

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

The Allen County Council met on Thursday, February 17, 2005 at 8:30 am in the County Council Chambers/Commissioners Courtroom. The purpose of the meeting was for additional appropriations and transfer of funds in excess of the budget for the current year. Also, Grant approval and other business to come before County Council.

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

Also attending: Lisa Blosser, Auditor; Jackie Scheuman, Financial Manager; Susan Whetstone, Administrative Assistant; Lin Wilson, Grant Administrator; Marla Irving and Nelson Peters, County Commissioners.

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

**FINANCIAL REPORT:**

**Lisa Blosser, Auditor:** Your financial report for January is showing the Child Psyche Fund transfer of \$992,391; that leaves you with the amount available for appropriation of \$8,523,396. You outstanding debt for the Boys and Girls School is \$8.3 million. There was one change to the financial of requested appropriation today the amount requested is \$500,000 the \$39,000 was withdrawn by Youth Services Center as the Commissioners have agreed to pay for the update to their fire system out of Cumulative Capital Development.

**Paula Hughes made a motion to approve the Financial Report. Roy Buskirk seconded it. Motion passed 7-0.**

**Darren Vogt:** At this time we will take item 1 on the agenda for a request from the Allen County Surveyor of \$500,000 for Storm Water Phase II.

**Al Frisinger, Allen County Surveyor:** I have with me this morning two people from Christopher Burke Engineering. We have a power point presentation for you regarding this project.

**Siavash Beik and Lori Gates with Christopher Burke Engineering** were present regarding the implementation of the **NPDES STORMWATER**

**PHASE II PROGRAM.** This is an unfunded mandate that has been proposed for local governments all over the United States. Previously it had only been the major cities that were to comply; Phase II includes all smaller counties and cities; this is the first 5 year term of this program. This envelops a myriad of departments and is not confined to the County Surveyor. The Surveyor acts as the operating agent for the Drainage Board and the County Commissioners but the responsibility for compliance rests ultimately with the County Commissioners as the permittee for Allen County

Other counties have been trying to fund this program through general fund dollars, permit fees, additional assessment fees for clean water beyond what the ditch assessment has done. This is by no means limited to Allen County as it is all over the United States. Some places have done studies to get some ideas on how to get the funding for this program.

**Lori Gates** then provided a power point presentation explaining the program. Allen County has been identified as a community that had to do this program because of the criteria on the federal register. This is just the start of the program and works needs to get going.

The Power Point presentation information is attached to the permanent record.

**Al Frisinger:** This presentation pretty much summarizes what has been said in the past; it is an unfunded mandate; a countywide program and is a program not a project. I am the person who is moving ahead to implement this program based on IDEM's directive from the EPA to the Drainage Board to me and then to draw in the MS4 areas to comply with this program.

**Mike Cunegin:** I know that this will be a collaborative effort with other county entities; but you are talking about new employees, how many do you contemplate needing?

**Al Frisinger:** We will need three additional employees. The education element is a collaborative effort by not only the Surveyor's office but also with Soil & Water Conservation, Cities of Fort Wayne and New Haven. We have actually joined together to employ a person at the education level and that will be for the production of specific types of brochures and maybe some seminars and maybe some other issues that we will have to deal with. That person is already in place at the Soil & Water Conservation District.

The employees that I refer to are a Program Coordinator to handle this program and see that everything is completed in a timely fashion. To see that the permits are issued, that we have adequate funding sources and the

monthly and yearly reporting that is done; it is a whole program. The second employee that is needed is a Project Technician type of person that would help supplement the Program Coordinator and would work on mapping issues and take more of the burden of processing and plan working. The third person would be the on site or an In-Field Inspector. I have inspectors on site today but to be honest with you there are days when I need more when construction is going full bore. The particular issue of having to look at erosion control and how plans are implemented is new and is something we need another person to take care of.

**Roy Buskirk:** Last August we told you that you could hire a person to head this up; where are you as far as retaining somebody?

**Al Frisinger:** I haven't hired anyone because I don't have the money.

**Roy Buskirk:** I told you that we have the money for you.

**Al Frisinger:** Right, but if it isn't in my budget I don't really have a way to tell somebody I can hire them. To clarify the position we are in; Burke Engineering has worked as our lead consultant for development of the program attitudes that are in place today. They work with a lot of entities across the State of Indiana. We will file our Part C; we have been given two extensions for the presentation of Part C. It will define our 5-year program; at that point in time we need to get somebody on board for the implementation of that program. The Commissioners will have the ordinance before them next week at their Legislative session for their review and approval. That will set in motion most of the program attitudes for not only the Storm Water Quality Program but Storm Water Quantity issues that I deal with already. Along with that there is a manual that goes along with the ordinance that stipulates not only how we do business but what our practices are. The person that comes on board needs to be fully cognizant of these issues and I think we are at a good point right now to work toward that.

**Roy Buskirk:** I have mentioned it to you several times that the Council placed \$100,000 in our budget. We did not put it in your budget because we didn't know how it was going to fall into place; but we instructed you to go ahead and hire a person to head up this program so you have the money to do it.

**Al Frisinger:** OK I am ready to move ahead of that. For me to move ahead and have this program be in the implementation stage it should be in my budget.

**Roy Buskirk:** I hope that you are working close with Soil & Water Conservation because several of these programs that need to be done are already being done by them, especially the education program. They have

also done some water sampling and also have developed a book that they are handing out at different functions to children.

**Siavash Beik:** We are trying to take advantage of those types of things that are already in place.

**Cal Miller:** Are the Soil & Water Conservation District's efforts included in your existing funding column?

**Siavash Beik:** Yes, everything that is now being done has been taken into consideration.

**Al Frisinger:** The on going programs are all mentioned in Part C. I am glad you are aware of those programs because education is a very important part of the program. Under Part C the DNR will step aside from on site inspections; that will now be what the County or the other entities will do.

**Cal Miller:** You mentioned the Cities of New Haven and Fort Wayne; are they filing their own plans? Is there any wisdom in all of us getting together and hiring the same person or people to perform this function as the planned objectives are the same?

**Al Frisinger:** Yes Fort Wayne and New Haven are filing their own plans. There are some very specific issues that are coming up; one is when we started the program of filing our notice of intent and coming together with a way to have a collaborative effort I have had several meetings with Fort Wayne and New Haven with regards to having a joint permit application to the State. Fort Wayne and New Haven choose to go their own ways.

**Cal Miller:** What are the obstacles of having a joint effort or permit?

**Al Frisinger:** That is what we had tried to implement through the original structure that I set up with only one entity. I think the boundaries and who enforces and who doesn't have a lot to do with it. The look we have today is that they have their own Part C and their own set of ordinances and that is where we are.

**Cal Miller:** Would you agree that, assuming a joint application could have been worked out; it would take cumulatively fewer resources to implement one Part C as opposed to three separate Part C's with three separate entities doing their own thing?

**Al Frisinger:** Yes

**Cal Miller:** Is there any way to reverse that tide; where we can have a joint effort?

**Siavash Beik:** Although a joint effort didn't work out we feel we have arrived at a happy medium. They have the same ordinances and the same standards although the joint permit could not be done. I am not sure how much in savings could be arrived at with a joint effort as we still have to have additional people to put the program in motion.

**Cal Miller:** Can this be done more effectively and efficiently if the County, Fort Wayne and New Haven would work together on a joint Part C?

**Al Frisinger:** We are pretty much doing that even though we are acting under separate permits. When we developed our ordinance and technical specification standards we offered them to Fort Wayne and New Haven for their review and adoption I think that across the board there is too much difference between entities. We have come up with a way that all 3 entities will have the same type of language and enforcement capabilities.

**Cal Miller:** You are all operating from the same play book just have different players doing different plays.

**Darren Vogt:** If the plans are the same we need to continue moving forward with hiring the same people; we can still get a savings by hiring 5 people versus 7.

**Cal Miller:** We all would encourage you to do that.

**Al Frisinger:** If we weren't having such a collaborative effort between the entities we might need 5 people and they might need 4 people. This is a shining example of how you do have three particular political jurisdictions working together.

**Cal Miller:** So you are achieving some degree of efficiencies it may not be the absolute optimum efficiencies but you are achieving them. Is the city of Fort Wayne utilizing your engineering firm?

**Siavash Beik:** No each of the three entities are using different engineering firms.

**Cal Miller:** So you are all on the same play book. You have put forth a 5-year plan and really 2004 is behind us so we are looking at the next 3 years and 8 months and new dollars based on the power point presentation. What happens at the end of year 5? What is on the horizon beyond that?

**Siavash Beik:** At the end of the 5 years you will have to file for a permit for another 5 years.

**Cal Miller:** Have they specified what the next 5-year permit looks like after this one is exhausted? Has the criteria been written to the law?

**Al Frisinger:** Not that I am aware of. There are 200 plus communities across Indiana alone that are affected by this particular piece of federal legislation called the Clean Water Act. This was all based on population.

**Paul Moss:** What is the water quality in Allen County, what is the real need that you see out there?

**Lori Gates:** E-coli is a problem and has been identified by IDEM and has been tested over the last couple of years and it seems to be predominant.

**Paul Moss:** Is the water quality worse now then it was 5-10 years ago or is it better? Are we addressing a legitimate need? Given the fact of reassessment and peoples property taxes are already pretty high in my opinion this is a little bit frustrating.

**Siavash Beik:** Hopefully the water quality will be getting better with this program.

**Paul Moss:** I am not convinced that there is an urgent need to spend this amount of money; it's always easy to spend this amount of money when you are dipping into somebody else's pocket obviously. But this is something we are going to be forced to do; kind of a gun to our head. As far as the program implementation costs, is it safe to assume that this is just for unincorporated parts of Allen County. If a similar sheet was put together for the City so we can take a look at it; is there a ball park figure?

**Lori Gates:** I have seen some of the preliminary figures from Fort Wayne and it is a hard comparison because they have already done a lot preliminary work to prepare as they were a Phase I community and they were ready to go in the early 90's so they have a lot of these programs in place. One thing is the Storm Water Utility is set up and chances are they have a lot of existing programs that cover this already and unfortunately the County is not in that same boat.

**Roy Buskirk:** The last time you were before us you stated that there was some legislation and possible funding that was being thought about; could you give us an update on that situation?

**Al Frisinger:** There is nothing that I know of at the State or Federal level.

**Roy Buskirk:** Then there wasn't any funding available for any of the large metropolitan areas either. The Soil and Water Conservation District determined that the Canadian Geese contributed to the e-coli problem in Allen County.

**Patt Kite:** When you are projecting out several years are you taking into consideration permit and training fees as a source as we are looking at annexation that is going to be chewing up a lot of unincorporated Allen County. Are these figures accurate with the annexation in mind?

**Al Frisinger:** Yes, they are based upon what we thought the number of permits would be.

**Cal Miller:** Does the roughly \$500,000 a year for the next 3-4 years include the people that you need in your office?

**Siavash Beik:** Some of them are in there but it does not include all of them.

**Cal Miller:** With respect to the permit fees is this assuming an increase and do you work with the Commissioners to establish the fees?

**Al Frisinger:** Yes

**Darren Vogt:** If the fee ordinance is not passed, how does that play into the money that you are going to come back and ask us for?

**Al Frisinger:** We need to the money to have program implementation; March 3<sup>rd</sup> is the drop dead date when we have to have the program in place. I have received several extensions and March 3<sup>rd</sup> is it.

**Darren Vogt:** Do you believe that one program coordinator could do this for the entire county?

**Al Frisinger:** Yes, this person will work under me and then they will have staff under them.

**Darren Vogt:** I mean the City of Fort Wayne and the City of New Haven.

**Al Frisinger:** No

**Darren Vogt:** I look at this as we are all working off the same play book; you have your project coordinator that knows the program inside and out and then you have project technicians and field inspectors. We may have project heads for the County, Fort Wayne and New Haven that to me is a waste of the taxpayers' dollars. As soon as we are done here today I am going to make a call to Mayor Richards and Mayor McDonald to find out why we cannot coordinate the project head and have that person report to the Surveyor to make sure we are on the same page. As an extreme fiscal conservative I feel we are wasting money; how much will we be paying a project coordinator?

**Al Frisinger:** Currently around \$51,000.

**Darren Vogt:** There could be a savings of \$100,000 right off the bat and that is an extreme concern that I have.

**Siavash Beik:** I would just warn you that with a county the size of Allen County you may need more than one project coordinator.

**Cal Miller:** Another thing that comes to mind when you are talking about these three entities is that as Lori pointed out in her presentation Commissioner Bloom as President of the Commissioners will have to certify to the state that: 'she affirms under the penalty of perjury that the foregoing representation is true regarding the compliance done in these particular areas'. I imagine that both Mayors' will have to also make a certification to the State so that is something in your discussions with them that may come up as well as an obstacle, I don't think it is insurmountable I think it is something worth pursuing but keep in mind that they have to make separate certifications. Their comfort level of doing so may be dictated, to a certain extent by who is in control of the director of that particular organization.

**Darren Vogt:** In my discussion with those two men is that I would ask for your guidance to help with that Councilman Miller I guess my response to that is if the playbook is the same what is the difference.

**Cal Miller:** I am preparing you what may be a response; I feel the goal is worthy however if you are going to talk to these Mayors you might want to consider what the response would be to prepare you how to make the most persuasive argument.

**Roy Buskirk:** When you look at the expenses listed; it seems like there are several items that if they would join together on such as radio spots, fair and festival booths etc. would be a savings.

**Al Frisinger:** That is what we are trying to do as anything that can be combined. Some are easy to combine some are not.

**Cal Miller:** I want to make sure that this is not spun the wrong way; these efforts are underway we recognize that and I don't want to diminish those efforts in any fashion by our comments of focusing on whether we can do something jointly.

**Lori Gates:** We will be having a joint meeting in March and will be looking at areas where we can coordinate so this will be an on going effort.

**Paul Moss:** Given the fact that we have identified some areas with relative ease to possibly save some money by coordinating with New Haven and Fort Wayne. Is the \$500,000 taken into account on the sheet? Do these numbers take into account or are these numbers high?

**Al Frisinger:** I think that the numbers have taken that into consideration.

**Darren Vogt:** If this Council were to give you \$500,000 today what is the time frame for spending those dollars?

**Al Frisinger:** If you look through the graph and program elements there are specific things we would be spending it on as we move along.

**Paul Moss:** In looking at this sheet again, at the bottom you have new staff of \$200,000; my previous question was specific to the \$250,000 for plan review. I thought you said that these staff members would be doing most of that review; is that accurate?

**Al Frisinger:** As near as I can tell.

**Paul Moss:** How about Inspecting Enforcement, we aren't going to be contracting that out; are we?

**Al Frisinger:** If we can't stay on top of it we may have to outsource some of it.

**Paul Moss:** In all due respect there seems like there is an awful lot of wiggle room in that first year.

**Cal Miller:** In addressing Councilman Moss' concerns if Council allocates the \$500,000 can it be put into a separate Storm Water budget so that the roll over will come back if it is unused next year. There is a delicate balance here because a number of the items in Part C that dealt with new construction. We are going to be asking developers to pay higher fees and the

potential of delaying them if we don't get adequate staff for the new inspections driven by the requirements of Part C. We want to promote the economic growth and the new development in our County. I want to make sure it that it comes back to the general fund if it is not spent by the Surveyor.

**Paul Moss:** If it is appropriated it will be spent; I think we have established that.

**Al Frisinger:** I think if look at my budget throughout the last 8 years you will find that I don't do that. If I have something left over it comes back and that's the ways the appropriations work if not used it will roll back into the general fund. With the Stormwater issue it may be a good idea to have it supplements and not have it roll back so it could be used in the next budget year.

**Cal Miller:** Will there be a budget framework set up where the same rules apply with respect to your ability to transfer from one series to the next?

**Al Frisinger:** Yes that is the way it will work.

**Darren Vogt:** Once it's in your budget from a Surveyors standpoint it can go to any line items in that budget.

**Lisa Blosser:** It has to come before you if it is between series.

**Paula Hughes:** My concerns mirror what Councilman Moss said. Clearly by asking you to present this to Council we want to be supportive of the project because we know what the repercussions will be. As we look through this budget you have in new funding sources permit and training fees, \$430,000 in budget for plan review, inspection and enforcement all of which you said could be done by staff members. In addition to that you have another \$200,000 so that is actually \$630,000 for the same people. The figures you have given us for staff the salaries alone are \$117,000 by the time you add in payroll expenses and insurance it comes to about \$150-165,000. We are disconnecting somehow because you are saying you need 3 staff people at about \$155,000 but your budget shows \$630,000 for those 3 staff people.

**Siavash Beik:** The spreadsheet shows the plans for the money and the resources to pay for it. Some of the money has been generated be permit fees so not all of that is staff because some of it will be outsourced.

**Paula Hughes:** If 25% or  $\frac{1}{4}$  of it goes to outsourcing it doesn't make sense and as a general statement I am not comfortable for us to fund it right now. I

need further assurance that you have done the math. These new staffs' figures alone asking for \$200,000 when what documentation you have provided indicates you only need \$155,000; this is quite a discrepancy and we are not out of the woods yet with the county budget to just do this.

**Al Frisinger:** The budget that you have in front of you is an estimate. If I said we would be doing most of the inspection in house that is an undetermined figure at this time as we may need to outsource more of the work.

**Paula Hughes:** I am asking these detailed questions because we understand the importance of this and we want to be a partner in helping to implement this but we also have to be comfortable with how the numbers add up.

**Siavash Beik:** I realize that some of the number might not be right but the bottom line; the dollar for the program comes up with an average number that is totally in line.

**Darren Vogt:** Does that include the cost for New Haven and Fort Wayne?

**Siavash Beik:** No this is just the unincorporated areas of Allen County including Huntertown and Leo/Cedarville.

**Mike Cunegin:** I know we are behind the eight ball a little because you stated that March 3<sup>rd</sup> is our deadline. If we decided not to move on this today, what penalties do we face?

**Al Frisinger:** The penalties are only one part; if we chose not to participate in this program. You can count on IDEM and the EPA taking the program over and I don't that is what we want have happen.

**Siavash Beik:** There is a fine of \$37,500 a day if you don't meet the requirements. I am not sure, however how that works.

**Darren Vogt:** This portion doesn't have to be set aside it is what the Commissioners have to sign off on.

**Al Frisinger:** The Commissioners have signed off on Part C. The ordinance is what is to be signed at their Legislative session next week.

**Mike Cunegin:** You are requesting \$500,000 today and I know that this Council last year put \$100,000 in our budget for this program and it hasn't been spent. I know that you and your staff are going to do the best you can

but I also think that there will be a lot more outsourcing to get this done and I want to make sure that the figures are correct.

**Paul Moss:** The issue that I had was really not so much with the \$200,000 I would like to find out what components of this are going to be done by our staff. I am not sure that I buy the argument that yes, the county is growing in terms of development but you can build in trends to these number easily enough based on historical data and we have a very good Planning Department that could give you information on that. I don't think that is quite as much an unknown as everybody is indicating. I still think there is a lot of wiggle room here and maybe it is just general frustration of a kind of gun to the head by the federal government.

**Cal Miller:** I would like to make a motion that we appropriate \$400,000 from the General Fund for Mr. Frisinger. The County Council has \$100,000 in their budget for this program and when the Surveyor gets this up and running and has a better grasp on what is going to be outsourced and what is going to be done in house and then comes back and get the \$100,000 if needed. We have had a very fine presentation by the Surveyor and the Consulting Engineers and it is appreciated. Let's move forward and by giving \$400,000 with the idea to come back with the other \$100,000 I think we addressed the concerns about if there is any room in the budget to use less of it by using the existing staff members. Mike Cunegin seconded it.

**Darren Vogt:** Your first step would be to hire a program director and then my phone calls to Fort Wayne and New Haven would be mute at that time because if you hire someone it wouldn't make sense for me to contact them. It is hard for me to agree to a motion that his first step is to hire someone which might not be the most economical thing to do. Although I do agree that this needs to be funded and I understand your concerns and time constraints.

I would like to have an opportunity to have conversation with our fellow elected officials to see if there is a way that we can create some sort of a staff for this type situation that is a joint effort.

**Al Frisinger:** The program coordinator position is going to be the one that will be doing the coordination with Fort Wayne and New Haven whether they have someone or not.

**Paula Hughes:** I agree with Councilman Vogt's concern as I think that \$400,000 is too much for the start of this. The first step is hiring staff and we have established that it is less than \$200,000 and the figure is actually \$166,000 and I would be more comfortable if we got the staff people on board and they presented to us the other program costs. I think that the rest of

these figures are too much in flux for us to appropriate funds in a general manner and I think we should be watching this a little bit more closely. I think also that as they get into this and designate the exact expenses of the program as we require a much closer examination of spending than this from other departments. While I would not support the \$400,000 I would support enough for the staff.

**Cal Miller:** Besides the staff there are other things that are of key interest to the success of this program; one is to get a consultant to overlook the fee structure in a way that could support the on going cost of this going forward so that is something that I wouldn't want delayed.

**Mr. Frisinger,** addressing Councilwoman's Hughes concerns; how handicapped are you in implementing this if you end up getting \$250,000 instead of \$400,000 and if you were to agree to hold off until Councilman Vogt has had an opportunity to talk to the two Mayors the potential of a single coordinator for a couple of weeks? How bootstrapped are you?

**Al Frisinger:** right now I am in a position and you must understand that this is a whole new program to take on with the staff I have. Our time is pretty stretched and the need for new staff is there and the need to keep the services of the Consultant on board is very important. This is an excellent program and I think it is amazing that we have even gotten it implemented this far.

**Cal Miller:** We would like to see a vote that would carry, what amount would you think would be adequate so we can address the concerns that have been raised today.

**Al Frisinger:** Obviously I put the \$500,000 in there for a reason and the proposal to go to \$400,000 is acceptable. I would have to think that if you kept \$200,000 back and gave me the opportunity to come back. I think of myself as a pretty frugal person and I don't believe you are going to see one dollar spent that is not needed on this program.

**Cal Miller:** So you are talking about \$300,000; what additional documentation does this Council want from the Surveyor to support what additional spending he may need, if any? We need to give him some clear direction because if we have concerns I would like to know what it is that this Council wants to see if whether the rest of it is justified. If we can't articulate that to Mr. Frisinger

**Paula Hughes:** I have articulated it and I will go through the line items in this budget if that will help.

Councilwoman Hughes then went through the line items in the budget that was presented and that budget will be attached to the permanent record. Stating that \$800,000 is in there for labor and they only need 3 people.

**Cal Miller:** So you understand what the charge is then and if you could provide us with some additional information on that. Are you willing to hold off hiring someone until Councilman Vogt has had an opportunity to talk to the two Mayors?

**Al Frisinger:** That's fine but I would like the opportunity to interview though.

**Cal Miller:** Yes that will be fine. Will you give us your statement that you will wait to hire until you hear from Councilman Vogt on that?

**Al Frisinger:** No problem with that.

**Darren Vogt:** Thank you because this is something I want to support but if we can't at least make the phone call I would have a problem with that.

**Cal Miller:** I would like to withdraw my motion for \$400,000.

**Mike Cunegin:** I will withdraw my second.

**Cal Miller:** I would like to make a motion that we appropriate \$300,000 in the general fund with the idea that the Surveyor's office with their engineering consultants have been given some direction on some further information that the Council wants regarding some big ticket items dealing with employment and that Mr. Frisinger will wait until he hears from Darren Vogt on his effort to talk to the two Mayors before hiring the project coordinator.

**Mike Cunegin:** I will still second the motion.

**Paula Hughes:** I think it is too much because there is not a line item in here that says it is paying for the consultant, it doesn't make sense to me; it doesn't add up.

**Darren Vogt:** I call for the question.

**Motion failed 3-4 with Roy Buskirk, Darren Vogt, Paul Moss and Paula Hughes voting nay.**

**Darren Vogt:** We have the opportunity to defeat the motion and make another one or move on to item 2 on the agenda.

**Paula Hughes:** I would be comfortable with a motion of \$200,000 with the stipulation that the bulk of it is to be with the staff. We are here every month and I know it is a pain to come before us and we have been talking about this for 1 ½ hours now but we just need further clarification on these lines.

**Darren Vogt:** We have a motion for \$200,000 is there a second?

**Roy Buskirk** seconded it. Motion passed 4-3 with Mike Cunegin, Paul Moss and Patt Kite voting nay.

**Lisa Blosser:** Can we hold on a minute? Do you want to transfer the \$100,000 that you have in your budget to the Surveyor's and is the \$200,000 all to go in your 100 series?

**Al Frisinger:** I will have to look that over and get with you this afternoon.

**Darren Vogt:** Council I think we would want to use the \$100,000 that we had earmarked for this. Is there a motion for this?

**Patt Kite** made a motion to transfer \$100,000 from their budget into the Surveyor's budget. Cal Miller seconded it. Motion passed 7-0.

**Darren Vogt:** That passed so \$100,000 will come from the general fund and a transfer of \$100,000 from the Council budget.

**Lisa Blosser:** That is not what you just said; is that what you want?

**Darren Vogt:** Yes we want the \$100,000 to be transferred from our budget into the Surveyors.

**Jackie Scheuman:** You voted for an additional \$200,000 which would be in addition to the \$100,000.

**Cal Miller:** We will just transfer the \$100,000 another time.

**Darren Vogt:** We will move to item 2 on our agenda.

**Mike Cunegin** as liaison the Youth Services Center stated that Chris Dunn is requesting that \$1,724 be unappropriated in his YSC budget. This is for treatment which was not used last year.

**Lisa Blosser:** I think it is way too early in the year to unappropriate. The YSC Director was before you almost every month last year and if you do it I

have to send information to the State to get it approved and all of the financials have to be changes.

**Darren Vogt:** Did he tell you that he may need to come back for the additional later?

**Mike Cunegin:** He said that he would and that he didn't know when the contract would be put into place.

**Lisa Blosser:** He has been before Personnel Committee and he needs more staff and will need more in Schools & Seminars too. I think it too early in the year to do this.

**Item 2 died for a lack of a motion.**

**Item 3: Carolyn Berghorn, Aboite Township Assessor:** I am here asking to transfer from Dues & Subscriptions a total of \$582 for my Chief Deputy her level 2 certification.

**Cal Miller:** The Aboite Township Assessor is required to pay for this by state law. Quite frankly I think that because they are required to pay for this she should not have to transfer it from another line item. But she has requested to do that.

**Carolyn Berghorn:** I have another employee that is close to passing her level 2 also so I will be back.

**Cal Miller:** What are Councils' thoughts on this?

**Paula Hughes:** I think that if the funds are available we should allow the transfer.

**Cal Miller:** But are they, you passed a budget. It is early in the year and she is already dipping into her Dues & Subscriptions to pay for a mandated increase in an employee's salary.

**Mike Cunegin:** With also another one on the horizon.

**Darren Vogt:** Have they been working on their certifications for some time now? I don't know what it takes or what that process is.

**Carolyn Berghorn:** There are two levels on commercial property.

**Darren Vogt:** There is some on going education and so you knew that this certification was coming up. That is where I look at the instructions in the budget and we give you instructions that say make sure you include any anticipated forecasted things.

**Carolyn Berghorn:** Actually she attained it last July after our budget was approved.

**Roy Buskirk:** She couldn't know if they were going to pass the test at that time.

**Cal Miller:** She has made the request in that form and I think we should honor the transfer but in the future I would come forward and ask for an additional appropriation because it is a mandated increase in the person's salary and we will see how the Council feels about that.

**Cal Miller made a motion to approve the transfer of funds in the budget of the Aboite Township Assessor. Mike Cunegin seconded it. Motion passed 7-0.**

Item 7: **Tim Miller, Circuit Court Administrator:** I am requesting an appropriation in the Adult Probation Fund in the amount of \$635. Through an oversight on my part this is a request to satisfy the state minimum adjustment in the salary of a probation officer.

**Paula Hughes made a motion to approve the request in the amount of \$635 in the Adult Probation Fund. Paul Moss seconded it. Motion passed 7-0.**

Item 8: **Mike Fitch, Allen County Highway Director** requested an additional appropriation in the Highway Budget in the amount of \$34,179 to cover costs for Workers Compensation.

**Cal Miller made a motion to approve the request of \$34,179 in the Highway budget. Paula Hughes seconded it. Motion passed 7-0.**

Item 9: **Mike Fitch** requested an additional appropriation in Highway Maintenance & Repair budget for road salt in the amount of \$100,000.

**Paula Hughes made a motion to approve this request for \$100,000 in the Highway Maintenance & Repair budget for road salt. Roy Buskirk seconded it. Motion passed 7-0.**

Item 10: Mike Cunegin as liaison to the Coroner made the request in the absence of the Coroner. The request is for \$13,810 in the Mobile Command Unit Fund. This is to update the unit with some additional equipment.

Patt Kite made a motion to approve the request for \$13,810 in the Mobile Command Unit fund. Paula Hughes seconded it. Motion passed 7-0.

Paul Moss: Items 11-18 were table at the January meeting; I will let Mr. Brita explain the request.

**Item 11-18: Joe Brita, Superintendent of Juvenile Justice Center and Kevin Mann, Assistant Superintendent** were present to request an appropriation of funds in the Wood Youth Center Per Diem Fund in the amount of \$90,000. This amount is required to supplement the Juvenile Community Corrections grant. The salary ordinance was set at budget time but the supplemental appropriation in the Wood Youth Center Per Diem Fund was not done at that time. These items were tabled at the 1/2/05 meeting.

**Roy Buskirk made a motion to approve the additional appropriation in the Wood Youth Center Per Diem Fund in the amount of \$90,000. Paul Moss seconded it. Motion passed 7-0.**

Item 19: Paula Hughes as liaison to DPS stated that this is a continuation of commitment that Allen County made to Uniroyal Goodrich for their expansion and operations.

Item 19: **Scott Harrold, Senior Economic Development Specialist** requested an additional appropriation in the Uniroyal Goodrich TIF Fund in the amount of \$55,550. This amount will allow them to make the lease payment for the substation and we have 9 more years to pay on this commitment.

**Roy Buskirk made a motion to approve item 19 in the amount of \$55,550. Paula Hughes seconded it. Motion passed 7-0.**

#### **SALARY ORDINANCE:**

**Mike McAlexander** was present requesting a salary ordinance to change 8 positions of Investigator in the Prosecutor's general fund budget, 2 positions of Investigator in the Pre Trial Diversion Budget and 5 positions of Investigator in the Infraction Deferral Budget from a POLE IV to a PAT IV classification.

This has been before the Personnel Committee and will have not fiscal impact on the County General Fund.

**Cal Miller made a motion to approve the salary ordinance for 8 positions of Investigator in the Prosecutor's general fund budget from POLE IV to PAT IV. Paul Moss seconded it. Motion passed 6-0-1 with 1 absent.**

**Cal Miller made a motion to approve the salary ordinance for 2 positions of Investigator in the Pre Trial Diversion Fund from POLE IV to PAT IV. Paul Moss seconded it. Motion passed 6-0-1 with 1 absent.**

**Cal Miller made a motion to approve the salary ordinance for 5 positions in the Infraction Deferral Fund from POLE IV to PAT IV. Paula Hughes seconded it. Motion passed 6-0-1 with 1 absent.**

**Sheriff Jim Herman** requested a change in the range of pay for Work Release from the current rate of \$9.50 - \$11.50 per hour to \$9.50 - \$15.00 per hour. This will bring Work Release in line with the Sheriff and Jail part time salary ordinances. This is to be effective as of January 1, 2005.

**Cal Miller made a motion to approve the change in the range in pay for Work Release. Mike Cunegin seconded it. Motion passed 7-0.**

#### **GRANTS:**

**Sheriff Herman** requested approval to apply for two grants for his department they are as follows:

The first one is to the Bureau of Justice Assistance (BJA) for a bulletproof Vest Partnership Grant. A grant line (753 Bullet Proof Vests) was previously set up. It is a direct grant and is reimbursable. There is a 50% match required and will be paid out of the Commissary Fund. The amount of the grant is \$25,620 and the application is due March 10, 2005.

**Paula Hughes made a motion to approve the Sheriff applying for this grant. Paul Moss seconded it. Motion passed 7-0.**

The second grant is to the Drug & Alcohol Consortium of Allen County for the purchase of and training for the use of Testing kits and Portable Breath Tests. A receipt line for this grant will need to be set up through the Auditor's office. This is a direct grant and requires no match. The amount of the grant is \$4,465 and the application is due March 18, 2005.

**Paula Hughes made a motion to approve the Sheriff applying for the DAC grant. Mike Cunegin seconded it. Motion passed 7-0.**

**Judge Charles Pratt, Superior Court** requested approval to re-apply for Court Improvement Funds. The amount of the grant is \$50,000 and the match required will be funded through other local grant dollars. No general fund dollars will be required for match purposes.

**Paul Moss** made a motion to approve **Judge Pratt** to re-apply for this grant. **Mike Cunegin** seconded it. Motion passed 7-0.

**OTHER BUSINESS TO COME BEFORE COUNCIL:**

**Darren Vogt:** Before we talk about the hiring of a compensation analyst I would like to talk about our projected roll over discussion. We need to set a deadline for meeting and getting together. I will turn it over to Councilwoman Hughes.

**Paula Hughes:** We requested that councilmember's forward any ideas they had on how the roll over should be allocated and I have not received anything. I want to share with you one of the projects that I believe should receive priority and consideration; technology requests and this is just for your consideration. I would expect that other projects would receive the same level of documentation and evaluation to be considered by Council.

**Mike Cunegin:** Was that date February 24<sup>th</sup>?

**Darren Vogt:** Yes that is next Thursday. If you could have to us documentation on what your priorities are in somewhat of a similar fashion so we could put them in a format that we can have a discussion on at a meeting and we will probably designate a specific meeting for that or we may do it at a regular meeting if it there is a short agenda.

**Paula Hughes:** As a reminder we have had conversation about designating a part of the roll over funds for payment of back Boys and Girls School debt, funding the Rainy Day Fund, funding the Technology Fund, funding over extended other funds such as DPS which is being funded partially out of CEDIT, funding Storm Water, funding county wide feasibility studies and keeping a part of the fund for 2005 unexpected appropriations.

**Roy Buskirk:** One of the things that is on the list is the debt to the Boys & Girls School; most of you saw in the paper that the state might possibly withhold funds from our county for this debt. There were some people that thought that would eventually be forgiven and were critical of this Council for taking a stand on that and doing their fiduciary responsibility on that.

**Darren Vogt:** I have a call into Representative Espich and as I have discussion with him I will update you as to what his thoughts are.

**Roy Buskirk:** Representative Espich is head of the House Ways and Means Committee and he has made a suggestion that possibly one way for the state

to increase their revenue that they would withhold money from counties that owed money to the Boys & Girls School.

**Cal Miller:** Do we need to contact somebody in Indianapolis for discussions on this situation?

**Darren Vogt:** I have had conversation with them at the beginning of the year and they were pleased that we put money aside to reduce our debt.

**Paula Hughes:** I don't think that Representative Espich is familiar with the plans that this Council has put into place.

**Mike Cunegin:** Councilwoman Kite attended the newly elected officials' conference and the comment was made that anything we could do would be appreciated. As far as withholding funds I have not talked with Representative Espich but the state is not looking at holding any funds because they ran into some problems with that in prior years.

**Roy Buskirk:** The other thing that we could possibly use the roll over for would be for drainage as we have a problem with county tile that needs to be replaced. There are a little less than \$1,000,000 in a fund that if the Surveyor wants to use it for drainage there has to be a petition by property owners that are affected by that tile and then the Surveyor obtains a bid and has to pay the contractor for doing the work and the affected property owners have to reimburse the county for it. The problem is that from the time it is certified it takes about a year. They have 4-years to spread the cost and so from the time the county spends the money until they have collected the money it is a 5-year program. There needs to be additional funding put into that account so they can move the projects through in a timelier manner.

#### **DISCUSSION:**

**Commissioner Nelson Peters and Brian Dumford, Director of Human Resources** were present regarding the hiring of a compensation analyst.

**Brian Dumford:** The Personnel Committee has been investigating a way to evaluate all of the job descriptions in the county on a regular basis to keep everything current so people are getting paid for what they are doing the work for. We currently turn these over to the Consultant and he comes back with a score to where the job should be on the grid. We have been discussing the possibility of putting someone on full time to evaluate job descriptions and assist department heads and then doing a full evaluation of all of the descriptions in the County. I believe that is probably where we are right now.

**Darren Vogt:** It seems that we have some job descriptions that are inconsistent and something needs to be done on a regular basis as far as updating the job descriptions are concerned. Do you know when the last review was done for the County?

**Brian Dumford:** There hasn't been a county wide review done for 10-years.

**Darren Vogt:** We need to make sure that things change along the way. We talked about contracting this out but when you do that it sometimes becomes more costly. Once this is gone through we maybe wouldn't have to go through it again and possibly this position could be eliminated.

Commissioner Peters: One of the things that I would encourage is to look it as an on going process. If you don't keep up with the day to day changes of the operation and job descriptions you create a bigger and bigger gap. Personally I think if you don't utilize this opportunity on an on going basis you are going to be falling farther behind in the days to come. There are a number of ways to look at how to structure this type of an opportunity whether it be in cooperation with Fort Wayne, a consultant or an internally based position. Although you may want to eliminate the position after 2-3 years I am convinced that it is not a process that can be eliminated. I think that ultimately for 3-5 years there will be enough to keep this person busy.

**Darren Vogt:** The thing that the Commissioner and I talked about is that there needs to be a plan in place first. We would need Human Resources and the Personnel Committee to develop a plan as to how we go forward with evaluating and what the process is.

**Brian Dumford:** Human Resources is going through a transition now and all of the job descriptions will have to be reviewed to be pushed into our new software program. This person would assist in that project and I do appreciate Council considering this option it would be a plus to have some assistance.

**Commissioner Peters:** I think the next thing is to develop the rules, policies and program process is going to look like and this will govern the entire process.

**Paul Moss:** What would you see the first project that this individual would undertake?

**Brian Dumford:** I would think that they would work to understand our software, put the process in place to then review the job descriptions. This should be done department by department.

**Paula Hughes:** I have a little bit of a concern about this position being started as what amounts to administrative support for the HR Department. The level of employee that would be needed for the duties might be beyond the clerical and administrative functioning that you would need.

**Cal Miller:** Is this person going to be drafting the job description based on what they want the employee to do and then asking if that be placed on the grid for appropriate compensation? Will this person going to be drafting a description or is it assistance to the department head to help them articulate a job description? What is the primary function of this person?

**Commissioner Peters:** That is what the policies and procedures that you establish dictate what goes on there. I would, as a HR person have that compensation/classification specialist be the one who actually drafts the job description.

**Commissioner Irving:** So we don't muddy the waters here; we have a staff person that is going to impute the new job descriptions in her spare time. We have offered support in getting those on the computer.

**Cal Miller:** Why do we need to do this?

**Commissioner Peters:** There is the potential for 400 different job descriptions to be rewritten. As technology and duties and functions evolve things change.

**Darren Vogt:** One of the perfect examples of that is GIS as it is a fairly new area.

**Roy Buskirk:** Adding to that is you have the Department Heads and Elected Officials writing the job descriptions and all of them have different ideas regarding the jobs in their department versus another department.

**Paul Moss:** I have been very pleased with Mr. Lewis efforts in terms of classifications. He has done a very good job in a fiscally appropriate manner. That might be one option for us to take a look at in lieu of hiring an employee.

**Cal Miller:** Can we ask Mr. Lewis to give us a bid on undertaking this on an annual basis contractually.

**Ken Lewis, owner of K.E.L. Management:** The last 4-5 months I had a specific role to support Council. I been involved in phase 2 of the project where I receive a job description and evaluate that against the current

accepted point factor system which is the Oliver System. Phase 1 is having what might be called a bona fide current job description. I have to date evaluated about 80 descriptions the majority with the Corrections Department. Those job descriptions seemed to be pretty current and if they weren't we went back and made them current. You have to have a valid job description and a process in place to do that and have an evaluation system to put in the point factor system and then the 3<sup>rd</sup> phase is to go out and find the status of the present grid.

**Cal Miller:** Aren't we most interested in 1 and 2 at this point to make sure we have equality within the county government structure with respect to pay.

**Darren Vogt:** Mr. Lewis will you give us a bid on what it would cost to develop a plan and what you would charge us to evaluate that plan. Also what you would charge to continue to consult based on this plan. This is for Phases 1 and 2.

**Commissioner Peters:** You may not want to turn your back on Phase 3 only because many times you need to determine what the external equity looks like to help you with your internal equity.

**Ken Wilson:** You are in competition with the City and their jobs are much higher paid.

**Paul Moss:** I like your idea of asking Mr. Lewis to give us a bid. I think we should have the Personnel Committee meet with Mr. Lewis and devote some time to discussion about development of that and us guiding him in the areas we would like him to look and give him a frame work of what we want him to look at.

**Darren Vogt:** I will get with Mr. Lewis on a date and report back to the Council in order to keep you informed.

**Paula Hughes made a motion to approve waiving the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of February 17, 2005. Mike Cunegin seconded it. Motion passed 7-0.**

The next meeting will be held on Thursday, March 17, 2005 at 8:30 am.

Cal Miller: I will not be able to attend the next meeting.

**There being no further business the meeting was adjourned at 11:22 am on a motion by Paula Hughes and seconded by Patt Kite.**