Council, are there any questions?

Roy Buskirk: I have a question, Jerry. On the copiers, you went through the Purchasing Department for bids on all of this equipment?

Jerry Noble: That is correct.

Larry Brown: Why now instead of the next budget year?

Jerry Noble: We needed to replace at least two of the three in February. They really are in bad shape. We try to squeeze all of the mileage out of them that we can.

Larry Brown: So, will we see a reduction in your budget for next year?

Jerry Noble: These will not be in the budget for next year. I can assure you of that.

Larry Brown: Otherwise, they would have been, right?

Jerry Noble: They needed to be replaced at some point.

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Paula Hughes: Your point is...

Larry Brown: My point is budget, budget, budget. We are in tough financial times and it concerns me when we are going outside of the budget.

Darren Vogt: Council has put a million dollars in our Capital line for this type of scenario and for them to come before us. I understand your point but we have said that they should come to us for capital items, as needed, and we will make that determination. If we want to talk about that and give some people some leeway on that and have them put some capital items in their budget, I think it is a little dangerous but we can talk about it. When some of us first came on Council, some were inflating their budgets to get as much money as you can and we were trying to get a legitimate request to come through.

Paula Hughes: I kind of understand Councilman Brown's point. Typically what has happened is that we have earmarked an amount, set aside not earmarked an amount, in the Council budget to deal with capital requests that came in front of us at budget time. These are old copiers and you should have known about them last summer.

Jerry Noble: True.

Paula Hughes: There is probably something to be said for giving Council a heads-up. If there isn't that process, we could have unexpected expenses come through like special elections, which I know we will be talking about later. We just want to make sure and it is a mechanism to be as proactive as possible. For future reference, you do put the capital items in your budget request, if nothing else but to make Council aware that it is something that you are going to need.

Darren Vogt: And that is part of the Strategic Plan. It should be in the planning that every eight to ten years, you will have a major expense.

Roy Buskirk: I think that maybe part of that could be when we send out the letter for next year's budget that we put in a statement or something that if you expect any capital expenditures, let us know. I think that two or three years ago, we discussed this and instead of keeping track of reducing budgets because of capital expenditures, we thought it would be easier for us to keep track of capital expenditures through the funding that Council has held aside. I agree that we need a heads-up warning on capital expenditure items and it would hurt that a lot of times they know two years in advance that they are going to need something.

Jerry Noble: Let me just say that when a department gets an allocation number, at least my practice is to look at the expenses that are truly outside of our control. Consulting interpreters and that kind of thing are the high dollar things for us. When I am given an allocation number, the first thing I look at is what do we expect the need to be there.

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Paula Hughes: We have granted not significant, increases for those kinds of items.

Jerry Noble: Yes you have. But my point is that we always look there first and try to hit the line items that are going to hit us really hard.

Paula Hughes: For coverage, in the future for all departments, we need a mechanism for communication of these things so that we know. We have, again not by formal policy, set aside capital requests and said to come back to us either later this year or the next budget year and we will fulfill those needs outside of the budget process.

Darren Vogt: Move for approval of items two, in the amount of \$19,215 for Office and Computer Equipment and item three, in the amount of \$19,611 for Miscellaneous Capital.

Bob Armstrong: Second.

Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. We have an appropriation request from the Prosecutor's Office.

Karen Richards: Good morning, Karen Richards, Allen County Prosecutor.

Nelson Peters: Nelson Peters, Allen County Commissioners Office. The positions that you see before you have been through the Personnel Committee and along with Councilman Brown's earlier statement, suffered the same fate which was in Councilman Buskirk's absence, the suggestion was to bring them back to the body as a whole. The Records Clerk and the Paralegal are becoming necessary as the JTAC and Odyssey formations and courts take on a face. The Prosecutor will be picking up some duties that previously she hasn't had to do. The positions were evaluated. The Records Clerk came out as an OSS 3 and the Paralegal came out as OSS 4 and is comparative to the other Paralegals in the Prosecutor's Office. With that, I will be quiet and let the Prosecutor tell the rest of the story.

Karen Richards: I don't know how much information you need so maybe I will try to give you the Reader's Digest version. Please interrupt me if I am not explaining this well. For some unknown reason, it has always been in Allen County that the Court and the Clerk in Misdemeanor sets up our subpoenas. It has been like this since I started in 1981. We are the only county in the State that has ever done that, I guess. In addition, we have never made our own files in Misdemeanor Court. We worked out of the Court file. We put rap sheets, criminal histories, police reports and everything in the Court file. I think the reason for that was that traditionally we never had offices in Misdemeanor Court and so there was physically nowhere to keep them. Our Deputies didn't have offices because they worked from a desk in the middle of the Courtroom. With the new Odyssey system, it will not allow that function to happen. It is now going to become our responsibility to send out all of our subpoenas, keep all of our own files, et cetera, et cetera. We file 40,000 cases in

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Misdemeanor Court every year. I don't think that we are going to have to open a file for all of those but we are certainly going to have to open five to twenty thousand files every year and keep working out of those files. What that means is that somebody is going to have to create those files. Someone is going to have to input information into our computer system. Someone is going to have to send out all of the subpoenas for all of the trials, cancel all of the subpoenas for all of the trials, pull all of the files for Court every day and they run two courtrooms down there simultaneously. They are going to have to pull all of the files, keep all of the police reports, bring them back at the end of the day and re-file them and get a new set of files and we are going to have to make copies of all of these materials for the defense attorneys whereas the Court always made those in the past. They make about 1,500 to 2,000 copies a week for us now and that will become our function. My thought was that the new computer system is supposed to come over the July 4th weekend that it would make a lot of sense for us to pick up this function before the new computer system came in being. I am afraid that if we tried to get used to a completely new computer system and start a new set of duties, all at the same time, the whole thing is going to implode. I had set, for ourselves, June 1 to start this new system up so that we can get a handle on making all of the copies, creating the files, keeping track of the file dates, sending out the subpoenas, et cetera, for a good month before the new computer system comes into play. That is a Reader's Digest version of what this is about.

Paula Hughes: I am trying to understand. This is all stuff that was previously done by...

Karen Richards: The Court.

Paula Hughes: Court employees and they will no longer be doing these functions. Is there a corresponding decrease in employees in the Court system?

Karen Richards: I knew you were going to ask me that question and I would hesitate to ever speak on behalf of Judge Gull. I think that you are probably going to have to ask her. I honestly don't know. What I did ask for was an estimate of time that her folks were spending every week performing some of these functions. She can definitely indicate twenty-six and a half hours a week in these functions and whether that means that they need anyone less, I don't have the slightest idea. I know that they don't have just one person doing this. They have so-and-so on Monday doing this but so-and-so on Tuesday will do it and it is spread out amongst employees. What they don't have to do and we are going to have to do is creating and pulling files every week. We are also going to have to set up some kind of computer system for ourselves because when we create a file, we have to input witnesses names and addresses so that when we go to do subpoenas, you can push a button and it spits back the subpoenas. The same thing will be when they are cancelled or resubpoenaed. We are going to have to do a lot more than just what the Court and the Clerk are doing now.

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Darren Vogt: Wouldn't they be doing that now though? I guess that is where I am confused. Why aren't they putting the names in the computer? Somebody has to be doing that.

Karen Richards: They won't be doing it anymore because they won't be sending out the subpoenas.

Darren Vogt: Right but they are doing it now.

Karen Richards: They are doing some of that now. They have to pull their own file because that is the written record keeping process. I didn't ask how much time they were taking pulling files because they are not going to stop doing that. They will continue to pull their own files every day. We will then have our own files that we are going to have to pull. There are going to be two files now, two file pullings and two file re-filings.

Paula Hughes: It sounds like we are going the wrong direction.

Karen Richards: What we are starting to do is exactly what every other Division in the Court does now. We have our own files in the Felony Division and the Court has their own files. It has really probably honestly, been inappropriate for us to be using their files for forty years. This should have come long ago. As long as it was happening and it was not a big deal, it has never been remedied. The time has come when they can no longer perform the function and so we have got to pick it up.

Roy Buskirk: I think that is something that we need to address during the budget.

Darren Vogt: It sounds like portions of it.

Roy Buskirk: Yeah. It is not going to be dollar for dollar.

Darren Vogt: As liaison, I have a note here to talk to Judge Gull.

Karen Richards: I have a feeling, with all of the new things that we are going to have to get used to under the new computer system, I have no idea if the new computer system is going to be less work or more work. I don't know, even at this point, if we are going to be running dual systems down there. It could be that we are running the old system at the same time that we are running the new system. There are a lot of bugs in the Odyssey JTAC thing that have not been worked out.

Paul Moss: I agree that there needs to be a discussion at budget time and hopefully someone will recall this at that time. In the interim, I would move for approval of the salary ordinance for the Paralegal and Records Clerk. The Paralegal is an OSS 4/2 at a salary of \$30,169. The Records Clerk is an OSS 3/2 at a salary of \$27,246.

Bob Armstrong: Second.

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Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.

Karen Richards: Thank you very much.

Roy Buskirk: Is that all we need to do? No, we have to move the funds.

Karen Richards: That would be helpful.

Darren Vogt: Move for approval of items four, five, six and seven. Item four is Criminal Paralegal at \$16,782. Item five is Criminal Records Clerk at \$15,155. Item six is FICA for \$2,443 and item seven is PERF for \$2,954.

Bob Armstrong: Second.

Paula Hughes: We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Next we have NIRCC.

Bob Armstrong: This was discussed at the March meeting of the Personnel Committee. This is part of the outlying three or four counties paying into this position. I will turn this over to you gentlemen and you can explain it.

Nelson Peters: NIRCC will actually become, what I understand, the co-administrator for a ten county area. This is the position that is being requested as a Principal Planner and Grant Administrator. It has been evaluated and matches other Grant Administrators. The position will be funded twenty-five percent between four counties, Adams, Dekalb, Wells and Allen. Federal surplus funds will actually pick up potentially eighty percent of Allen County's share. As Councilman Armstrong mentioned, this did receive a do-pass in the March Personnel Committee meeting and with that, I will be quiet and let Mr. Avery explain it.

Dan Avery: Good morning, my name is Dan Avery and I am the Director of the Northeastern Indiana Regional Coordinating Council. Briefly, last June my Board decided to collaborate with Region 3A based out of Kendallville and serving some of the surrounding counties. This was to pursue economic development district designation through the Economic Development Administration. With that comes some funding and provides some opportunities to pursue infrastructure-type grants to enhance our economic development opportunities. These are infrastructure type of projects for water, sewer and streets and in order to qualify for them, the first step is to be designated as an Economic Development District. The easiest way to do that was to join with Region 3A because they already have an established Economic Development District. Instead of pursuing it alone, it seemed prudent to join together because there are a number of ventures already underway with the ten counties working collaboratively. With that come some responsibilities for preparing a comprehensive development strategy. I have met with all of the surrounding counties

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and have met with all of the Commissioners in the surrounding counties and they have pledged to support this effort. In addition to that support, funding through the Economic Development Administration and funding through other grant administration fees, it is my anticipation that this should have virtually no impact. As you know, most of the money for our salaries comes back as we are reimbursed for those and I anticipate the same for this position.

Paula Hughes: So even though we are appropriating this in the General Fund, you are saying that there will be miscellaneous revenues put into the General Fund from the partner Counties to cover this salary?

Dan Avery: Yes and in addition, Federal reimbursement. Any grant that gets funded, we draw down grant administration fees from those. Generally they are about \$40,000 per grant. Those are generally spread over a year or more depending on the project. We have one that is wrapping up in Monroeville that was a water and sewer separation and it is those types of projects. In Adams County we are working one and also in Dekalb County. The administration fees are fairly sizable.

Roy Buskirk: I am just curious, Dan, that Allen County's portion will be reimbursed up to eighty percent. Why wouldn't the other three Counties' portions also be reimbursed?

Dan Avery: Because all of the funding goes through Allen County and we are essentially having them contribute and we will be assessing them an annual fee at the convening of each calendar year. That money will go right into the General Fund as their contribution to the position. Allen County is picking up the brunt of the additional cost of that and they would be the recipient of the matching dollars. We will be using their money to match EDA and Planning Grant dollars. For every dollar it is essentially a fifty percent match for rural transportation planning, program dollars that we use in those counties would be an eighty percent reimbursement. Because all of the cash outlay comes from Allen County, all of the reimbursement comes back to Allen County.

Roy Buskirk: So the other three counties would just be making up twenty-five percent of the amount that was not reimbursed.

Dan Avery: Right. They will get more than their amount of contribution back in services but they will not get additional revenues.

Paula Hughes: Councilman Vogt?

Darren Vogt: Can you explain, just for me, the difference between a Transportation Planner and a Principal Planner? In your notes you have that it is going to relieve some of the duties of the Transportation Planner.

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Dan Avery: There are three levels of Planners. You have a Senior Planner, a Principal Planner and an Associate Planner. Senior is the highest. Transportation is just a function of those duties and what I have in place right now is a person that is primarily paid by our transportation funds. They are essentially classified as a Transportation Planner. I want to extrapolate a separate position that is totally dedicated towards the Grant and Economic Development District administrative types of duties.

Darren Vogt: It is just wording.

Dan Avery: Yes. The Department of Planning Services has a similar structure of Senior, Principal and Associate and so it is across the board with the planning agencies. It is more of a duty-based thing.

Darren Vogt: Okay.

Paula Hughes: Okay, are there any further questions? I look for a motion to approve.

Paul Moss: Move to approval of a salary ordinance for the Principal Planner/Grant Administrator, PAT 5/2, at a salary of \$43,895.

Darren Vogt: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.**

Darren Vogt: Move for approval of item number eight in the amount of \$22,000 for the Principal Planner, item nine in the amount of \$1,685 for FICA and item ten in the amount of \$2,035 for PERF.

Larry Brown: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** Thank you very much. Council, could you please remind yourself to move your cell phones away from the microphones. There is a little bit of back feed. Next up is the Wayne Township Assessor.

Bev Zuber: Good morning, Bev Zuber, Wayne Township Assessor.

Sam Walker: Sam Walker, Chief Deputy Assessor.

Bev Zuber: We have requested an additional \$9,752 to be put into the Extra Deputy pay line. That will be between three different areas. \$1,800 is going to be needed to switch the status of our part-time person from four days a week to five days a week at

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seven and a half hours a day. \$5,500 is going to be utilized to bring in a summer intern who will work with us from June through the first of October. The remaining money, \$2,452, will be used to supplement the five current Real Estate Deputies during their lunch period. When they go out into the field, rather than having them sit in Taco Bell for an hour and not really need that full hour, they are willing to give up a half hour of their lunch. Right now we are giving them comp time because we don't have the funds to pay them. By giving them the comp time, further down the road we end up shooting ourselves in the foot by short-staffing the office. By giving them the extra half-hour a day, we are not pushing them to the point where they are at forty hours and giving time and a half. It is pretty much a matter of taking that half-hour that would be wasted and applying it towards work and not short-staffing the office. The breakdown for the money is in the packet that was given to you and shows for each part of the three. We have had some administrative changes due to the State mandating that we now have to fit the reassessment pretty much into a one-year period. We have from July 1st to December 1st to reassess 10,447 properties. Wayne Township has 41,786 properties and the State has pretty much taken that and broken it into four different areas. We have to have a quarter of that done between July 1st and December 1st. The next quarter has to be done before May 1st. The next deadline is October 1st of 2011 with the final completion date of March 1st of 2012. By the time you put vacations, holidays, sick time, personal time and bad weather into the mix, just getting the extra half-hour out of each person is a huge assurance that we will be able to meet the deadlines.

Sam Walker: The reassessments that we are currently working on for the five Real Estate Deputies that we have, this is in addition to all of their normal activities. We just got done with annual training for 2011 pay 2012. They are starting to work on their appeals. Then we have to do permits and adding this reassessment into it, without any additional staff or money is going to hurt us in the long run. This is why we are requesting a little additional help through the end of the year.

Bev Zuber: In the packet, I included the final rules for annual adjustments. If you look at rule three, which is on the fourth page, under section one both D and E are new mandates. Particularly in Wayne Township, we are under D and they are talking about building permits and transfers. Wayne Township averages at least three hundred building permits per month. The transfers that we have to process...

Sam Walker: I believe the transfers, that we process, are about 10,000 a year.

Roy Buskirk: Bev, the one thing when we talked about it on the phone and that's D that you were making reference to, every time that a property transfers you have sixty days to inspect it. Of course we are having a lot of foreclose sales and on that you have to go out and inspect them. If they are bought by an investor...

Bev Zuber: and they transfer again.

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Roy Buskirk: Yeah and every time a property is transferred, she is supposed to have her staff go out and inspect these properties.

Bev Zuber: To get a picture of what money is being spent for what property.

Roy Buskirk: For assessed value purposes. I was looking for the County Assessor.

Bev Zuber: She will be here later.

Roy Buskirk: I know that those are some of the things that she lobbied hard this last time to get it broken down on the assessment to do one-fourth a year and the Legislation did not pass and it would have relieved some of this labor situation that we are having because of needing to do it all in one year.

Paula Hughes: Except Allen County has the approval to do it spread out over the four years.

Lisa Blosser: No.

Tera Klutz: No.

Paula Hughes: Our Allen County Assessor does have that approval.

Lisa Blosser: No, it didn't pass.

Paula Hughes: No, it didn't pass in the Legislature but she has permission, as I understand it. We can clarify with Stacey, to go with the rolling reassessment.

Bev Zuber: We will continue to do that and we have already started with a portion of it. We are, by no means, at a quarter of our way through the 41,000 plus properties. The deadline for the State reassessment is March 1st, 2012. Between July 1st and March 1st of 2012, we have to be 100% done. After that, we can start to do a portion of it each year, working up to the next reassessment. For this one, the State has given us our deadline and we don't have a choice.

Paula Hughes: Is this change in legislation from the 2010 Legislative session?

Darren Vogt: Should this not be a Reassessment Fund request?

Bev Zuber: There is a reassessment budget.

Darren Vogt: This is reassessment. Let's make sure that I understand that.

Bev Zuber: It is part of reassessment but it is also under the trending. Section D and section E which covered permits, the sixty days going out to verify every sale that may potentially be used in our ratio studies, those changes that are immediate are

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affecting our workload and our staff. The Reassessment Budget is in addition to this. We are pretty much taking it from both sides. We have the quarter mandate to get the work done. We have one-fourth between July first and December first. We don't have a choice about that. That could be money funded from the Reassessment Fund but I believe that Stacey is going to address how the Reassessment Fund is used. We are looking for money because everything is pretty much integrated or connected one way or another. The trending and the permits affect the reassessment but in addition to doing those, we still have to visit each one of these properties to meet the State mandated reassessment.

Darren Vogt: Let me interpret that a minute.

Bev Zuber: Okay.

Darren Vogt: Did you just say that every duty could be done out of the Reassessment Fund?

Bev Zuber: Yes. No.

Roy Buskirk: That is a good question, Darren. Everything that the office does has to do with reassessment. Trending and everything else that is reassessment.

Darren Vogt: That was my point.

Bev Zuber: We have one budget under Wayne Township. Portions of the Reassessment Budget could be used and I believe are going to be used to assist us. We have just received word from the County Assessor that she has hired someone to help us with data entry. That's huge and we are more than grateful and we will take any help that we can get. That doesn't address these changes in the fieldwork and finding qualified, competent and experienced people who can do this.

Darren Vogt: And you are not finding those but increasing the hours of the ones that you have.

Bev Zuber: Right.

Darren Vogt: There is no training involved.

Bev Zuber: Exactly.

Darren Vogt: You are going to a forty hour workweek, basically.

Bev Zuber: Yes.

Tera Klutz: You can consider it overtime. Our office works overtime all the time as well. That may be another avenue in order to meet the deadlines.

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Paul Moss: I am having some trouble understanding the comp time component of this. Walk me through are they working 8:00 to 4:30?

Bev Zuber: The Commissioners have asked us to extend our office hours. The office hours used to be from 8:00 to 4:30 and without a change to our budget, we now have to work an eight hour day and we don't have the money to do it. What we have done is taken our staff and split it into half working 8:00 to 4:30 and the other half works 8:30 to 5:00. That shorts us for a total of one hour a day. Nobody can really go out into the field because we are already half-staffed. By the time that 8:30 rolls around, everybody is here, the Real Estate Deputies go out into the field to begin reassessment, permits or whatever their fieldwork is, by the time they get out there, they have two to two and a half hours before lunchtime. If they only take a half-hour of lunchtime, and since they have already lost in essence an hour out of their day, to shorten their lunch hour by a half-hour it extends their productivity and my results.

Paul Moss: Are they on the clock from 8:00 to 4:30?

Bev Zuber: Lunch is not paid.

Paul Moss: Are they present from 8:00 to 4:30 or 8:30 to 5:00?

Bev Zuber: I do not understand what you are asking.

Paul Moss: Are they present for eight and a half or nine hours?

Bev Zuber: Seven and a half hours. They have a one-hour unpaid lunch time.

Paul Moss: They are present for seven and a half hours and they are supposed to get one hour for lunch. I am trying to understand County policy, and I am making a fairly broad assumption that there is a policy, is there an hour lunch or is it a half-hour lunch? Is that the policy for folks that are not salaried?

Jackie Scheuman: They are here for eight and a half hours with an hour of unpaid lunch.

Paul Moss: Okay, so they are here for eight and a half hours.

Jackie Scheuman: With an hour of unpaid lunch.

Paul Moss: Okay, then what you have decided to do is to give them a half-hour of comp time, is that correct?

Bev Zuber: Right.

Paul Moss: How did we come up with an hour? I am just curious.

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Tera Klutz: They don't have to take an hour, they just have to work seven and a half hours per day. We have employees that work 8:00 to 4:00 with a half-hour for lunch.

Bev Zuber: I don't have the money to allow them to take a half-hour lunch without giving them comp time.

Paul Moss: Okay.

Darren Vogt: Now I don't understand.

Bev Zuber: If my employee is working...

Darren Vogt: How many hours are they here? Seven and a half hours a day.

Bev Zuber: No, eight and a half hours. They are being paid for seven and a half.

Darren Vogt: Okay, I've got it now.

Bev Zuber: I want to pay them for eight hours.

Roy Buskirk: I don't understand how you are saying that half the staff comes in at 8:00 and the other half comes in at 8:30 and they can't go out into the field until 9:00.

Bev Zuber: 8:30.

Roy Buskirk: The people that come in at 8:00, do they work in teams?

Bev Zuber: They do, yes. We have an office of twelve. If you cut the twelve in half, you have six people. If you are sending three or four of those six people out in the field, that doesn't leave enough people to cover the office with the counter and the phones. That's if everybody is there and we are not dealing with vacation and sick time and personal time.

Roy Buskirk: Okay, then the second group comes in which is another six people.

Bev Zuber: Correct and as soon as they hit work time, we can hit the field.

Roy Buskirk: How many do you keep in the office to answer phones and stuff?

Bev Zuber: Four people. I have two Personal Property people out of the team who are also in and out of the office because they have their own fieldwork to perform.

Roy Buskirk: So the second team, the ones that come in at 8:30 go out into the field and of course they work a half-hour longer until 5:00.

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Bev Zuber: Just part of them.

Roy Buskirk: Why?

Bev Zuber: Because their needs to be Real Estate Deputies in the office until 5:00.

Roy Buskirk: Okay, I got it.

Paul Moss: I would move for approval of item eleven in the amount of \$9,752.

Maye Johnson: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion?**

Larry Brown: Wait a minute. A comment was made about pulling it out of an Overtime line item.

Roy Buskirk: She has.

Jackie Scheuman: She doesn't have any Overtime money either.

Larry Brown: I know but should we create?

Tera Klutz: She can transfer it however she wants because it is in the same series.

Larry Brown: I'll shut up.

Tera Klutz: She can create it herself, if she needs it, from this appropriation.

Paula Hughes: **Is there any further discussion?**

Roy Buskirk: Question.

Paula Hughes: **Thank you. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** Next we have the Sheriff.

Ken Fries: Kenny Fries, Sheriff of Allen County. I will try to be brief. This did not go to the Personnel Committee because this is not actually creating a new position in Nursing. This is actually correcting an error from our Comptroller. She was supposed to be here today but graciously enough took vacation this week. She was going to be here to explain how she deleted this item from our annual budget. This is a nursing position that was deleted because it had been one that had not been filled. Since we have had a difficult time filling the nursing positions, she found it as an open line item and thought it should just be deleted. We found this in March when we were doing interviews for nurses. I talked to the Director of Nursing and asked how many openings we had. She said two and HR said that they thought there was

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only one. I went back to the Comptroller and checked and found out that she had deleted a nursing line item from our budget. The good news is, as the year has progressed, we had a retirement in my office and we have not replaced that position and so we had money from that. Also, we reduced a position in the Civil Division so even with this position the County will save about \$4,000. I am asking to get this line item put back into our budget so that we can hire two nurses instead of one.

Paula Hughes: It shows up with an additional appropriation request.

Ken Fries: I don't know if that is how you have to do it or just let us take the money from this other position.

Paula Hughes: You can transfer within series.

Ken Fries: I would be happy to do that.

Roy Buskirk: So are the other two line items being closed?

Ken Fries: They will but I think they stay in place until the next budget, don't they?

Roy Buskirk: That automatically gets dumped or do they have to do it.

Tera Klutz: They have to do it when they submit their budget.

Ken Fries: We'll do it. I am all about saving the money.

Larry Brown: You may recall that this LPN position went through the Personnel Committee sometime back.

Ken Fries: Yes and actually what I think that was is that anytime a QMA leaves, it is automatically becoming an LPN position.

Roy Buskirk: Yes, two or three years ago because we were taking RN's and changing.

Ken Fries: In defense of the Comptroller, that is part of the problem. We couldn't get any RN's and we were changing them back to LPN's and then doing away with the QMA's. I was going to have her come here and explain it to you.

Paul Moss: Move for approval of the salary ordinance for LPN, PAT 3/2, with a salary of \$37,856.

Bob Armstrong: Second.

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Paula Hughes: We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Next up we have an appropriation request from Circuit Court.

Tim Miller: Tim Miller, Circuit Court Administrator.

Tom Felts: Tom Felts, Circuit Court Judge.

Tim Miller: The request that we have before you is for Contractual Services for a program that we have been working on. About four years ago we combined with Superior Court to do a Family Court project. As part of that project, we have accomplished several things. We revised and updated our Family Court rules so that both Courts are operating off the same expectations for the attorneys and things of that nature. We adopted a model of information sharing so that if Judge Felts had a case and Judge Pratt or Judge Sims had a case, there is a mechanism in place so that they can share information and so that they are not duplicating or contradicting orders and things of that nature. We also use technology to move all of the juvenile cases onto the juvenile case management system. That enhances the communication as well. As part of that grant, each Judge received a dollar amount to use within their specific Court and we selected two programs, Arbitration and Facilitation programs. We piloted that in 2009. We were expecting to receive fully the additional funds this year but we have only received \$12,500 and that is just about out for the year. The request that we have before you is to continue those two programs through the remainder of this year.

Darren Vogt: Council, as the liaison, I have talked to them about this and if you go to the information in our packets, at the very back, if you look at the 2009 caseload and what this program has done, it has taken the time for hearing and arbitration from six months down to thirty days and seven months to forty-five days for facilitation. This is the kind of measurable results that validate a program to get things through the system. I have also asked Judge Felts to talk about fees and user fees associated with it. Have you had a chance to look at any of that or not?

Tom Felts: A little bit. First I am proud to introduce with me Magistrate Craig Bobay and Hearing Officer John Kitch. We are all here because this is important to us. Magistrate Bobay is the one who authored the arbitration system and Hearing Officer Kitch piloted the facilitation system. We do have a Mediation ADR Fund from the State. By State statute, we are the first County to pilot that in 1997. It has been adopted by some fifty-eight Counties in the State. This project, that these two gentlemen came up with has already been copied by Marion County and will be a model for others. The twenty dollar fee is an ADR fee that has been set by State statute and has not been revisited since 2001 or 2002. After talking with Councilman Vogt, it would probably be a good idea to take another look at that. I have already approached Representative Pond with the idea and I will be talking with Representative GiaQuinta. Also, as part of this program, we will be continuing to screen the individual parties' abilities to help pay for these services. A vast majority

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of these are pro se litigants, self represented. Their ability to pay generally is not very high but we are going to continue to screen for that possibility. As Tim said, we are going to reapply for the Family Court grant and I may have to do a little bit more personal face time with some of the decision makers in that area. There is a fund resource in place and we just need to revisit that. Hopefully, we can continue to serve the public the best way that we have been and as a pilot for the rest of the State.

Roy Buskirk: What I was picking up, Judge, is that even though you have a fee a lot of times you are not able to collect that fee.

Tom Felts: That is partially true. The fee is waived in certain circumstances. We have four days a year that are called Mediation Days where we pay for mediators to come in and handle all sorts of cases. Divorce cases, paternity cases, custody cases and is a joint project with Superior Court as well. That fund is also available to help supplement the payment for mediators in more high-conflict cases where people have a partial ability to pay. That fund is already targeted in those directions.

Tim Miller: That fund generates about \$17,000 a year. We spend that on the four Mediation Days and on the special cases that Judge Felts mentioned.

Larry Brown: That is a fee that is collected up front, right?

Tim Miller: That is correct.

Tom Felts: Sometimes we waive the filing fee for people who are unable to pay.

Darren Vogt: Total annual expenditures are about \$30,000. Is that correct?

Tim Miller: Yes.

Darren Vogt: Move for approval of item number thirteen for Circuit Court, \$15,900.

Maye Johnson: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** We have an appropriation request from the Commissioners.

Nelson Peters: Nelson Peters, Allen County Commissioners Office. The \$35,000 request before you is to pay for the architectural bill for the recent space study that was agreed upon by the co-location task force. This is our share of the \$70,000 cost that went into that.

Paula Hughes: Council members, if you recall, it was not during a formal session but outside of that I believe that I spoke to most of you. During the Task Force, we committed to pay our share of this and so hopefully it is not news to any of you.

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Darren Vogt: Move for approval of item fourteen in the amount of \$35,000 for Professional Services.

Bob Armstrong: Second.

Paula Hughes: We have a motion and a second. Is there any further discussion?

Roy Buskirk: Do you have any idea as far as the additional architect fees? This isn't all of it. There will be additional fees.

Larry Brown: It is on the cost sheet that we have received. It is 6% or 7% of the cost estimate.

Nelson Peters: Those architectural fees were included in this architectural projection of our costs.

Roy Buskirk: Okay.

Larry Brown: The bottom line, for the taxpayers, this \$35,000 that is spent now we should get back at the tail end.

Paula Hughes: It saves expenditure from the project going forward.

Roy Buskirk: You say that we have received a breakdown?

Larry Brown: You were on the Task Force, yes.

Paula Hughes: As a part of the Task Force documents.

Roy Buskirk: Oh, I thought you meant since then. Some of those numbers have changed.

Larry Brown: For this building, we are still using those figures.

Paula Hughes: All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Okay, Appropriation Requests in Other Funds, Local Roads and Streets Fund 255.

Bill Hartman: Bill Hartman, Allen County Highway. When we did the Aboite Center Road project, I led myself to believe that the inspection was part of the construction funding and that we only had to send the match down to Indianapolis. As it turns out, we need to pay it up front and then be reimbursed. We also had the same situation with the utility relocation. I am now at the point where I need to appropriate this money to continue with the utility relocation and inspection. To date, we have put \$1.7 million up front into the project. Engineering, right-of-way acquisition and we have been reimbursed \$1.3 million.

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Paula Hughes: Council members, any questions?

Darren Vogt: Move for approval of item fifteen, Aboite Center Road Highway Acquisition in the amount of \$975,000.

Maye Johnson: Second.

Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.

Paul Moss: I have a question before he leaves.

Paula Hughes: Yes, there is one more item.

Bill Hartman: We are asking for \$1.5 million in CEDIT to be appropriated for the Woodburn/Webster Roads intersection. This represents a check that was sent to us from INDOT as part of the relinquishment of US 24. Overall, we are supposed to get \$4.3 million over the next three years. That money will totally be used to reconstruct the Woodburn/Webster intersection so that the flow of traffic will be much better. We will rehabilitate a bridge between Stateline Road and 101 and resurface all of 24 once the Fort to Port project is complete.

Darren Vogt: The old 24.

Bill Hartman: Yes.

Paula Hughes: So this is funded by corresponding contributions into the CEDIT Fund by the State?

Bill Hartman: Originally I had made a request for \$800,000 out of CEDIT to get this going and I need that additional to get all of these projects to take place.

Darren Vogt: Move for approval of item sixteen from CEDIT Fund 329, for Woodburn/Webster Intersection in the amount of \$1.5 million.

Bob Armstrong: Second.

Paula Hughes: We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Councilman Moss has a question for you.

Paul Moss: I have a quick question. I don't know about anyone else but this construction season on roads has been brutal.

Paula Hughes: That is just because you live north.

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Lisa Blosser: No, it is also south.

Paul Moss: I go from north to southwest every day and it has just been incredible. Using the Lima Road expansion as a specific example, how much control does the County have over, as an example I read in the paper Ben Lanka's Road Sage article, someone asked why don't they work at night? That is something that I have often wondered. You go to other States, Ohio would be a good example, and they do that type of work at night. His response was that they can't do that because of the residential areas. If you know Lima Road well, you know that there isn't a whole lot of residential areas that are that close. It just seems to me, given the headaches and the economic impact of having to slow commutes down so much, and there is a direct economic impact in that situation, why don't we try to speed that up? Can we not force contractors to work on an occasional Saturday, Sunday or at night or something? Or is it just not feasible because of cost?

Bill Hartman: Generally, it will cost more in the contract if you tighten up the completion dates and force them to work additional shifts or specify that they work at night. There are additional costs that they have to put in such as lights and that kind of thing in order to work at night. Some functions are very difficult to accomplish at night. Resurfacing and that kind of thing can be done at night but beyond that, not many operations can. You have to work with the utility companies as well to get them to schedule for that kind of thing.

Paul Moss: Is there some sort of a document that shows the analysis of what was done? It is easy to say that and then we say that it makes sense. In terms of cost and today's economy, I suspect that people are probably hungry for work and be willing to work at night. When you go into a project like this, is there something that we can refer to and say that this makes sense and this is why we are or aren't doing something because of the fiscal restraints?

Roy Buskirk: In Bill's defense...

Paul Moss: I am not picking on Bill. I am trying to understand the situation.

Roy Buskirk: This would be an INDOT question as far as any study that was done on economics. I do know that recently, like in the last couple of years, INDOT has put into their contracts bonuses if they get the project done within a certain length of time. The other problem is that most of these contracts are written that it is so many days weather permitting. There becomes a discussion, sometimes if you have a sprinkle at 7:30 in the morning and it lasts until 7:45, if the whole day is considered being a rain day. I do know that in the last couple of years, they have started putting this bonus in if you get it done in so many days.

Larry Brown: To that point, the bridge and road reconstruction at 465 and 70, that contractor put about \$8 million into his pocket because he was thinking outside of the box and doing multiple shifts. I agree with you, granted it is a State project, but

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we have a relationship with the State and perhaps on future projects that could be suggested, pursued and studied and whatever. If it is not in the bid documents, unless you have a big checkbook, don't expect the contractor to do any more than what the bid documents state.

Paul Moss: What is your interaction with the State as that bid document is being created?

Bill Hartman: On their projects, none whatsoever.

Paul Moss: I don't know if it is overstepping our bounds but it seems to me that there should be some interaction and that somebody needs to be thinking about this kind of stuff. There is an economic impact. The other part of this as a result of the Lima Road project, if you go down Coldwater Road now at the busy time of the day it is backed up so far that it is beyond belief. Does the County at least have control to maybe alter the signal sequences on Coldwater? Has that been considered? If you were to open those up a little bit more north and south and leave the green light open a little longer, you would avoid a lot of the congestion. All you have to do is go out there and sit a little bit and understand that there is nobody going this way but we have a red light here because it is just at that sequence. Nobody thinks outside of the box or something.

Bill Hartman: The Union Chapel intersection is the only one we control. Everything else is controlled by the City but I will run that by City Traffic.

Paula Hughes: I think that is a good conversation for UTAB or NIRCC.

Paul Moss: By the time that conversation takes place and a decision made, that project will be done. I hate to be sarcastic but that is frustrating. I would ask you to have that conversation with the City.

Bill Hartman: I will walk up to the seventh floor right now.

Darren Vogt: While you are at it, Auburn Road and Dupont and 69, there has been conversation about Union Chapel Road. Auburn Road at Dupont is just as bad when you can't even make a left turn to get onto Dupont. What is your involvement in helping that conversation? We haven't had a formal vote or anything on that but as a person who lives and represents that district, that intersection is a mess. With Parkview coming in there, there needs to be some relief. If you had conversations with Dan Avery to make sure that it is still moving forward...

Bill Hartman: I guess I don't understand the question.

Darren Vogt: The question is, what are we doing to make sure that we alleviate some traffic concerns in that area of town?

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Paul Moss: Auburn Road?

Darren Vogt: Auburn Road and the intersection of 69 and Dupont Road.

Bill Hartman: There again, that is all City and State.

Darren Vogt: It is but as the County that this sits in, we've got to make sure that we are doing things proactively to make sure that it moves forward as best it can.

Bill Hartman: We are coordinating with Parkview and INDOT to improve Diebold Road. We have worked with Dan Avery and the State about the possible interchange at Union Chapel to hopefully get some of Parkview's traffic to be able to go that direction rather than totally use Dupont and 69.

Darren Vogt: It is not even future traffic. It is the current traffic that is there. You can't make a left onto Auburn Road because they are backed up through all of the intersections.

Larry Brown: Now to take the conversation to the Fourth District and the Aboite Center Road project. It has numerous people inconvenienced out there. Having travelled that many times, the all-way stop at Covington and Scott and again at Covington and Homestead, I personally have sat in a mile-long of bumper to bumper, move a car-length at a time seems to be in County control. It seems that we could create some temporary solution to that backup.

Bill Hartman: Believe it or not, those are both City.

Larry Brown: Okay but everybody is in the County.

Bill Hartman: Okay, I understand.

Roy Buskirk: In trying to answer some of your questions, on 69 and the Parkview situation and the increased traffic there, that is where some of us serve on certain committees. Bob represents the Council on NIRCC and UTAB. That is discussed there all of the time. I represent you on the Alliance Transportation Committee and that is one thing that we are trying to work through. Personally, I would rather see part of an intersection put in immediately at Union Chapel and 69 to get some of the relief from Dupont and 69 interchange. It is pretty difficult to increase much traffic flow at that intersection because of 469. The State is not in favor of doing a partial intersection, at this time, at Union Chapel. That is their opinion and there has been a lot of discussion and some pressure put onto Elected Officials to try to move forward on it. Even if there was an off-ramp on the northbound 69, Parkview has done research and found that 80% of their employees are going to be coming from the Fort Wayne area and not north coming south. You could have an off-ramp onto Union Chapel, which would help tremendously, and then have a southbound on-ramp and

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not have a complete cloverleaf. That would give immediate relief, at this time. That is some of the things that are in the discussion phases.

Paul Moss: I understand and it is not really whether there is an interchange there or not. I was talking about the current projects and it seems that we get into this position where it is the status quo. We let a bid out, we accept the lowest bid for the work and then we move forward. We have to start thinking outside of the box particularly in the situation that we are in now where there is just so much going on. There are some things that can be done to alleviate it. We are not communicating with the City on some of this and you deferred to the City on some of this and that is really unfortunate. I would appreciate if you would talk to them.

Bill Hartman: I have made several notes.

Paul Moss: As one of the representatives of the entire County, I wasn't trying to focus on any particular area.

Paula Hughes: I appreciate the broad ranging discussion. I will express that I am delighted to be living on the northeast side where St. Joe Center Road is finished. Unless there are further questions, we will move on to our County Assessor.

Stacey O'Day: Thank you, Council members my name is Stacey O'Day, County Assessor. I am before you today just to give you some brief information to let you know that the statewide reassessment is upon us beginning July 1. I am not here to ask for any budgetary issues. I just thought it would be good to let you know what is up and coming our way. Very quickly, on the second page, there is a timeline that has been presented to us as to when we have to have the physical inspections done. It is quarterly throughout the eighteen month process. Allen County, being the size that it is, we felt it was very important to get a head start on the reassessment. Some of the smaller communities that have 20,000 parcels in their entire County can get this process done in eighteen months. The County of our size, it would be impossible to do so. There is an example of the commercial reassessment and where we are today. We have already gotten a lot of field collection done. We have collected almost 4,000 parcels out of the 10,000 commercial and industrial properties that we have. We have 952 data entered as well. For residential data collection, there is a map that shows the rural areas that we have actually data collected. We started in the rural areas because they are much more time consuming because the homes are spread farther apart and it takes longer to get them done. We have 21,000 done and 116,000 to go. We have a chart showing the data entry that has been done on the residential. The very last sheet is basically a picture of the basic plan going forward, how many people we need in the field, how much time it takes for routing, printing, data entry and so on. We are going to be doing the reassessment in house, with our own staff. We feel that the data collected by our own people is going to be much more relevant than hiring some outside source because our people know our markets and neighborhoods. Our staff, which is very good, wanted to do this themselves and they take a lot of ownership in the work that they do. That is really all I have. If you have

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any questions or concerns prior to the budgets coming in next month, please let me know.

Roy Buskirk: I would like you to address the whole Council on what you were lobbying to put through the Legislature and how that would have relieved some of this timetable.

Stacey O'Day: Thank you. I am the Legislative Liaison for the County Assessors in Indiana and we were lobbying, for the last two years, to get a cyclical reassessment going. Basically, what that means is that it is an ongoing timetable of reviewing the properties every so many each year. That is really a lot easier to stay on top of things. Again, for a County of this size, it is hard to get things done in an eighteen month timeframe. If you get a cycle going and just do a continuous rotation of your data, I call it cleansing the data and trying to make it more accurate, it is much more efficient and saves a lot of money for the Counties. We will be advocating for this in the future but right now we do have to start the reassessment.

Roy Buskirk: One of the complaints that the State Legislators had on this issue was the fact that some people's reassessment would be maybe two years old and other people's might be done in the last six months. But if it is on the same rotation, it's fair to everybody. They tried to point this out as not being fair.

Stacey O'Day: I think there's some confusion between trending and reassessment. Reassessment is a physical inspection of the property. Trending happens every year. People are not really treated any differently because depending on what the market is showing for that year, the market adjustment will account for that. Everybody's values will change with the market regardless of whether we have physically inspected the property or not. It is just making sure that the data is correct. That is all reassessment is, making sure of the accuracy of your data.

Paula Hughes: Councilman Vogt?

Darren Vogt: Quick question. You said that you are going to do it internally. Does that include overtime? Is that the game plan?

Stacey O'Day: Yes, we have some money already in our line item for this year and are already starting some weekend work on data entry. We are going to use the funds that we currently have.

Paula Hughes: Are there any further questions from Council members? Okay, thank you. Councilwoman Johnson, I believe that you have asked members of the Election Board to join us?

Maye Johnson: Yes. Could you all come to the table, at this time? As we all are aware of the need for a special election because of the resignation of Congressman Souder earlier this week. I am sure that we are all aware that the estimated cost is

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\$275,000. I thought it might be a good idea to have them come forward today and answer any questions that some members of this body will have.

Jeannie Nicolet: I am Jeannie Nicolet, Assistant Director of the Election Board.

Therese Brown: Therese Brown, Clerk of Allen Circuit and Superior Courts and a Board member of the Election Board.

Zach Klutz: Zach Klutz, Allen County Election Board.

Andy Downs: Andy Downs, Allen County Election Board.

Larry Brown: I have a question. It is unfortunate the circumstances however, in the news, the media is suggesting and perhaps even pursuing the legalities of trying to capture any campaign funds that might currently be in Congressman Souder's war chest. Is that being pursued? We are the biggest stakeholder.

Therese Brown: I think, as a Board, whatever dollars, if they were to come in, I don't think it would be our position to pursue that but if they were received, it would be a donation and dropped into the General Fund and that would be it. I don't know if the other two Board members, but I know of no action on our part to physically pursue aggressively those dollars.

Roy Buskirk: There are no laws or regulations that they have to do that, the way that I understand it.

Paula Hughes: Maybe you could explain what the statute is.

Therese Brown: Ultimately, it is a special election though it still falls under the auspices of a general election. It is a true bona fide election. Under that, we are restricted to running an election. It is no different than what we just went through in the primary to the general election. All of the rules that are associated to a special election are an election. It is the cost to the County to put on that election.

Paula Hughes: Councilman Vogt?

Darren Vogt: If the election is the same day as the general election, what does that do to the cost? I presume that you have to have a special ballot.

Zach Klutz: There would be two places on the ballot, one for the special election and then right under that for the general election. The cost of conducting a special election would be moved then though if it was held November 3rd as opposed to late July.

Darren Vogt: There is nothing to prevent us from having it at the same point in time.

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Zach Klutz: Nothing to prevent you other than... (everyone talking)

Therese Brown: The Governor decides and not the Election Board.

Darren Vogt: Okay.

Paula Hughes: Are there any other questions?

Zach Klutz: If I could just add one thing. Whether the special election will be in late July or early August or November 3rd, we would have enough in our fund I understand, to fund the special election and then come to you perhaps in September, seeking funding for the normal general election that we would not have adequate funds for. I think that we initially thought that this would be a good chance to give an update.

Paula Hughes: Thank you. Councilman Moss?

Paul Moss: I have one quick question. Just thinking along the same lines, I don't know how much money he has in his campaign war chest, but Congressional offices are given a budget and I think it is pretty significant as far as personnel and operating costs and the various Congressional offices. That is going to be vacant for a while and is it even within the realm of possibility that some of those funds could be diverted to cover the cost of this election?

Therese Brown: That is a legal question.

Zach Klutz: Let's just say that it is outside the realm of possibility.

Roy Buskirk: It is my understanding that the Congressional office will not close and that the staff will still be maintained even though the Congressman has resigned.

Andy Downs: The only savings are actually his wages. Everything else will continue to operate. Also, one thing that I want to mention is do we really want to accept donations to run an election? It does sort of put a certain cloud over the election and who might be favored by the actions of those working the election.

Paul Moss: It is a legitimate point but I think what you are hearing is just the frustration. It is really an incredible and unfortunate set of circumstances for the taxpayers.

Andy Downs: I understand that completely but wanted to make sure that we also think about the integrity of the election. We have even refused donations of food before because we don't want there to be the appearance of somebody having a leg up on somebody else in the election.

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Darren Vogt: I think the bigger question is whether we lobby the Governor to decide if, let's say August is the date, between August, September, October and November, a Congressman based on a dollar amount. That is what we need to discuss.

Tera Klutz: Include December in there.

Darren Vogt: No, if they set November 4th or whatever the date is of the special election that is the date that they would take office. You would have that timeframe without a Congressman.

Andy Downs: Although it would be after the election is certified.

Zach Klutz: I think that would have to be on a discussion from you. The Election Board would take a position on that. I will say that if you think it is appropriate to lobby the Governor, the sooner rather than later. I think a decision is coming soon.

Roy Buskirk: The thing of it is, isn't now the summer break and will go through August. A lot of them are going to be home campaigning anyhow.

Therese Brown: Ultimately, that is the problem that we face. Whatever that date is we have to be prepared for it.

Roy Buskirk: This is a good example of if we had the opportunity to have regional voting.

Therese Brown: Vote centers. This could be a catalyst to that.

Roy Buskirk: That could save us \$100,000 or something.

Therese Brown: It could save significant dollars.

Larry Brown: Thanks for the heads-up.

Paula Hughes: Thank you.

Larry Brown: Should we set aside the \$300,000 or whatever?

Paula Hughes: I don't think that we need to. We have resources in the unappropriated funds. I think we could note this amount but we don't truly know how much it will be.

Roy Buskirk: We will have time to discuss this at budget.

Paula Hughes: That's right. We have two other things on Discussion and Other Business. The only thing that is on the agenda is the Land Banking Update. There has been a lot of discussion behind the scenes and ongoing discussion at the

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Alliance's Land Use Committee. The plan right now is that the County Economic Development staff along with staff from the Alliance and some Committee participation from officials on the Redevelopment Commission, County Council and the Commissioners Office are putting together a set of documents that they are going to bring forward to the three pertinent County bodies, the County Council, the County Commissioners and the County Redevelopment Commission. The intention is to have those documents in front of the bodies in June for approval at our June meetings. We will get them ahead of time. There will be multiple documents, one is a background piece talking about how we got to where we are. There will be a document outlining the RFP process. A document that describes the evaluation and point system that would be used in determining which land is purchased or optioned or whatever we do with it. This is just a heads-up to look for that. It is the intention that it goes in front of the formal bodies in June and with all of those approvals in place that an RFP be issued by the end of June for response by the end of July and an evaluation in August. Any questions from anyone on this? We talked last month about posting the full Council packet on the website to make everything in County government as transparent as possible. There was some hesitation because the Auditor's Office has been overloaded with those pink forms. The same staff person has to deal with alphabetizing how many of them?

Becky Butler: 97,000.

Paula Hughes: In the addition of the struggles of trying to get that task done, some of our County departments have been more casual about submitting items for the agenda than perhaps they should be. We haven't really done anything about it but I think given that we are going to be much more public about this, we might want to send a note out to all of them and make them aware that their initial request to appear on the Council agenda will be made part of a posted document. Anything else?

Larry Brown: I have a question. Before we get to the liaison reports, what is your past practice? Do we send out a flavor, if you will, of where we are thinking we want to head with the budget so then departments know how to prepare their budgets? Or are we reactionary to their budget?

Tera Klutz: May I?

Paula Hughes: Please.

Tera Klutz: I was going to bring up, when you were finished, that the Pre-Allocation Letters were scheduled to go out in a few weeks, June 7th. They particularly, usually, give a paragraph about the financial status and then basically see if they can operate with the same or less in their General Fund allocation. Also, to include any other funds that are under their control and the statutory uses for those funds and why those funds can not be used to supplement their General Fund allocation. Any

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capital items that they may foresee and if they want to appear before Council. If there is anything else you would like to see drafted in that letter before you review it.

Paula Hughes: This goes back to, gosh, seven years ago? Six or seven years ago we drafted a form that basically said that here is the big picture and this is what is going on right now. You have one of three options; one to request the same allocation amount, you can submit a decreased allocation request or you can submit an increased allocation request. If you are submitting an increased allocation request, then you need to go into the explanation of why.

Tera Klutz: You have to submit the other funds, no matter what.

Paula Hughes: It is more closely scrutinized if they are asking for an increase in their budget. It has become more a part of the routine since we have been doing it. You can certainly get an advanced copy of that.

Tera Klutz: All of you have to see it and agree on it but I didn't know, if before we drafted it, if you wanted to add to it. Last year we didn't know where we were headed and this year we kind of feel the same way with the income tax drop that we haven't realized here for revenue, will hit us. We have the Rainy Day Fund and we have some money set aside but in last year's first paragraph, we talked about how we will have to tap into the Rainy Day Fund and will use our reserves. We said that if they could decrease their budget, we asked how much. We didn't even ask if they needed an increase. The ones that needed the increase put that in there but we pretty much try to send the message that you need to live within your means but let us know what you are doing and how you are doing.

Larry Brown: I think another thing or item that will be brought before Council next month is the Strategic Plan and the inclusion of the Strategic Plan into the budgeting process and all of that. I guess that I would like to see that as part of this letter.

Tera Klutz: Okay.

Paula Hughes: I think that we did that as part of the Strategic Plan letter but not as part of the budget letter. That is a good idea.

Darren Vogt: When is our planning session? I don't have my calendar. I am wondering if we need to have a Pre-Budget meeting to talk about this letter. If you are going to send this out June 7th, we won't have a Council meeting beforehand.

Tera Klutz: The letter is just a pre-allocation letter.

Darren Vogt: I guess, as we talked yesterday about priorities, before we even get to that and their numbers we need to have a discussion. A working meeting and not a Council session and talk specifically about the budget process and what we want to

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do and how we want to do it and what the letter should say. We need to do that outside of a regular Council meeting.

Paula Hughes: I agree. It's been a long while since we reaffirmed those priorities.

Roy Buskirk: I think that part of what Larry is talking about is that the letter needs to cover the additional impact on revenue that the Circuit Breaker is going to have.

Jackie Scheuman: We have included that in the last couple of years. You all started with the Circuit Breaker before it even hit.

Roy Buskirk: But not the impact from this year to next year. We have had approximate loss of revenue but I think it can be pinpointed now a little closer than what it had previously. That's all I am saying.

Tera Klutz: We can give actuals to them. This is what we have lost due to the Circuit Breaker.

Paula Hughes: Remind me of the date in July that we have the Pre-Allocation meeting.

Becky Butler: July 14th.

Paula Hughes: It is a full day and we are just doing one day, right?

Darren Vogt: Date?

Becky Butler: July 14th with a regular Council meeting on July 15th.

Paula Hughes: Okay. I would suggest that we delay the mailing of those letters until after our June Council session. We can include, in the June meeting, under Discussion we can discuss the priorities for the budget session.

Tera Klutz: What this does though is, June 7th it goes to the departments and they have twenty-something days to formulate their response of what is going to happen in their department next year. We shorten that up.

Paula Hughes: They should be working on their budgets already.

Tera Klutz: I agree and they have been through this process and they can have a shorter amount of time.

Paula Hughes: Maybe you could send them a letter telling them that Council is going to set the formal priorities after our June meeting but they need to be working on preparing their budgets.

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Tera Klutz: Yes, no problem.

Roy Buskirk: Maybe a pre-budget letter?

Larry Brown: Exchange ideas by email?

Paula Hughes: No, we are talking about having a discussion at the tail end of the June meeting.

Larry Brown: I am hearing that it might not be soon enough.

Tera Klutz: No, it's fine. We are going to shorten up the response time. I do say that after seven years of the same process, departments are fully expecting it. Since the Pre-Allocation letter is a month later, some of them are even asking for it.

Darren Vogt: While we are talking about it, I may have a conflict on that Wednesday, July 14th. I have a meeting in Chicago that I can not avoid. I don't know for sure, it will be the second or third week in July. I may ask Council to consider rescheduling. As soon as I know, I will shoot out an email.

Paula Hughes: Okay, Liaison Reports.

Roy Buskirk: I would like to mention that fact that there is a meeting this afternoon at the Extension Office. Larry DeBoer is having A Life After Recession, Local Government Finance session from two to four. I would suggest if you can attend, it would be good.

Bob Armstrong: Nothing.

Larry Brown: I have a few comments. Just to give you an idea of what I have been involved in, not to toot my own horn, but to make you aware that Council is being represented. I was asked to join the committee of the City and County Co-location Committee which consists of three from the City and three from the County. My interest in it was to make sure that County departments were being represented. I have to share with you that it has been extremely smooth and very cooperative and probably because of the people involved. Things are moving very rapidly. Just to give you an idea of where we are, I call it the bubble area meaning that a bubble has been established for different departments within the East Berry Street location. The building had to be organized as to which departments were going to be where before it could go to an architect. An architect can't decide that so that is moving extremely well. There is a draft of letter of understanding that is being tweaked. The Executive branches will be presented that sometime soon. Also, I was asked to join in the selection process for the Construction Manager for this building. We have met four times or so and is progressing as I would expect. The Courthouse exterior is on schedule but one thing that I will bring to your attention is that the bid documents indicated that the contractor was to rejuvenate or replace much of the greenscape

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that is there now. That greenscape was not an original feature of that building but was added thirty years ago or something like that. The greenscape is quite old and there are some concerns that there might be some future construction damage caused because of the greenscape. We have some water trapped against the foundation. A lot of research has been done by the Preservation Trust and various other entities. Photographs were dug out from fifty, sixty, eighty years ago. It was a hardscape, meaning that concrete went up against the building. The decision has been made to return it back to hardscape and the greenery will disappear as you see it now. What is being considered and investigated are some free-standing flower pots. Some heavy-duty, aesthetically pleasing that would add some greenery. That is an update on that. I don't know how many of you know but being the liaison to the Coliseum, I will tell you that the Coliseum has done a remarkable job of keeping their rentals up. The industry is down from fifteen to thirty-five percent and the Coliseum is up a tweak or at least maintaining. Last but not least, the Treasurer will be coming before us probably next month asking for an additional appropriation because of these pink slips, that Becky is seeing in her sleep. That played havoc with the postage for the Treasurer. It was pretty substantial. That is what is going on in my world.

Paula Hughes: Councilman Vogt?

Darren Vogt: I just had one question for Larry. On the co-location building, when do you anticipate that we should have the discussion of the options, as we will call it, for improvements to this building? Sooner rather than later so that we can figure out what we are doing.

Larry Brown: Yes. I think that is a good question. In my mind, I can't put a date to it but I can tell you what I had in my mind for the process. When we get to the point where we have a Construction Manager, and that is real close, then that will lead to an RFQ or RFP for an architect. Once the architect is on board and we identify the particulars and get to the bid stage, I am going to suggest that we have numerous alternates as part of the bid documents that gives us those choices. At that time, we will know the dollars attached.

Darren Vogt: Okay, thanks, that makes sense. As far as liaison appointments, most of mine were here today. The Prosecutor's Office is working on a couple of things. They lost some funding in Infraction Deferral and so they may have to come before us. We will know later on. Other than that, I am good for now.

Paula Hughes: Councilwoman Johnson?

Maye Johnson: Nothing else.

Paula Hughes: Councilman Moss?

Paul Moss: Nothing.

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Paula Hughes: Well, if there is nothing else, are there any comments from the public?

Darren Vogt: Approval to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of May 20, 2010.

Bob Armstrong: Second.

Paula Hughes: All in favor please signify by saying aye. Opposed like sign. Motion carries. The next meeting is May 20th. I look for a motion to adjourn.

Darren Vogt: Move to adjourn.

Bob Armstrong: Second.

Paula Hughes: All in favor please signify by saying aye. Opposed like sign. The motion carries.

There being no further business the meeting was adjourned at 11:05 a.m.