

**ALLEN COUNTY COUNCIL
MEETING MINUTES
March 16, 2006
8:30 AM**

The Allen County Council met on Thursday, March 16, 2006 at 8:30 am in the County Council/Commissioners Courtroom. The purpose of the meeting was for additional appropriations and transfer of funds in excess of the current budget. Also, grants and any other business to come before Council.

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

Also Attending: Lisa Blosser, Auditor; Tera Klutz, Chief Deputy Auditor; Jackie Scheuman, Finance Manager and Becky Butler; Administrative Assistant and Commissioners Marla Irving, Linda Bloom and Nelson Peters.

The meeting was called to order at 8:30 am by President, Paula Hughes with the Pledge of Allegiance.

APPROVAL OF MINUTES:

Darren Vogt made a motion to approve the minutes of February 16, 2006 and the Addendum as printed. Mike Cunegin seconded it. Motion passed 7-0.

FINANCIAL REPORT:

Lisa Blosser, Auditor: The amount you have left for appropriation in the County General fund is \$664,719. For your consideration today there are additional appropriations in the amount of \$61,024; this will leave you with a balance of \$603,295 for the remainder of the year.

Mike Cunegin made a motion to accept the financial report as presented. Darren Vogt seconded it. Motion passed 7-0.

ECONOMIC DEVELOPMENT:

Ashley Steenman, DPS: Consideration of a resolution approving a Statement of Benefits for Fort Wayne Plastics located at 510 Sumpter Dr. This is a five-year abatement, personal property. Diane Albach was in attendance from the company. They are adding eleven new jobs.

Cal Miller: What are the molded plastics used for?

Diane Albach: Yard parts, doors. Mainly the business is in the Midwest.

Paul Moss: This is contiguous to the Fort Wayne city limits. Is this on the annexation list any time soon?

Mark Royse: Not at this time.

Cal Miller: I make a motion for approval of Statement of Benefits for Fort Wayne Plastics.

Darren Vogt: Second

Paula Hughes: We have a motion and a second is there any further discussion? All in favor signify by saying aye. All opposed same sign. Motion passes 7-0.

Ashley Steenman: Consideration of a resolution approving a Statement of Benefits for Apollo Design Technology located at 4130 Fourier Dr. The abatement is for ten years and for real and personal property. This will result in 15 new jobs. Linda Heyerly and Colleen Firestine are here from the company.

Darren Vogt: Could you briefly describe the project in more detail. Current number of jobs and fifteen additional jobs will be added?

Linda Heyerly: Adding new equipment and with that adding fifteen jobs.

Paula Hughes: Who is your market? Is it across the country?

Linda Heyerly: Yes, it is entertainment lighting.

Mike Cunegin: Make a motion to move forward with this project.

Paula Hughes: We have a motion. Do we have a second?

Cal Miller: Second

Paula Hughes: We have a motion and a second. Is there any further discussion? All in favor signify by saying aye. All opposed same sign. The motion passed 7-0. Now for Waterfurnace.

Ashley Steenman: Consideration of a resolution approving a Statement of Benefits for Waterfurnace International, Inc. located at 9000 Conservation Way, Fort Wayne. They are asking for personal property, seven year

abatement. There will be 53 new jobs. John Groulik is attending from the company.

Paula Hughes: Just give us a little detail about what you will be doing with this expansion.

John Groulik: My name is John Groulik, Vice President of Operations. The expansion is mainly for equipment for manufacturing.

Roy Buskirk: Waterfurnace just recently went international and you have overseas...

John Groulik: We have been shipping to Canada.

Paula Hughes: Are there any further questions?

Cal Miller: Thanks for the 10% back that you were willing to put back. What do we do with that fund?

Paula Hughes: It is used as a stop-gap for projects that we don't have enough funds for.

Roy Buskirk: I make a motion to accept the Waterfurnace Statement of Benefits.

Darren Vogt: I second.

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

Roy Buskirk: Paul brought up a good question. On a property which is located close to an area that is being looked at for annexation, if it is annexed into the city during the time period, how is that handled? Maybe Mark can answer that.

Mark Royse: In an area that is annexed during the abatement it would continue on. Once you attach the city rate, it would go up.

Paula Hughes: Okay, moving on to Item 1 on the agenda. The Sheriff is here with a request.

Darren Vogt: Council, this is not a copier.

Sheriff Herman: This a fax machine in our civil division. First, I would like to correct the amount. The amount included a \$99 maintenance agreement and we were told by Purchasing that they have an agreement that takes care of that. This fax machine broke down and they tell us that in order to fix it would cost more than a new one. This is a fax machine that receives the protective ordinances.

Darren Vogt: Let me ask you a quick question. Those are internal documents from the Clerk to the Civil Division?

Sheriff Herman: It is the way that we get the information. This machine has more memory. Many times after hours, the courts will stay over and catch up and then they send the protective orders to us. Often times, this thing is receiving after hours.

Darren Vogt: Is it actual paper or is it a file?

Lisa Blosser: It is coming from a different building.

Sheriff Herman: It is kind of immediate process that the detectives can serve these as soon as possible.

Darren Vogt: Just trying to figure out how to get rid of the paper side of that and make that electronic.

Sheriff Herman: We need the paper so that we can serve it to the person as soon as possible.

Darren Vogt: You take that specific copy and serve it then?

Sheriff Herman: Yes

Darren Vogt: I am just asking the process.

Mike Cunegin: Madam President, if there are no other questions, I would like to make a motion for Item #1 for \$925 for office equipment for the sheriff.

Paula Hughes: We have a motion is there a second?

Patt Kite: I second it.

Paula Hughes: We have a motion and a second. Is there are any further questions? I would like to state that I feel we are being nickel and dimed. I realize that things come up but I am a little disturbed by the trend that we

are doing continual appropriations on things that we should have foreseen. I think it is contradictory to what the process is in the budget. I am not supportive of this. I don't question that you need the equipment, I am just bothered by the trend toward appropriations throughout the year.

Sheriff Herman: I would be willing to transfer the funds out of the 100 account but am not sure that is where you want to go either.

Darren Vogt: Council, this is something that we need to somehow figure out a way to set aside funds, during the budget process, that covers equipment that is functioning on a normal basis and then six months later, during the budget plan, all of a sudden here is a contingency. This is something we need to plan for.

Paula Hughes: Hopefully, as part of the strategic improvement plan that we are going through with the commissioners, that letter should be going out to the commissioners, the council sent a draft of a letter to all the departments concerning the budget process.

Cal Miller: Like any of the liability that we like to know about as Council, for those pieces of equipment, perhaps we make it clearer. Others have said that they weren't sure about the 400 Series. Maybe going into the 2007 budget, we can ask that they evaluate the equipment so that we can make decisions as to if the equipment will need to be replaced that year. Then truly have a contingency plan for those that "konk" out during the year. We should make that clear for when we go into the next budget process.

Paula Hughes: We have a motion and a second. Is there any further discussion? Hearing none, all those in favor, say aye. All opposed, signify by same sign. The motion passes 7-0.

Paula Hughes: We have a couple of grants to talk about also.

Sheriff Herman: We would like to apply for a grant from the Drug & Alcohol Consortium to buy four in-car video cameras. These are needed to replace some that are not working properly.

Cal Miller: My view of in car cameras has changed since watching the shows that I have seen lately. I will forever be supportive of this from what I have seen. I have a greater appreciation for what Councilman Cunegin and the Sheriff do for a living.

Darren Vogt: Is that a motion?

Cal Miller: Yes.

Darren Vogt: I second that.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0.

Sheriff Herman: The other grant is to apply for the Bulletproof Vest Partnership Grant. This provides up to 50% reimbursement for ballistic vests for police officers and stab vests for confinement officers. Generally we don't get up to 50%.

Lin Wilson: They don't know how much they will get because it is based on Part I crime. The Department of Justice decides how much. That varies from year to year.

Sheriff Herman: The money that we use is from the commissary.

Mike Cunegin: This is going to be a continuation of the five-year cycle of moving these around from confinement officer to officer?

Sheriff Herman: Yes, we have to refresh them after a certain time. The life of these is around five years. Some of them have to be customized to the officer so that makes it hard to sometimes move them around.

Cal Miller: I move for approval to apply for the Bulletproof Vest Grant.

Roy Buskirk: I second it.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0.

Darren Vogt: If you'll notice in your packet, the Sheriff did include, there are a couple of items that show that some dryers may be coming up for approval in the future.

Paula Hughes: Mr. Avery. Please state your name for the record.

Dan Avery: I am Dan Avery, Director of NIRCC. I am here today to request \$60,000.00 additional dollars to be shared between line items that combine for use in marketing and education program. As you know, Allen County is designated as non-attainment area. This program is to inform residents of

the health affects and the things we can do to help reduce the emissions and improve air quality. These are some of the projects identified through the ozone task force, Citilink, the Chamber and others. This program has two components. One is a gas can exchange program to be used as a promotional thing to get the information out. The gas cans we use now have a tendency to spill and allow an amount of volatile compounds to escape into the air. As part of the kick-off, prior to the ozone season, this is a way to get the message out. We are looking at about a thousand cans. In a few years, this will be the only kind of cans on the market. This gives the folks a heads-up. The second component is a program to provide information, advertising the means and especially target all of the ozone action days. Educating them as to when to mow the lawns, fueling cars later in the day, ride sharing, using public transit. Citilink is providing free fares on those days.

Paula Hughes: Council, are there any other questions? One question I have is that recently in the news, Allen County lost one economic development opportunity because we did not have did not have the attainment levels needed for our air quality. This is a very timely request on your part. Councilman Miller?

Cal Miller: How was that lost? What does no-attainment designation cause for Allen County and the economic development?

Dan Avery: I am on the transportation side so I don't fully understand it. The air-permitting process is much more complicated in a non-attainment area than a maintenance area.

Paula Hughes: Mark Royse maybe. My understanding is that because Allen County is at this level. We have a number of credits that we are allowed and our companies each use designated amounts some have more than they need. As a county, we are allowed to put only so much pollution into the air. That is restricted by the non-attainment zone.

Mark Royse: The way to get around that is to have a company that has an excess of credits to give those to a company that needs some. So they become a commodity in the open market. They can be for sale. Even though a company may have excess credits, what value are those credits. Some companies refuse to give away any credits because of future expansion plans, whether in writing or not. General Motors is a perfect example of that.

Cal Miller: With respect to the lost opportunity, Louis Dreyfus, was that driven by not enough credits left or they didn't want to wade through the onerous permitting process?

Mark Royse: My understanding was the permitting process.

Roy Buskirk: There were some permitting delays and they didn't want to go through that. One thing is, this is based on a three year average and we have to get down so that we do obtain it. We need to get the approval and get taken off the list. It is possibly July that we are taken off the list.

Dan Avery: The petition is currently being prepared. There is a conference call later today to clarify. The petition should be submitted to EPA within the next 45 days with a public comment period starting sometime this week then. It depends on when the EPA responds, that we would expect sometime next summer or early fall that they would re-designate us as a maintenance area which helps in the air permitting process and we are encouraged through EPA to do these types of actions. If we have exceedences, then there are some corrective actions taken.

Roy Buskirk: I do have the privilege of serving on the UTAB committee with Dan and the one thing I think we need to bring out is that we all participate, we have to maintain a level or go back on it. It is over a three-year average. Working on this committee is like doing ozone days, Citilink is adding on buses. Car idling is a big pollution item. Like sitting at a train crossing it is wise to turn your car off rather than sit there and let it idle. The committee is trying to improve intersections in order to keep the cars moving. Dan, I do have one question, how are we going to restrict the cans so that they go to Allen County residents and not other counties.

Dan Avery: We are looking at a location that will be centralized in Allen County. We could make it that they have to show proof of residence.

Paula Hughes: I think if they are driving in Allen County, they are contributing to the problem.

Dan Avery: The idea is to get the marketing out to the people who transport, even the surrounding counties, especially to the south and west. Typically, our problems have been there.

Roy Buskirk: Just one more comment. One reason why a couple of months ago, when the Building Department and the Highway Department was looking to buy some vehicles, I asked about the biodeisel because the County needs to be taking the lead on this. The City is already doing this with Citilink and they have purchased some hybrid vehicles to help. We need to take a step forward to cleaning the air.

Cal Miller: Is any portion of this reimbursed?

Dan Avery: 80% is reimbursable from Federal.

Cal Miller: Does the institution of this program get us on the maintenance program or is it all driven by the testing of the air?

Dan Avery: That is all driven by the numbers. It is a good faith effort. There is a continual monitoring of this.

Paul Moss: Do you believe, that you will request bids? Does the EPA have some protocols for the marketing? Can you say that this \$50,000 expenditure and the marketing effort will have a positive effect...not just from the perspective of meeting the criteria or to appease an entity but have a measurable affect on the air that we breathe?

Dan Avery: As to the first question, we are partnering with Citilink and an ad agency. There is a pool of resource dollars. As to the second question, it will help. It is tough to wrap your hands around it but we can do calculations on the gas cans. We can estimate how much would be saved. To change behavior patterns is not easy to measure. It is kind of like seatbelt laws. A lot of it is geared towards children who get the parents to alter their behavior. Recycling is another where the children bring the information home. The program has been effective in other areas.

Paul Moss: It is just more a philosophical issue to spend tax dollars to change behavior. Quite frankly, the people idling at stoplights should be ramped up as those types of efforts are a more logical expenditure.

Paula Hughes: I think any of this is a step in the right direction. Do you think this is going to be an on-going thing towards the attainment? It is education and public awareness.

Dan Avery: We need to take advantage of public service announcements and use as many of the free tools to get the word out.

Cal Miller: If this is going to be an on-going thing, could you please bring the data from the other communities so that we can see where there has been a reduction because of the campaigns? Then we can quantify the expenditures of the outcome.

Darren Vogt: I do understand the concept of education but changing behavior is a daunting task. But the issue is we lost an economic development piece because of the attainment and at some point we need to make this quantifiable to be held accountable for the fund.

Paul Moss: We have acknowledged that we will probably reach the attainment level.

Roy Buskirk: We have already reached the attainment level, we need to reach the maintenance level. We want the state to recognize it. We need to do this kind of programs so we can maintain or we will be back on the list.

Dan Avery: Once you have reached non-attainment, you do not switch to attainment. You switch to maintenance and they watch very closely so that we do not slip. Out of 1.3 million dollars a year that is towards projects, there is only \$120,000.00 for promotional things. The substantial part of that is for Citilink to promote the free days. Most of the dollars are going for signal timing, trail projects, intersections, etc. Most is going to capital infrastructure.

Paul Moss: Mark, is it your feeling that we lost out on the Louis Dreyfus primarily because we didn't have a marketing program in place?

Mark Royse: It was major part of it but not the only reason.

Paul Moss: Is the marketing campaign the primary reason that we were put into a maintenance status? People are inferring that we lost the Louis Dreyfus because we didn't have the marketing campaign in place. I don't think there is a one-to-one relationship there.

Mark Royse: There were changes in the standards too.

Roy Buskirk: It is made up of many different things, Paul. It is not just the education.

Darren Vogt: I would like to see how many people they had over their normal usage. I would rather put that money into the infrastructure versus education if it didn't create the increase in ridership.

Patt Kite: Public education and awareness is effective everywhere. If you look at the seatbelt campaign that has gone across the United States, compliance with the seatbelt laws has increased greatly because of awareness of what can happen. Here the compliance is probably 80% or better. And that is all due to awareness.

Paula Hughes: Is that a motion?

Patt Kite: With that, I move to approve items two and three in the amount of \$60,000.00.

Darren Vogt: I second it.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion passes 6-1-0 with Paul Moss being the dissenting vote.

Paula Hughes: Moving on, who is here to talk to us about the CASA Grant?

Rex McFarren: Rex McFarren, Director of the CASA Program. I am here to request additional appropriations into salary line items due to the reclassification of the CASA Specialist position from PAT II to PAT IV. This is coming out of the state grant so no additional money is coming from the General Fund.

Paul Moss: It has been a long time since we talked about this but wasn't there an individual in this position for a long time and for whatever reason, they are or were leaving and you needed to re-evaluate this position? They had some responsibilities that had not been recognized in the previous description.

Rex McFarren: That is correct. Given the national standards and the way that the position developed, there needed to be a different job classification.

Paul Moss: I move for approval of the Casa Items 4, 5 and 6 in the amount of \$7,935.00.

Darren Vogt: I second it.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0.

Paul Moss: I move for the amended salary ordinance, for the Casa Specialist from a PAT II to PAT IV effective March 16, 2006 for \$39,560.00.

Darren Vogt: I second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed say same. The motion has passed 7-0.

Paula Hughes: I am going to ask both Mr. Brita and Ms. Hudson to come up at the same time. They are asking for the same thing for the young and the old.

Joe Brita: We are here to ask for funds into the Serious and Violent Reentry program. This is the third year of this grant.

Sheila Hudson: The State Department of Corrections is the fiscal agent for this grant and the juvenile department and the Community Corrections adult has separated it almost equally over the last three years.

Roy Buskirk: What is going to happen next year?

Sheila Hudson: I knew you would ask that so I called Shaun Murray and asked him where the Reentry Bill was and he said it was signed by the Speaker and is on its way to the Governor. The DOC is committed to funding reentry programs because they agree that is where the diversion is. And that is where the Community Corrections dollars will be spent.

Roy Buskirk: That is great news. Sheila's program is a model in this country. I am in the midst of a study of recidivism and don't have all the data but ours has dropped at the juvenile level.

Paula Hughes: Council, are there any other questions for Items 7 through 29?

Cal Miller: Move for approval of Items 7 through 29 appropriating Juvenile and Adult Serious and Violent Reentry programs in the amount of \$156,058.00 and \$143,942.00.

Paula Hughes: Do we need to make separate motions?

Darren Vogt: No, we can put them together.

Paul Moss: Second

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. We also have a salary ordinance.

Cal Miller: We have three salary ordinances for the Transition Coordinator, Reentry Court Case, Manager and the Magistrate to the amounts of annual salary of \$34,096.00, \$32,571.00 and \$46,301 respectively.

Paul Moss: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0.

Sheila Hudson: I would like to introduce Bennie Lewis. He is a full-time employee with the City and is also the coordinator with the Weed and Seed Program. Up until the last couple months, Community Corrections has been the administrator as well as the fiscal agent for the Weed & Seed Effort. Since Bennie has taken over the initiative, he and we feel that he needs an assistant to help with the additional work.

Paula Hughes: Council, any discussion?

Cal Miller: Move for the approval of Items 30-32 in the amount of \$17,742.00.

Darren Vogt: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. There is a salary ordinance request.

Roy Buskirk: Motion to approve the part-time salary ordinance from \$32.50 to \$40.00.

Lisa Blosser: No, it is a range from \$9.00 to \$40.00.

Mike Cunegin: I second the motion.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion passes at 6-0-1 with Darren absent.

Mike Cunegin: Madam President, Ms. Hudson, don't go anywhere. I have a question for you. First of all, thank you for all you have done with the different entities. At the state level, I am catching a lot of things from Mr. Donohue concerning some dollars for prisoners coming home. Off the record, do you what those amounts may be?

Sheila Hudson: I am working with parole services and how we can collaborate with Community Corrections and parole. We are in the beginning of talks with components for programs for reentry and bringing in money for electronics. I don't know the dollar amount.

Paula Hughes: Moving on to Item 33. Mr. Buskirk, want to talk about the Local Road and Street request?

Bill Hartman: Good morning, I am Bill Hartman with the Highway Department. We had a reimbursement from the Grabill Road project in the amount of \$22,400.00, Leo-Cedarville in the amount of \$35,000.00 and the Union Chapel Road project west of I69 where we installed a water line for the City and the reimbursement was \$136,000.00. This went into the LR&S cash and I would like to transfer that into a line item for resurfacing.

Roy Buskirk: On resurfacing, what is the cost from last year to this year for asphalt?

Bill Hartman: Probably about \$10.00 a ton. We haven't bid that item yet this year but we have heard that it is going from \$40.00 to \$50.00 a ton. We had an appropriation from last year to add in to the resurfacing for this year.

Roy Buskirk: So resurfacing would run \$75,000.00 or something per mile for the additional cost from where it was last year.

Darren Vogt: How many miles of road to you resurface on an annual basis?

Bill Hartman: This year we are only going to be doing about four and a half miles. In the past, we have done as much as thirty. As you know, our CEDIT funds have diminished. That was usually used for construction and resurfacing. We are trying to keep our level of service up on chip & seal.

Roy Buskirk: One thing I don't understand here is this is a transfer of funds?

Tera Klutz: It is an addition from a cash line. A lot of people don't understand that they are appropriating. They think it is just a transfer from a cash line item.

Roy Buskirk: If there are no other questions, I make a move that we approve Item 33 in the amount of \$150,000.00.

Mike Cunegin: I second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. The Wireless Emergency Telephone System.

Alex Wernher: Morning. I am Alex Wernher, the GIS Director. This appropriation is for funding for Kuchera International to upgrade the 2003

aerials. It will be done with six-inch resolution and we will be using a digital camera which will be collecting color photography as well as infrared photography. It will help with water studies and flooding. It will identify wet areas. The cost of the contract is \$155,000.00 but the appropriation is for \$160,000.00 because in the past they have had additional products that we could enhance for better quality.

Paula Hughes: As a member if the iMap board, this is a part of the ongoing effort to keep the system current. Three years is the longest you would want to go between photographs.

Cal Miller: So the money is to take the photographs or purchase the new camera or both?

Paula Hughes: It is paying someone to take the photographs.

Cal Miller: And these photos will be taken with even more enhanced technology? That it has infrared and the others didn't.

Alex Wernher: Correct.

Cal Miller: What benefit will that be in flooding to be able to assist you in finding depths?

Alex Wernher: It will identify the low areas. Wherever there is water, in the soil, rivers, etc. and how much the watershed is rushing off.

Paula Hughes: Councilman Moss.

Paul Moss: Can you help understand why this is coming out of the Emergency Telephone System? Is it just tradition?

Alex Wernher: Actually, the resources from this fund were collected from the state as a reimbursement. Commander Stevens pursued a grant back in 2003 for counties that had developed GIS systems. By collecting aerial photography and determining street centerlines, she was able to get approximately \$400,000.00 of reimbursement.

Paul Moss: So that is actually part of that system.

Paula Hughes: Any further questions?

Darren Vogt: Make a motion that we approve Item 34 in the amount of \$160,000.00.

Patt Kite: I will second it.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you.

Darren Vogt: Youth Service Center.

Mike Cunegin: As the director comes before us, there will be another vehicle. This vehicle request is \$18,683.00. The funds are not coming out of County General. They have a placement fund which use from Allen County money is generated in that fashion. The vehicle will be used by all three facilities on the property; both the homes and the emergency care.

Chris Dunn: Good morning, Chris Dunn, Youth Services Center.

Paula Hughes: All of your vehicles seem to be breaking down at the same time.

Chris Dunn: I try to replace them as this happens so that we don't have too many in the same year. This one had over 170,000 miles on it. I have copies of repairs made. The replacement currently has 80,000 miles on it.

Paula Hughes: Councilman Buskirk.

Roy Buskirk: Do you know will this vehicle be able to use E85 gasoline?

Chris Dunn: No, I do not.

Roy Buskirk: I think that is something that we need to seriously checking into the option of.

Darren Vogt: We don't have that available.

Roy Buskirk: Yes, we do have E85 in the County. At Coldwater Road.

Patt Kite: But we don't have it with the County.

Roy Buskirk: Oh yes, you're right. But it is here in the County and could be made available.

Darren Vogt: Have you looked to see if a diesel would work for you?

Chris Dunn: The state is where I get these and that dealer is in Bloomington. Then we take what price they have the vehicle listed at and we send a letter to six local dealerships and see if they can beat that price. I only had three responses. Mendenhall Roy in Grabill came back with a vehicle at \$27,000.00. The Dodge dealership here in town came back with a Sprint which is a diesel. The Service Center says that the way we use our vehicle, a diesel would not be a good choice because of the stop and go all day. My other thought was, but we only get three extra seats and we would be spending an extra \$10,000 to \$15,000 more for the extra seats. We'd be purchasing a 12-seat vehicle. I would love to have the 15-seats but do you want to spend that much more? Also, looked at buses but again, we are getting a van for \$18,000 and buses start at \$39,000.00. If I went anything over three more seats, I would have to provide licenses for all of the staff at our cost.

Darren Vogt: I appreciate your homework. It seems you have done a very thorough job. Just trying to think of the best scenario but didn't think about the start and stop and how a diesel wouldn't work for that. I make a motion that we appropriate \$18,683.00 in Youth Services Center Placement Fund.

Mike Cunegin: I second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you, Mr. Dunn. We now have a request in the ACP User Fund.

Judge Fran Gull: Fran Gull from the Superior Court Criminal Division and Kim Churchward of the Criminal Division Services. We are requesting a total of \$3,500 to be appropriated from the ACP User Fees. Back in December, we were awarded a \$2,500.00 grant from the Indiana Supreme Court Division of State Court Administration for drug court. We had intended to use that money for incentive gifts for our clients. We have the 100% Club to reward clients who have been in compliance for 30 to 60 days. They get a very small token of our appreciation for maintaining sobriety and making all of their appointments. Basically, what we do is purchase gift cards from groceries, restaurants and local merchants. Obviously we put a restriction of no drugs or alcohol. We use these to thank them for doing the things that we ask them to do. To the clients, they fight to get into the 100% Club. The other \$1000.00 is from the Christmas Bureau. When they do their accounting at the end of the year, they always have some money left over and the board gets together and decides who they would like this excess money to go to. Last year, we were fortunate to be the beneficiary of money. They have asked this year that we use that money for our drug court graduations in June and December.

Paula Hughes: Council, any questions?

Paul Moss: I move for approval of Item 36.

Roy Buskirk: I second it.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you.

Fran Gull: Can we talk to you about the Interpreter Grant? I know this is out of order.

Paula Hughes: Absolutely.

Roy Buskirk: While they are coming up, are you in the new building yet?

Fran Gull: No. We are in the process of completing the remodeling. All of the floors have been framed and the drywall is up on the fourth and third floors. I am looking at May.

Tim Miller: I am Tim Miller, Circuit Court Administrator.

Fran Gull: We have in the past, along with Circuit Court, applied for money from the state for interpreter expenses. As you know, our interpreter expenses have just exploded. We are seeing a large number of non-English speaking individuals appearing in both courts. We are asking for permission to apply to the Indiana Supreme Court grant for interpreter expenses. We have been splitting it between courts depending on how many each court has coming into the courts.

Paula Hughes: Council, any questions?

Lin Wilson: I would like to point out that we don't know how much the amount is going to be yet.

Darren Vogt: So you will have to come back for the appropriation once we know the dollar amount?

Fran Gull: Yes. We make the application to them and based on how many courts systems apply. We try very hard to use only certified interpreters but there is only one in Allen County. The counties that are making the effort to only use certified interpreters and to get local interpreters certified. We tend to get more money than some of the others.

Mike Cunegin: Allen County is becoming very diverse.

Darren Vogt: Make a motion to approve the application for the Supreme Court Grant for interpreter expenses.

Mike Cunegin: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 6-0-1 with Paul Moss absent. Thank you.

Tim Miller: There is an additional grant request that didn't make it onto the list. Unfortunately, Judge Felts is on the bench right now so I am requesting that we delay this one until the end of the agenda.

Paula Hughes: Sure. And if I forget, just wave your arm at me. We are to the Transfer in Reassessment request.

Pat Love: Good morning. I am Pat Love, Allen County Assessor and this is Bev Zuber, Chief Deputy.

Bev Zuber: We are requesting the transfer of funds from the supply line into the service line. We would like to change the amount from \$110,000.00 to \$100,000.00 leaving \$10,000.00 still in that line. There was misunderstanding in the computer software and what we thought should have gone there.

Paula Hughes: Okay.

Darren Vogt: They are just clarifying the budget process. They put the money in the wrong line to pay for an expense that is already out there.

Roy Buskirk: No change in how you intended to use the money. I make a motion that we approve the transfer of funds, Items 37 and 38, in the amount of \$100,000.00.

Darren Vogt: I second it.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Mr. Wernher. I am sorry I should have done this one when you were up here earlier.

Alex Wernher: This is just a request to transfer some funds from the maintenance line item to pay for a part-time staff. We typically have interns in the summer and I had an intern working into the fall and the funds have been depleted. I would like to replace those funds.

Darren Vogt: What is going to suffer in the maintenance agreements that you had budgeted for you are going to not do?

Alex Wernher: My maintenance agreements are completely paid out except for one. I over anticipated what I would need for this year because I thought the maintenance would be higher than what it was.

Paula Hughes: Council, any further questions?

Roy Buskirk: Yes, since you are here. I have a question concerning the GIS Fee. I am not exactly sure of what I am asking. The County is now issuing a fee on the GIS System?

Alex Wernher: On the website?

Roy Buskirk: Forty dollars, forty-five dollars?

Paula Hughes: Subscription access to the website.

Alex Wernher: There are several fees. One is digital data. They can buy the data and put it on their own systems. This fee is the web access fee. It allows people to take advantage of queries in searches as well as accessing property record card information and the Auditor's tax roll file. It is for the convenience of having access to the data 24/7.

Roy Buskirk: And that is forty dollars a year?

Alex Wernher: No, it is forty dollars a month. That is the rate to pay for software and hardware to provide this service.

Paula Hughes: This is part of the package when iMap was initiated. The promise was made that iMap would be self-funding and it would be through fees for the increased convenience. iMap is just gathering data that is not available in other county departments. It is incredibly easy to use and the quality is amazing.

Cal Miller: What has caused the hope of being self-funding to not be realized?

Paula Hughes: We are not seeing the subscription levels that we had hoped for. Not as many people are willing to pay for the service. It does not look like iMap will be self-funding. The county iMap and the city GIS are actively pursuing conversations about a merger between those two departments. This would allow the county to continue with the quality it has and allow the city to begin to use the same quality.

Cal Miller: Does the city have its own version?

Paula Hughes: They do but it is not the quality. The level of accuracy is not there. The county is within six inches of accuracy.

Cal Miller: Are they an active user of the county's iMap system?

Paula Hughes: Not at this point but they would like to be.

Cal Miller: Is this a matter of some negotiations with them?

Paula Hughes: Yes.

Cal Miller: Wouldn't it make sense to eliminate an inferior system and convert to our system?

Paula Hughes: It is not that easy. They have layers built into their system that would not instantly convert to the county system. The city said it would cost about a million dollars to convert to our system. But we are moving forward in the conversation.

Cal Miller: Who is involved in the conversations?

Paula Hughes: Members of the iMap board, Commissioner Bloom, myself, Alex as the chair of the department. On the city side, Clifford Clarke, is their technology, Kevin Holly, John Urbahns.

Cal Miller: If they were willing to invest the million dollars to convert those layers on what appears to be a superior system, then how soon would that pay for itself by eliminating their system? Wonder what the cost is for their system.

Paula Hughes: I don't think there would be a cost savings. It would just be better information and more accurate. There might be an elimination of staff. The city doesn't staff the GIS system as heavily as the county does currently.

Alex Wernher: They have five and two programmers. We have five total.

Roy Buskirk: Do they have additional information on their side?

Paula Hughes: They have information that is not the same as what we have. They have City Utilities and city zoning is on their site. That could be moved but there would be additional expense.

Cal Miller: Would there be a need to maintain two systems?

Paula Hughes: They don't spend the money annually for their system because they are not as concerned about the quality of the system.

Roy Buskirk: So then all they would have to input into our system is the utility information.

Cal Miller: They could pay for the transfer and it would eliminate their department.

Paula Hughes: Council members, I can assure you the negotiation team is considering all of these questions.

Patt Kite: I will make a motion to approve the transfer of Item 39 for \$2,000.00 to Item 40.

Mike Cunegin: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you, Mr. Wernher. Clerk Brown?

Therese Brown: Good morning County Council. I am Therese Brown, Clerk of Allen Superior Court. I have before you this morning, a salary ordinance for a COMOT 3/2 with an annual salary of \$25,301.00. The situation that this involves, I presented an allocation for a PAT 3 position but I wasn't sure if I would need that position. The state has taken over a good portion of the income withholding orders for individuals receiving child support. Because of that, I have merged the finance division with the child support division to be one financial division. My intent is to transfer that money from that position to a COMOT 3 division. As you know we scan a lot of documents and do research and I currently have three people in that job description and want to add a fourth.

Paul Moss: There was some discussion about this in the Personnel Committee. They were in agreement with this.

Cal Miller: She said she will be relaying a head's-up to the Council as the Superior & Circuit Court are evaluating on-line dockets, electronic filing. The Supreme Court had to tell them which vendors they could use before they could go out and get bids. We will find the courts coming to outline the phase-in of the process. There will be a prioritizing of which documents will be scanned and what phases and what cost. They will be letting us know what is on the horizon. Then we can make the assessment of what should be funded.

Therese Brown: Ultimately, the goal is, by the time we choose the vendor, we would have a percentage of documents that the individual would use and would actually see what is needed to be done. I have a responsibility to make sure that these documents are preserved.

Cal Miller: By presenting us with a phase-in of what Therese thinks would be a priority then we can decide what funds to the extent it would be appropriate use of the taxpayers money. Look forward to getting that.

Roy Buskirk: Move for approval of salary ordinance for the RJO III with a salary of \$25,301.00.

Paul Moss: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0.

Mindy Waldron: Mindy Waldron, Administrator for the Department of Health. The first thing is for a salary ordinance for a full-time Medical Assistant in the STD Clinic. The fund for this is the Tobacco Master Plan Fund and it is for a salary of \$25,301.00. The other position is for a Licensed Practical Nurse to work in both the STD Clinic and the Infectious Disease Center. This is also with the Tobacco Master Plan Fund with a salary of \$32,952.00. Both positions are currently part-time.

Darren Vogt: I have a question on the Tobacco Settlement Plan. Does that money every run out?

Mindy Waldron: There is a potential for that. It has been decreasing a little each year.

Roy Buskirk: Some of that funding is the settlement that was reached and not the taxes on cigarettes, right?

Paul Moss: That's a good point. So how much money is in that statewide fund?

Mindy Waldron: I am not sure how much money is in the state fund but a certain amount goes to all county health departments based on size of which we are second largest so our increases have been more substantial than some of the smaller counties because it is a straight percentage cut. I have not heard anytime soon that the funding would end.

Paul Moss: That is a good point. These two positions were talked about at the Personnel Committee some time ago and this is part of the reorganization. This is something I think we should be supportive of because the overall objective of the reorganization makes sense and is the way we should go. With that, I move that we approve the salary ordinance for the LPN in the amount of \$32,952.00 and the Medical Assistant in the amount of \$25,301.00.

Roy Buskirk: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you.

Mindy Waldron: The first request is to apply for the Indiana Tobacco Prevention and Cessation Grant for up to \$60,000.00. This is something we were made aware of just two weeks ago and have been checking to see what we could use it for. There is the potential to use it for an actual coordinator for an educational program. Our intent is to be more of a youth-based program within possibly the high schools.

Paula Hughes: So, you think public education would be useful?

Mindy Waldron: Yes, I absolutely do. That is all I have on this one. Lin Wilson has more of the specifics.

Lin Wilson: Lin Wilson, Grant Writer. The other avenue is to encourage smoking cessation for the Allen County employees. We have 1800 employees and there is the possibility that we could tie this in to Just for the Health of It fitness program. We have a four-prong approach to the Governor's health fitness program. One of them is to quit smoking, one is to eat five fruits and vegetables a day, exercising, and I can't remember the others. With the schools, we can work with the schools or after-school programs. It is going to depend who we can get memorandums of understanding from. We can ask for more than \$60,000.00 but we would have to have a match.

Paul Moss: Where do these dollars come from?

Lin Wilson: From the Indiana Tobacco Prevention & Cessation Fund.

Paul Moss: Is that part of the tobacco settlement?

Lin Wilson: Yes, it is. That entity is established by Indiana Code which has a board of directors and the money is dished out by state statute.

Paul Moss: But it is essentially tobacco money.

Lin Wilson: Yes.

Mindy Waldron: But it is for education only. What we get is from the Tobacco Master Plan can be used for education and also can fund health care positions.

Paul Moss: Well, I am all for that. Just to clarify if it is tobacco money that is used to reverse that kind of behavior.

Mindy Waldron: The second grant, if there are no further questions on the first one, is a request to apply for the Maternal Child Health Grant from the Indiana State Department of Health. This amount has not been determined. We were made aware that we were eligible to apply and will be doing so before the next council session.

Lin Wilson: The funding level is not for a certain amount. There can be a range for the needs that are requested. Indiana has the highest rate of prenatal smoking. The other is the barrier to access for care. It can be language related, or ability to get to health clinics. There is a 30% match required but that can be in-kind by using Dr. McMahan's salary prorated and office space required.

Paul Moss: Neighborhood health clinics, do they apply for these also?

Lin Wilson: Not typically. The only other one I know of who may be applying would be the St. Joe Community Health Foundation. They potentially apply for it but it is a tedious federal grant to apply for.

Paul Moss: So, let's say you get the grant for whatever amount, you would then develop a program to address these issues?

Lin Wilson: It could be for childhood obesity or any issues that affect Indiana Hoosiers.

Paul Moss: What if there are already some clinics addressing these issues. Should we be reinventing the wheel or work with coordinating with the other clinics? Could we help fund them somehow?

Mindy Waldron: We do partner with them especially in the Infectious Disease Center on the prenatal end as well as the TB and the pediatric doctors. We would be doing similar programs. We don't know exactly what we would be doing because we just learned Tuesday of this. We would be partnering with them and it would be to bulk up what they do. We would add to what they do.

Mike Cunegin: Kind of piggy-backing on what Ms. Waldron and Ms. Wilson said the Board of Health has done a wonderful job on collaboration with the non-profits in the community.

Roy Buskirk: There is a match on this right?

Mike Cunegin: 30%

Paul Moss: Move for approval the grant request #1 in the amount of \$60,000.00 and for grant request #2 in the amount to be determined from the Indiana Department of Health.

Mike Cunegin: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you.

Mindy Waldron: A minute of your time to ask permission to come before you at the next meeting with some of the other partners, such as Randy Brown, Commissioner Peters to discuss the bird flu pandemic issues. There is a potential for this to come here. Some of these groups are preparing for an actual plan and some of them have a financial impact. We would like to talk about some of the issues that would be coming before us should this arise. We want to give you an update on this and talk about some of the financial concerns that we would have.

Paula Hughes: Sure. Are you standing in for Mr. Linnemeier?

Lin Wilson: Yes, to address the grant for Lake Township. This is for the Arcola Volunteer Fire Department. This is for a natural gas powered generator. They have nothing for backup in case of a power failure. The other advantage would be in the case of an emergency shelter. The natural gas

would be more efficient than relying on gasoline because if there was a major power outage, you wouldn't be able to pump the gasoline. This is on the list for the national standards. Last year, they were awarded \$101,000.00 for getting their personal equipment up to standards. There is only a 5% match which Dan Linnemeier will contribute.

Paula Hughes: Council, any questions?

Paul Moss: How many fire stations do you think have this back up?

Lin Wilson: I have no idea. It is highly recommended. They want you to have a backup system and now they are even talking about an exhaust system for when they bring the trucks back in from a run, it will move the exhaust out of the building.

Roy Buskirk: Do you notify others? There is more than one grant going to be accrued, right?

Lin Wilson: There will be lots of people. There are 8 to 10 grants applied for every year.

Roy Buskirk: I am just concerned that the other volunteer fire departments in this county are aware of the opportunity and who should contact them.

Lin Wilson: They know. They all know about these. This money has been out there for five years. Everybody tries for something.

Roy Buskirk: So Hoagland, Monroeville are all applying for it?

Lin Wilson: They go for it when they need something. 5% match money, everybody wants some of that.

Roy Buskirk: I make a motion to approve this grant application.

Cal Miller: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you. Judge Felts?

Judge Thomas Felts: Good morning. Thank you for accommodating me, this morning. I am Tom Felts, Superior Court Judge. I am asking for your blessing to have Allen County participate in the Family Court Project. It has been around since 1999. They do this in waves and we are trying to be in this

wave. Family Court is about letting family court decision makers make better decisions. To get as much information as possible about the family that is appearing. To better make decisions about that family member and any related cases that may involve this family in other courts; both civilly and criminally. We do kind of well now because we communicate well together between judges. Family court project will make it more formalized. This is a way to tweak our system. First is to help with the information gathering. The computer systems don't always talk to each other. By having the available information be more efficient, such as a divorce case with another member of the family being involved in the juvenile or criminal court, I would know that. Second, the Supreme Court has mandated that there be uniform rules by January 1, 2007. This will give us an opportunity to unify the family court rules. Third, Judge Pratt is the point person on this project. It is intended to facilitate this in Tim's cases but also to Judge Sims in paternity cases. Paternity is an area that Superior Court has jurisdiction over and if we can get this going, it would make us more efficient in this area. \$40,000.00 application with no match. If we use this money wisely, it shouldn't need any additional funding. Great opportunity to have someone else make our systems more efficient for us to then continue on. Tim Miller is the detail person on this project.

Paula Hughes: Council, any questions?

Darren Vogt: Is this an independent contractor coming in to consult or is it more software related?

Tim Miller: In a couple ways, we would use an independent contractor to help us pull the rules together and not use the current staff. Then once we decide how we want to do the information share, we would contact Phil Pease to labor through that process. We could work with ACS resources.

Paula Hughes: Councilman Cunegin?

Mike Cunegin: I am sorry. Judge Felts, I want to thank you for the conversation and know that you and Judge Gull are talking and working well together.

Cal Miller: Move to approve the grant for the Family Court Project.

Paul Moss: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Thank you. Now, Councilman Miller is next on the agenda.

Cal Miller: Just to give a background. Councilman Vogt and I met with Commissioner Irving and Judy Heck to look at the issue of attorney fees. We wanted to see if we were spending the dollars in the most effective and financially responsible manner. The county lawyers are very fine lawyers and at the top of their game. They bring a lot to the table. After talking, the only take-away from that meeting was that the commissioners are concerned that any change in the system, because of the diverse and complex legal issues within the county, that it doesn't appear that it could lie with one person. With that information Councilman Vogt and I conceived some scenarios. When you look at 2005, that was about \$816,000.00. You need to add to that they also spend \$102,000.00 for PERF, FICA and benefits for the eight lawyers that the county employs. In 2005, the total was \$920,000 approximately. We made some assumptions. We are spending an hourly rate of \$150.00 which means 5,442 billable hours, give or take. Each of you were emailed a letter, without comment, to review in advance of the meeting. The one that is most interesting is if the county was to hire one staff attorney for the tax collection program instead of using the law firm that generated \$120,000.00 last year, it could easily fund that one staff person. If you brought in someone with two or three years experience, then that person would have 50-75% of their time available after the tax program to do other work. Plus, an additional savings of about \$180,000.00 for the 1,200 hours would not be billed to an outside counsel at a rate of \$150.00 per hour. There is a great deal of credibility to that scenario. The fact is that this may be something to help with the Sheriff's tax collection or sale, which can be an even more profitable endeavor. This is by no means a comprehensive analysis of what the legal needs are of the county. It is though some things we could do by hiring a lawyer or two that would serve the county more economically and efficiently and more financially responsible. It would also leave the county to be able to employ the diverse set of attorneys that they need to. It is with that, that we have sent the letter to you. If you are willing, please sign the letter and we will present it to the commissioners as a framework for discussion.

Paula Hughes: Councilman Moss?

Paul Moss: It is a pretty comprehensive letter and I appreciate the effort that you and Councilman Vogt put into it. I have had some conversations with the attorneys and have felt all along that there is an opportunity for some savings. I feel this is a very unfortunate and telling circumstance that we are in and having to do this because the roles, in my mind, are reversed and this should be coming from the commissioners and not us forcing the issue with the commissioners.

Cal Miller: If I may, I think the commissioners are willing to discuss this. As the fiscal body, our roles appear to be straight-forward, we appropriate funds. But there is so much more involved in spending the taxpayers' dollars. I don't view this as an inappropriate issue with the commissioners. It is driven by the bottom line.

Paul Moss: I am in agreement. I am just expressing frustration that it gets to the point that we have to take this step. This should have been addressed a long time ago. At the end of the day, what do we as a Council do to impact this? Do we say, "Here is the number that we can attach to this"?

Cal Miller: We did discuss that and the radical solution is very different from how we approached the budget in the last three years. But the radical scenario, I think the Council has the ability take out all of the part-time attorneys out of the budget. We could align all of the attorneys' fees that we think are appropriate and have those individuals come before us for those projects. I have no interest in being the overseer in that radical project and don't believe that should be our role. I believe the issue will be given its due consideration with some adjustments made that address the commissioners' need for that diverse talent while allowing staff attorneys handling day-to-day issues.

Darren Vogt: And there are less radical ways to do it and keep within our framework and allow the attorneys fees through the commissioners and let them handle it and determine if that is the way we want to go. The scenarios are all looked at from our best financial interest. We get criticized for meddling sometimes in the affairs of other elected officials but our role touches every elected official as the fiscal body. We have to be cognizant of that and if we see areas for improvement, we need to bring that to the forefront. Sometimes it is easier being on the outside, looking in, and seeing areas that need adjustment. At the end of the day, the department head, who knows their job more than we do, says that this is a great idea however, here are the flaws in that idea. The impetus behind this Council is that we spearhead those conversations and that is the legitimate role of any fiscal body in any organization. I will continue to look at these things and analyze them. This is not questioning the quality of work that these attorneys are providing this came from a dollars and cents conversation analyzing the numbers together to come up with some scenarios that potentially make more sense. We need to continue to move forward with these conversations.

Paul Moss: And I am in agreement with that and never inferred anything different. Just, again, expressing my frustration.

Cal Miller: There is a letter coming around for signature, I don't think we need to make a motion on it.

Roy Buskirk: I think that is one thing with the Council being the fiscal body, we have been criticized for getting involved in things outside of the Council's realm. One of the things is legislation. But it involves the fiscal body in many ways. The Auditor's office is involved in determining how some of the bills from this last session will impact the proposed budget process. I think it is the responsibility of this Council to be aggressive in legislation in trying to give our constituents' opinions to our legislators.

Paula Hughes: That is an excellent segue into our next topic. I would ask Shaun Murray, the commissioners' Legislative, I am not sure what your exact title is. Shaun, introduce yourself, for the record please.

Shaun Murray: Hi, I am Shaun Murray, Legislative Liaison for the commissioners.

Paula Hughes: I asked Shaun to join us this morning to give us a brief overview. And remember, the session ended at midnight on Tuesday so he hasn't had a lot of time to prepare. I asked him to tell us about the legislation that will affect the fiscal body of Allen County.

Shaun Murray: It took four major bills to directly affect county government. Perhaps you have heard of Bill 1001, Senate Bill 260. Child Welfare was taken out of 1001 and moved to another Senate bill and 1001 was watered down. Senate Bill 260, what you see here is pretty much accurate as possible. One of the major things in 260 is on the levy banking. What happened in 1001 didn't meet the direct property tax. I am going to turn some of this over to the Auditor's office. Tera?

Tera Klutz: Sure. We are talking about 260? I think some good news is the possibility of reducing our property tax and when we do that, we can bank that. Also, one thing that will help us as a county to collect 100% every year of our property tax levy is that when we look at appeals, we can adjust the assessed values before the tax rates are certified for a conservative estimate of what the new value will turn out to be and the tax rate would reflect what it should have been had the appeals come before the tax rates were set. Another good thing is that now when we collect delinquent property tax that will no longer count toward the 100% levy collection.

Paula Hughes: It was almost a disincentive before.

Tera Klutz: It helped us get close to the 100%. Now if we would have needed more, we could have appealed for a larger shortfall. Those were the best changes to the levy controls that I could find. There was a lot of property tax legislation in House Bill 1001 and Senate Bill 260 that will affect our office.

Shaun Murray: One of the things in 1001, next year's legislature will make plans for that replacement revenue. Whatever that mechanism is, it is up in the air but that was a promise from the floor. Guaranteed that they would find some revenue sources. What those are, I have no idea.

Lisa Blosser: We can finally eliminate the dog tax.

Roy Buskirk: The state eliminated that.

Lisa Blosser: The County Auditor does collection for that. We are quite happy about that. It is a labor intensive process. The county didn't get any of the five dollars. It went to the state.

Roy Buskirk: But the townships will still have dog tax, right?

Mike Cunegin: No

Tera Klutz: The dog tax was once administered by the trustees and was supposed to be on every dog in the township. That money was used to reimburse anybody who incurred livestock damage from dogs or rabies. There have not been that many claims. Anything not claimed went to the state. We have the option to have a county option dog tax which we are not recommending at all. There is not a lot of damage done in our county.

Shaun Murray: There was a forty-five minute debate on the floor on the dog tax.

Roy Buskirk: So, there are no funds for loss of livestock? I am concerned about that. When I was farming, I had files on that.

Tera Klutz: There have not been many and they are not material and if we do have them, the county would be charged for paying for them out of unappropriated money. So the plan for us is to see how it goes.

Roy Buskirk: I understand. With the confinement of livestock and them not out running loose, you don't have near as much dog damage as what there was twenty years ago.

Shaun Murray: One of the other things is the 2007 trending offset. The homestead exemption has been all over the press. The LSA's numbers are used to track legislation. They are expecting 28% trending. They think property will go up 28% overall statewide.

Paula Hughes: They think property values will go up 28%?

Tera Klutz: The credit rate went up to 28%. The homestead credit is up 8% this year. What I think he is talking about is that they are raising the standard deduction to \$10,000.00 but there will be some increase.

Roy Buskirk: But again, with the homestead exemption you are just shifting that onto other properties, businesses, farming and rental properties.

Shaun Murray: When most of this stuff gets broken down and I gain a better understanding of it, I mean, I haven't slept yet.

Paula Hughes: This was a huge session for your first year.

Shaun Murray: There is no fiscal issue in a short session.

Cal Miller: Thanks for all your updates during this session.

Shaun Murray: I will update everyone. I have spoken to Tera and Lisa, about the property tax issue. As soon as LSA gets it to me, I will let you know.

Paula Hughes: Councilman Cunegin?

Mike Cunegin: Shaun, I am not going to hit you up on some of these because LSA is still trying to figure out some of the things that happened that night. I know that seeing Shaun down there, he worked extremely hard for this county and for a short session, this was a whirlwind of events. When you look at 1362 and Major Moves and some of the other things, it was just WOW! But thank you for the work you did.

Shaun Murray: On 1362, reorganization was a hot button that I kept on every day. This is the most historic bill to hit local government. The Association of Counties didn't even track this legislation. Basically, this bill in its current form does a number of things. It started out as giving two votes. One for the areas outside of the city, for example, Monroeville, it doesn't have to be involved in the whole city.

Roy Buskirk: So the unincorporated areas of the County?

Shaun Murray: However, areas like Monroeville,

Paula Hughes: But areas that were incorporated in other towns, like Grabill, would be.

Roy Buskirk: You mean in the voting?

Paul Moss: They would be included as part of the incorporated areas, correct? So the city and Grabill would vote if you had two votes. Is that what you are saying?

Shaun Murray: No. What I am saying is Fort Wayne couldn't consolidate with Monroeville unless Monroeville wanted it. But Monroeville's vote still counts for the whole county. They can vote as an unincorporated area and not bear the affects in their small area.

Paula Hughes: Why don't we talk about how it wound up?

Shaun Murray: The process of local government is consolidation initiated by either City Council or the county commissioners. That is one way. The second way is by 3,000 voters or 5% of the voters in the last general election. Following that, the petition gets certified. The legislative body, the commissioners, and/or City Council shall have a public hearing on the petition. Thirty days after the hearing, the legislative body can do one of the following. One is to decline the petition to reorganize; propose another reorganization or get rid of the entire thing. The session can die. One of the goals is to involve the voters. The petition at this time is signed by 10% on the ballot. It has the check but not from the beginning stages.

Paul Moss: Is it your understanding that in terms of the vote, the committee that is named would decide what that is? Or do the legislative bodies decide what the threshold is?

Shaun Murray: When the legislative bodies adopt the resolution...

Paul Moss: We'll assume it has been adopted. My point is, a new government has been formed and is already to go, who decides, the committee that is formed by the legislative body?

Shaun Murray: There is two ways. The legislative body has to decide one of two things. Whether the resolution will be conducted on countywide basis without a rejection threshold or conducted on a countywide basis with one. Once the decision is made, a commission is appointed. It still has to come back for the legislative approval.

Cal Miller: Ultimately, it is going to lie with the legislative bodies to approve the threshold, whether the committee recommends one or not.

Roy Buskirk: How does the legislative body, does the city council vote on it, does the commissioners vote on it separately?

Darren Vogt: Each unit would have to pass it on its own. The county would have to pass it and the city would have to pass it.

Paul Moss: I have a couple other quick questions. One is in terms of the reorganization, does this legislation provide us with the ability to effect some of the positions, such as the Auditor, does this legislation provide the power to make some of these appointed? Or are those set aside?

Shaun Murray: They are set aside.

Cal Miller: I think the Constitutional offices would be. Are you sure that the statutorily created offices can't be?

Shaun Murray: Yes, those can be. Throughout the bill there are a number of different titles that are used.

Paul Moss: Then constitutionally, that would be Sheriff and who else?

Lisa Blosser: The Clerk of the Courts.

Cal Miller: The Assessor is not. The commissioners aren't. The County Council is not.

Paula Hughes: I am sorry. I have to leave this session. I have another meeting to attend. Kathy Fleck and I met and she extended invitations to council members to do a tour of the downtown library. And also, I know that Mr. Peters wanted to talk to us about the building issue. There is one thing I wanted to make council aware of. There is a property that has been considered by the commissioners and the city. The acquisition of what is formerly known as Renaissance Square Building and there have been some conversations on-going and should be considered as we consider the relocation and new building situation for the Sheriff. So, I am not sure if Commissioner Peters has more on that topic or not.

Cal Miller: So with that, you would like to see whatever analysis would go with that?

Paula Hughes: I just want to make sure that that is considered.

Cal Miller: Before you leave, President Hughes, when are we discussing the priorities? Do we have a meeting set aside for annual pre-allocating or does that happen at the same time?

Paula Hughes: It has happened at the same time as the pre-allocation. Last year we did that in conjunction with the pre-allocation meetings.

Cal Miller: The reason I ask is it may be a little more complicated this year as we are in a position to engage in a real discussion about the passing of the budget that does not max out the property tax levy and therefore reduces taxes particularly given the change in state law. It is going to be a complicated discussion and analysis and wonder if we would benefit from a separate meeting on priorities and that so we can have the numbers going forward.

Paula Hughes: I think that is a good idea and should tie in with the feedback from the Strategic Improvement Plan that we are undertaking with the commissioners. So a separate meeting would be a good idea.

Cal Miller: Should we shoot for May sometime?

Paula Hughes: I think so.

Cal Miller: Then we can talk about it in our April meeting.

Roy Buskirk: On that, as far as the property tax and the levy, I think one thing we should look at, instead of doing the bridge bonding each year we should put them back into the property tax levy. We wouldn't have the bonding expenses and everything that we incur unnecessarily.

Cal Miller: It takes state legislation to get that reestablished.

Roy Buskirk: I don't think it does.

Darren Vogt: No, it doesn't.

Paul Moss: Just to keep us on track, does anyone have any other questions about House Bill 1362 or any of the other legislation that affected the county.

Darren Vogt: I will make one comment that I am going to pursue. I am putting forth dates for us to go out in the community to discuss this piece of legislation and find out what the rural resident has for issues. We need to get

their input on if it is a zoning issue for example. Is it a utility issue? Those are the kinds of things the commission will have to have and the sooner we engage those folks the more cooperation we will have.

Roy Buskirk: I would suggest you go along with the Commissioners' Night Out. That was brought up last night and they have a meeting tonight.

Darren Vogt: My thought is that the conversation needs to be focused on only that. This topic is too emotional and too passionate for some people to not have a clear voice on it.

Cal Miller: We should be holding those meetings for anyone in the county and not just the unincorporated areas. Before we head out, we need to understand the bill 100%. Even though we are not involved in the legislative decision making each of us has the position to use the County Council platform to weigh in on the debate.

Darren Vogt: And let me clarify that I didn't anticipate any of these meetings taking place before the end of April or the beginning of May. The legislation should be fully understood by that time. I am not running out tomorrow to schedule those meetings. They will be scheduled but far enough in advance to make sure that any council member can be there.

Paul Moss: Has the governor signed this bill?

Shaun Murray: No, it has been signed by the Speaker. It is just a matter of days.

Paul Moss: So when will it be effective and when can the legislative bodies say they can move forward with some sort of position?

Roy Buskirk: A lot of the bills take effect on the fiscal year, don't they?

Shaun Murray: Sometime in July, usually.

Paul Moss: Did anybody else have any questions for Shaun? Thank you. Commissioner Peters, were you planning on talking about the sheriff's building?

Nelson Peters: Yes. Good Morning. I am Nelson Peters, Allen County Commissioner. What I have distributed this morning is what we were left with during the last council meeting. Not only the options we were provided but with beefed up options that would give the Sheriff options for the future in regards to the building plans for the location at Lima and Carroll Road.

Option one would provide for 16,100 square feet with 14,000 of office space and 2,100 of garage for a cost of \$2,170,362.00 with a soft cost of \$434,074.00. Soft cost is anything not directly related to construction costs. Total cost would be \$2,604,436.00. We ran into a snag because we thought with what we brought you the last time, we thought we could get you option two for that price. Once the pencil was taken to the paper, we found that option was 2.6 million dollars but the soft costs caused it to be \$3,119,104.00. The 21,000 square foot I believe is the minimum amount that the Sheriff can inhabit in at this point with respect to his specific needs and I will let him talk about that in a minute. Option three was the plan that we sought after your counsel to go back and look at something that would be bigger and better and take us into the ten to fifteen year planning stage. That is a 39,000 square foot building that with soft costs would be about \$4,021,000.00. What I want to do real quick is show you some drawings. What you will see is the 21,000 square foot drawing. And you will see there is not a lot to it at this point. The next is the 39,000 square foot building. Or from the overhead perspective, looks like this. When we talk two stories, we talk about a second floor unfinished. That can be done in two ways. That can be building up or digging a basement. By digging a basement, we were told that was \$40,000.00 cheaper. I would have thought more because of cement but they assured me that it would be less. If you can, picture the one story option with a basement.

Darren Vogt: And that space is not office inhabitable in theory. Without windows, you are expanding into an area that doesn't work.

Nelson Peters: Now, they could build up with the cost being 4 million and change. If we want to keep it from looking like a tin can, it could look like this drawing. The proposed location is Lima Road, Carroll Road, Fort Recovery Road.

Paul Moss: That is the dog training area right now?

Nelson Peters: Yes. And we would essentially, moving in that direction, allow for future sales of everything else in that compound. This preserves the cemetery that we talked about before. So by taking this portion of the property, it leaves a lot for future development.

Roy Buskirk: Where is the current building?

Nelson Peters: The current building is right here. The shooting range is behind the building.

Paul Moss: Is there any reason why you wouldn't put that so it goes out onto Lima?

Sheriff Herman: Actually, it then takes in some of the prime property if you ever sell.

Nelson Peters: So as you see, we had to have them back into the option one. We told you 2.6 million, they told us it wouldn't get us the 21,000 square foot building so we asked what it would get us and they said 16,100 square feet.

Cal Miller: So is option one not really an option given the needs of the Sheriff?

Sheriff Herman: As far as I am concerned, option one doesn't get you there. To move the Drug Task Force and to keep them from leasing space offsite. That isn't going to happen. It also cuts down on everything. The 21,000 square foot is a lot less footage than what we were talking about with the existing buildings.

Paul Moss: You are currently occupying how many square feet?

Sheriff Herman: From what studies have been made, we are actually coming down from what they currently have. But we have more office space than what this building is designed for.

Darren Vogt: That includes buildings that weren't specifically designed for. So you have wider hallways and things that weren't necessarily efficient use of space.

Paul Moss: Furnishings are included in this number?

Nelson Peters: Right.

Paul Moss: Is the reason for the discrepancy in the numbers time-related?

Nelson Peters: Part of it is time-related. We asked the question yesterday and what we were told is there is a chance of an eight to ten percent increase each year. Because of some of the things that have happened in the gulf region have affected what happens here. The other part is that what we brought to you before was without specific layouts. The Sheriff needs x number of rooms etc. There was a combination of things that led us to come with where we are.

Paul Moss: Councilwoman Hughes alluded to some other scenarios that are out there. I have tried to be consistent that the burden of proof, in not building out there, needs to be on you to convince us otherwise. I am curious as to what direction you want to go. Is this the primary scenario?

Nelson Peters: Our marching orders from you at the last meeting was to come back with a base and then something to look at that could take us into the future. Are there other scenarios? Absolutely. I advocated something downstairs or in the Highway Building but that was something the Council seemed to reject.

Cal Miller: Thank you for bringing the proposals to us that we did ask for. I want to follow up on something Councilman Moss and President Hughes brought up. I am disappointed in me for not asking more questions. There has been a space study of land use and that study had been an evaluation of the Renaissance Building. There was a firm involved in identifying the square footage available. It was after the City had backed away from purchasing that building alone. There was a regrouping between the city and county on that. Then two of the three phone calls I have received in my time on Council after that meeting about what happened to the analysis of co-habitation of the City Police and the Sheriff. I had to answer that it was reported that the discussions had not taken place and that the existing space downtown was not adequate. As a person on the fiscal body, if there is an option that involves the Renaissance Building that would include mock-ups and the Sheriff and the Police and Homeland Security all in one building then if this council were not asked to contribute, or I should say the county was not asked to contribute any more than they would for a new building, then I think it is an option that we need to consider. It will be difficult to make a decision. This is one that has been hanging out there that we need us to pursue a little more. With that said, I don't know if we could pull those numbers together, I can't support making a decision unless I am convinced we have looked at all the options.

Mike Cunegin: I agree with you Cal, that I think that when City Council found out the cost, they tabled that.

Cal Miller: You mean of buying the structure?

Mike Cunegin: The southeast area, the Homeland Security and all that stuff.

Cal Miller: I am sorry I was talking about the Renaissance Center. The city decided it had too big of a price tag. I was wondering how they would feel with an injection of funds of what we were willing to build a building with.

Mike Cunegin: One aspect, in the narcotics entity, for the safety of the officers, he would say no. These officers are working undercover and if you are going to put them down there, you might have put them here. And

everyone would see them and wonder what they are doing with a radio. So that aspect of it, I would probably say no.

Darren Vogt: The concern that I have is two-fold. One is that we still don't have all the numbers yet. We have the cost of an office structure at \$135 per square foot under the first scenario, \$123 a square foot and \$85 per square foot. That includes unfinished garage space. We need to design a building and get bids on it and if the Renaissance Building is an option that we need to explore. Have all those numbers in front of us and having a meeting to explore all of those options. These numbers are concrete from one company. If office space can be built at \$70.00 a square foot, it troubles me that we are at \$135.00. I think we need to keep that in mind. We have nothing working for us from a bidding standpoint. They may be doing great work for us but we need to use the power that we have as a capitalistic society to let them come up with a firm price.

Paul Moss: I would suspect that these numbers are fairly accurate. Moake Park has been in business long enough for pretty accurate numbers. These numbers should not change a whole lot but we need to move in that direction. One of my frustrations is that here we are again and we are going to discuss this thing to death and we now have another scenario that we are going to go back to that has multiple variables which may or may not turn out to be quantifiable. It intrigues me to have all of the Homeland Security entities under one roof. There are so many variables involved that I don't think we could ever get our hands around that.

Sheriff Herman: It seems like we are getting ready to go around the barn again. You know what you had to do to get a decision out of the city about whether they were leaving this building. And then they decided to stay. Now because somebody said there were talks going on we're going to put this on hold again. We are not going to worry about those people out there in that building who have been waiting for this to come to an end. Then, we talk about having bids. I don't have the money to get bids. I don't know if you have the money and I don't know if the commissioners have the money for it. We have to get together so that we can find out what kind of money we can spend on this project so that we can build. If we are going to wait for another round for the city to decide on the Renaissance, we are not going to go anywhere. If this is a dead horse, tell me and I will stop this. We have jumped through the hoops that we have been given. We feel like we gave you a bare bones proposition and you say why don't you give us a better rendition so that we can go into the future and we come back and because maybe there are some talks with the city, here we go again. If we are afraid to go forward, then let me know that. I can spend my time doing other things. This has been on the burner for ten years.

Paul Moss: Sheriff, your frustrations are duly noted. Remind me to thank Councilwoman Hughes for vacating her position at this point. Councilman Vogt had a comment.

Darren Vogt: We need to design a building. If we have to pay an architect \$10,000.00 or \$20,000.000 you would have my support in designing a specific building that has what we need. That would then get us a true cost and we could ship this out to anyone who is willing and qualified to build this building. That would get us a true cost. That is what any good business would do.

Nelson Peters: Let me respond. These are costs that have been summarized and are reputable. At the very least, you are looking at a worst-case scenario. I would like to address Councilman Miller's concerns. I think you need to take this as a basis. Okay we think for 16,100 square feet it would cost 2.6 million dollars, etc. You need to look at those numbers and then look at the potential to contribute something from the county to the Renaissance Center. But does it make sense to take those dollars and contribute it to a project that may not occur for years down the road or do you take those dollars and go ahead with the building project. The issue is take the four million and look at Renaissance or do you take it and look at plugging something in out north? If it is the latter, we are telling you that we need about 1.9 million dollars from this council.

Mike Cunegin: Remember when you look at the photo. The city is looking at annexing right at the Carroll Road line. They don't have a northwest precinct. They are going to need a spot right there.

Cal Miller: Commissioner, if this council was interested in co-purchasing with the city and recognizing the Sheriff's plight that something needs to be done, could these numbers be evaluated promptly?

Nelson Peters: I don't know if the county has gotten specifics of what the offer to the city was.

Cal Miller: Can we pursue this in parallel? Obviously the commissioners have to come with the Sheriff for appropriations at some time for one of these scenarios, can we have these pursued in parallel?

Paul Moss: Then you are looking at the building project looking at a timeline. What processes would occur from this day forward. We would need someone else to provide architectural renderings and the cost involved. At the same time looking at how to fund it and at the same time looking on breaking

ground. Can you do that realizing we could go in a completely different direction at some point?

Nelson Peters: Yes, I do. I think the analysis is fairly simple. I don't know what the value of the Renaissance Center is to the city but just suppose it is ten million dollars. Do you want to take 4 million and put it against the 10 million in order to co-habitate with the city? I think that is as simple as it needs to be.

Paul Moss: There is a price on that building currently which you are pretty close to. That really is the question. Do we want to do that?

Darren Vogt: But the 4 million dollars, if that number to really build something is to 3 million or 2 million, that adjusts my decision making. If this is the worst case scenario number, and that number is better than that, then I put 4 million dollars where I didn't need to I could have spent half of that. That's troubling for me.

Paul Moss: This is much of a known than the other option. The other option is much more of an unknown. I think there is lots of dollars to be spent in moving people to the Renaissance Center. This is about the best known that we have had and my concern is in leaving it set even longer.

Roy Buskirk: As far as putting money with the Renaissance Center you wouldn't want to put 4 million because there is going to be a lot of additional cost with it. This is 4 million completed. With the Renaissance Center you are going to have remodeling costs and furniture costs along with everything else.

Paul Moss: We don't know what those costs would be.

Patt Kite: I want to echo Councilman Moss' concern that this is a known. We are no closer because new options keep getting thrown in when we ask them to do something and they bring it back and then we ask them to do something else. It is something we all know is an urgent matter and it has been an urgent matter for a long time. Construction costs are not going to go down.

Cal Miller: You were talking about the frustrations that you had but we don't have all the pieces of the puzzle. I would love to explore that issue to have a building that houses Homeland Security, the Sheriff and the Fort Wayne Police, all those things. It appeals to me. I think it is unfortunate that we don't have that equation. I would like it to make that decision. The other issue is we did ask for an expansion scenario. Would that be money well spent?

Mike Cunegin: Northwest Precinct!

Sheriff Herman: Quite frankly, that space could be used immediately. Unfinished means there is heat and dry wall. But we could use that for training purposes. Storage is one of the things that caused problems downtown. You can look at option one and dress it up a bit.

Cal Miller: Do you mean option two? Option one was short some square footage.

Sheriff Herman: Yes, option two. The 21,000 square foot could be dressed up too. I have had a burning desire to get the people out of that building up there. We thought we had the city thing settled and here we are right back at it. I have \$300,000.00 earmarked that was supposed to get me a range when the new building was built but I have since said that I will put that money towards the building. But now, I wonder if I have to put that \$300,000.00 towards getting those people out of that building and get them someplace where they can work.

Cal Miller: From the council's standpoint though, we have had some discussions. We have never had the information presented to us about the space study and how that may or may not accommodate your needs.

Sheriff Herman: I thought we talked about that the last time.

Cal Miller: There was something done about the analysis of the Renaissance Center but never proposed.

Sheriff Herman: Our feeling was that if we came with this presentation and these figures and renderings that we could get a commitment from this body to say that we could go forward. We have to spend some money in order to go forward. If we have to come up with a presentation to say we will spend \$10,000.00 in order to get bids, then we need to know that. But if it is going to go through a scenario for something else, I am not willing to spend the funds to get to a point to be where you want to be in order to make a decision. We don't have three years to continue with this.

Cal Miller: Your comments assume that this is not a worthy endeavor to pursue cohabitation with the Renaissance Center. I think we have a philosophical difference in whether we think that is a worthy endeavor or not.

Sheriff Herman: I guess my problem is that I thought it had never had been pursued and we are going to pursue it again.

Paul Moss: I think a lot of people thought that.

Darren Vogt: I want to make sure. If this facility was to go out in that district, I don't think the neighborhood would not want to see scheme one from the visual standpoint. As a resident of that area, I will fight for you to make the building to look like something more than a tin can and have curb appeal than it currently has.

Paul Moss: If we are to go in this direction, what is the next logical step? I am not aware of any funding mechanisms and how we are going to pay for this.

Nelson Peters: I want to get back to the discussion about the space. We met with the architect yesterday and at \$6.00 a square foot, the payback for storing things would be a payback in six years. That is interesting for just storage. Obviously, we are not going to just do storage. There is potential for an additional precinct and training there. We talked about storage room. If you went to the 39,000 square foot, based on the assumption of storage, you would be looking at a twelve-year payback. It would be ridiculous to build two additional floors just for storage but it gives an idea of the relative costs. If the determination is made to build in that location we need at least one million dollars to make the project work. Once that number is determined, we need to look at several options of how it will look. Do we look at design build options? Do you look at an architect who has control over the general contractors? The next thing we need to pursue is the method in terms of building this thing.

Roy Buskirk: One thing is the evidence room. I thought we were talking about a partial basement because of the safe storage of evidence. I thought then that someone said you can't use the basement for office space.

Darren Vogt: I said that a basement is not conducive to having it where people can have windows and light.

Roy Buskirk: As far as a secure evidence room, you have to have cement walls.

Sheriff Herman: Yes.

Roy Buskirk: As far as training or storage, a basement is the cheapest on any building.

Sheriff Herman: It is cheaper but it is also restrictive on what you can use it for. The nice part of the second floor it is a good use for more things.

Paul Moss: We quantified that as \$40,000.00.

Roy Buskirk: Was that option one or option two? There is a different size basement.

Paul Moss: I assume that option three was the difference between doing it on the second floor and doing a basement.

Sheriff Herman: Right. The two-story concept was either going above or below the building.

Marla Irving: I apologize for being late. What we did with the Justice Center and the Juvenile Center, if you could make a commitment of money, we could find out what one million would buy us. And then every option could be bid out and have an itemized list. Then we could know what we have to work with for the structure that we need right now. Right now, our hands are tied. We can't do any more without a commitment of money. We have employees out there that we need to move some place. You give us a commitment of money then we will work around the options. We can bring the options back to you and if you don't like the options, then we can change that around.

Cal Miller: The options include the analysis of the Renaissance Center? You said if we give you the money, you will look at options and I want to know if that includes the Renaissance Center.

Marla Irving: If you are not going to make a commitment of money to build this building with the options ...

Cal Miller: And that doesn't include the Renaissance Center?

Marla Irving: I am talking construction options.

Cal Miller: Well, you missed half the conversation. So that is why I am asking.

Marla Irving: Well, I couldn't tell the governor not to come today.

Cal Miller: That is why we are having a problem. Options, before you got here, some of us thought that it included Renaissance Center. So when you are referring to options, you are talking about out there.

Marla Irving: Construction options.

Paul Moss: Quantifying that and then picking and choosing the options that you want.

Marla Irving: Right, like we have done in other construction. But without the commitment of money to build this building, we have to figure out some way to grasp money to get these people out of the Kidder Building because it has gone on way too long. Those people out there need to be moved somewhere until we can make up our minds about what is going to be done.

Paul Moss: That should be added to the potential cost of the Renaissance Center.

Darren Vogt: I am troubled with giving the commitment of a number because this is one priority in a number of priorities. We can get these numbers without having a million dollars commitment from the council. The commitment needs to be that we will commit to funding a building whether it is the Renaissance Center or building a new building. We are committed to funding that and have made that perfectly clear. We are still in the gray area of numbers. We need the hard facts. We cannot belabor this point.

Paula Hughes: Councilman Cunegin.

Mike Cunegin: Thank you Madame President and council members. I agree with a lot of things said here today. I thought this body gave the permission to the Sheriff and the commissioners to look at a new building. Until today, I had never even heard of the Renaissance Center. I was coming here looking at a brand new structure. I thought we had told the commissioners to go forward and give us the numbers at last month's meeting.

Cal Miller: This is the troubling part. We were asked about any discussions about co-habitation. It is my understanding is that there were discussions in the space study about co-purchasing the Renaissance Center. Absolutely, based on the information that we had at the time, we did exactly as Nelson Peters suggested. The problem is that we based our decision on the facts that we had at the time and Commissioner Bloom, who was involved in the study, wasn't here to share with us that the Renaissance Center had been considered. I want the space for the Sheriff as much as anyone. Until the commissioners come back and say they have had this discussion with the city and the Renaissance Center is not an option, then I am not going to support moving forward.

Paula Hughes: I share your frustration, Councilman Miller, I feel like there is some point that we have been given only basic information. We can not make the best decision without the full range of options. I am appalled by the

numbers on these pages. I don't think they accurately reflect the true cost and if they do, there is a lot of fluff. These are astronomical. I don't like this council making decisions on numbers that I know are inflated. This is my business.

Cal Miller: It is hard not to make those conclusions especially when you see the renditions.

Roy Buskirk: Is that a steel building?

Nelson Peters: Yes.

Darren Vogt: And that is the advantage of going to a design build. You lay out the specs.

Cal Miller: So where do we go with this? I know Councilman Vogt wanted to have this bid out. I wanted to see if the commissioners and the city would have some discussions and have any more. We need to give direction.

Paula Hughes: I think we have. And what we have received has been one of those options. We have not been given all of the information.

Cal Miller: We did ask for these options but it was done on the basis of what misinformation was in existence.

Nelson Peters: We did provide three options last time which included renovating the building, new construction.

Darren Vogt: Do we know what it would cost for an architectural firm to design blueprints? That would be my suggestion to help me make the decision. And if we can't get that by the next council meeting, then this will drag on and on and on. That is a concern that I have. This company, if they have the numbers, they have the plans. Pay them for the services and the blueprints and then we can bid out the design. We should be able to get them within thirty days.

Mike Cunegin: I agree with you Councilman Vogt but I believe that is tight for a thirty-day window. I know they have the prints.

Paula Hughes: Councilman Moss.

Paul Moss: I believe what you will find is there is no way that the Renaissance Center option can be evaluated in thirty days, and so be it. But I think we need to put a short window on this.

Cal Miller: Expand it to sixty, will that help?

Paul Moss: I don't want to expand it to sixty. We need to get moving on this. I believe on the information I have received so far, I have a good grasp of the Renaissance Center and what is out there. It is pretty unlikely that the Renaissance Center will be less or even close to equal in terms of cost. Commissioner Bloom has been in these discussions about moving the Sheriff into Renaissance Center. I am going to assume that the three commissioners discuss these things. Is Commissioner Bloom alone in this because otherwise, I assume this would have been brought forth to this body?

Nelson Peters: The discussions that were had had to do with whether we were willing to rent space in Renaissance Center. Anything that was going to cost us more than \$9.48 a square foot to rent, which is what is in this building, we were not amenable to. I keep hearing that we are not getting all of the information and I take exception with that because as this process continues we continue to get variables. We didn't know until recently that the city was interested in co-buying this. We learn about eight to ten percent increases in construction costs. You got this as quick as I did. We have provided alternatives. I am at the point of, look we have done our due diligence, and if we don't get the commitment for the million dollars, I am going to encourage the Sheriff to take his \$300,000.00 and go out and do something else.

Paul Moss: The assumption that was made by me about the co-purchasing had been out there for a while. If that is not the case, just say the word.

Nelson Peters: There had been discussions about renting the building. We didn't want to pay anymore than what we are paying here.

Cal Miller: Along the lines of the variables changing, apparently there is an interest in co-purchasing and the council is poised to spend money to build a building. It has been a changing landscape. It had been a little muddled on our understanding of all of this. Now that we have this landscape, let's get some plans. Invest the money for the plans. What we need to know is what that three or four million dollars could have done with the Renaissance Center. And if that doesn't make sense, then we move forward with the planned building that has been bid out and has a firm cost.

Paula Hughes: True.

Sheriff Herman: We thought we knew what we needed to go forward here. We thought what we needed was a commitment from this body. But I hear

now that we need to have an architect draw up plans. Does that mean that we need to go find an architect and ask him how much it would cost to draw up plans so that we can come back next month and ask how much you will commit to? Is that the next step?

Cal Miller: Nobody has been able to answer what the cost associated with that is.

Darren Vogt: I would be willing to spend \$25,000.00 to \$30,000.00 to have plans drawn to include several scenarios.

Cal Miller: Ultimately to have those so we can bid off of and get into the competitive pricing. I think that would be an acceptable expenditure. We need to have drawings. I am not comfortable just accepting numbers. Take advantage of the bidding process.

Paul Moss: Haven't they done enough plans for you that they could bid out.

Sheriff Herman: The comment was made yesterday that we are still six months from bids.

Paul Moss: Because they need to develop more detailed plans.

Sheriff Herman: When you put a plan out for bid, it has everything in it.

Cal Miller: So it is just the cost of getting the schematics. If we were willing to front the cost, we have a six month window of opportunity.

Roy Buskirk: You need to have a building committee or something to make the adjustments such as finishing the upstairs or whatever.

Tera Klutz: You can tell them to spend what they have now and then come for the appropriations.

Lisa Blosser: The commissioners may have it in their contractual.

Cal Miller: We need to spend that money to get to the point.

Darren Vogt: I think you circulate the phone conversation to find out what that number is to get the plans done.

Nelson Peters: Are we throwing out this architect's plans?

Cal Miller: Does he have plans? These are just rough costs.

Nelson Peters: Right, they are rough costs.

Cal Miller: No, but are the commissioners bid this out or are we going to accept this. We need to avail ourselves of the competitive process.

Nelson Peters: I have no problems with that.

Cal Miller: Then let's, it doesn't slow it down.

Nelson Peters: It adds a step in the process.

Paula Hughes: But it is a step you would have to take anyway.

Roy Buskirk: But he needs to know which plan should he go with?

Sheriff Herman: Talking about detailed plans, you need to know what you are going to do.

Paula Hughes: You have to go through the bidding process to find the architect.

Darren Vogt: I am under the assumption that if this firm of a number is put together they would have some sort of plans.

Sheriff Herman: When we were looking at the NAVL building, they looked at the number of offices etc that was needed but I don't think anyone has put a pencil to it and said this is the footprint of this building.

Darren Vogt: Under design build concept, you don't do the technical part of it, right?

Nelson Peters: It is scoped out.

Darren Vogt: They decide the HVAC that you use.

Nelson Peters: It precludes the architect and the contractor that have scoped it out from becoming a participant in the bid.

Darren Vogt: Is that a faster and more economical way?

Nelson Peters: It is faster and less costly but forces us to give up some of the control. In other words, instead of telling the contractor where you want vents, all you can tell him is that you want to room to heat from 68-70

degrees. The other advantage is that any cost overruns are borne by the architect and contractor. Those fees are put in as a part of the overall cost.

Darren Vogt: I would be in favor of doing this because it would be in an expeditious manner.

Cal Miller: To get the plans?

Darren Vogt: It isn't to get the plans. It gets the specs of the building and get to the technicalities of it.

Cal Miller: What kind of dollars would they need?

Nelson Peters: What I think you are saying is that you are advocating for us to move forward with the design build concept with the idea of the 21,000 square foot building.

Cal Miller: How far does that take us?

Nelson Peters: Step one takes is to scope out the project. At this point, we are not far from having that done.

Cal Miller: Well, if that is the commitment from us that does not include building the building.

Darren Vogt: That allows them to bid out the building and then we get the dollars and sense of what it will cost.

Cal Miller: What we don't know is the cost. There has to be some cost with going forward.

Darren Vogt: Unless we have a committee of people in the county who could create that scope.

Nelson Peters: One of the problems that the design build is that we don't have the expertise that the private sector has.

Cal Miller: I thought there were some of us on council who wanted this to go forth and get it bided out for actual cost and at the same time, interacting with the commissioners talking with the city to look into the 4 million would be a contributing purchase of Renaissance Center. What can we do today to get things going forward but not too far forward?

Roy Buskirk: How long is the library going to be in the Renaissance Center?

Paula Hughes: They will be out by the end of this year.

Roy Buskirk: That would mean another winter for the Sheriff.

Paula Hughes: That is regardless.

Roy Buskirk: No it is not regardless.

Cal Miller: It will if it is six months to bid. That would take us into September.

Sheriff Herman: It is becoming academic to me because I am obviously not going to be here for the finished product. The building may not last that long. I just had to put a water system in there so that there was drinking water there.

Cal Miller: Well then, if it doesn't last as long as even the construction process goes, the move may be inevitable anyway.

Sheriff Herman: I have no idea. We didn't want them to spend this winter there. We need to maybe move them somewhere in the interim.

Nelson Peters: Is there a problem with saying go forth with a not-to-exceed number?

Cal Miller: For the scope of the work?

Nelson Peters: Either that or entire project. If you don't believe this number, then pick one.

Darren Vogt: I would be more comfortable going with the architectural side and not the full number. We have to determine other priorities within the county. It is one piece in the big picture of the county. I am not diminishing the priority of this but we need to look at all of our options.

Cal Miller: So let's fund a complete set of drawings for which building?

Darren Vogt: The building that meets the needs. Also add the option of the second story.

Cal Miller: So it would be option three. I would like to tell the commissioners that we will fund \$25,000.00 to get the schematics we need to have the

building bid from and would allow us to check into the other option if it is even there and it will not slow this process down any more.

Roy Buskirk: So the council is making a commitment of \$25,000.00. If they are more than that, you would pay them out of other funds?

Cal Miller: You could pay them out of Cum Cap couldn't you? We will do the \$25,000.00 and you can do the rest out of whatever you want.

Nelson Peters: Are we bidding the architect? The general contractor?

Paula Hughes: Don't you have to do bidding at some point on this?

Paul Moss: Not for an architect. What is your preference?

Nelson Peters: I have thrown out the design build option but that has gone by the wayside.

Cal Miller: We don't know how to fund that though.

Darren Vogt: Design build, you come up with the scope. That is what our cost would be. Then that scope goes out to bid.

Cal Miller: Would that be your preference Commissioner?

Nelson Peters: Yes, you almost have the scope here now. We have some other things pursuant to the law.

Cal Miller: The funding commitment should remain the same.

Darren Vogt: Do we have consensus on that?

Cal Miller: Would you also undertake the other thing also and see what the temperature of the city is in regards to Renaissance Center?

Nelson Peters: I can do that.

Paula Hughes: Council members, we need approval to waive the second reading of the minutes for which it may be deemed necessary.

Darren Vogt: So moved.

Roy Buskirk: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 6-0-1 with Mike Cunegin absent.

Roy Buskirk: Thirty seconds. I think all of you received in the mail the 2005 review for the 4H. There is one thing I want to bring to your attention. Last year 1,018 lived within the city limits. Some of you have felt that the 4H was mostly rural. I suggested to the 4H Program that they contact the city to see if there would be any funding from them.

Paula Hughes: Any other business to come before the council?

Cal Miller: Move to adjourn.

Darren Vogt: Second.

Paula Hughes: We have a motion and a second, are there any questions? All in favor signify by saying aye. All opposed same sign. The motion has passed 6-0-1 with Mike Cunegin absent.

The next meeting will be held on April 20, 2006 at 8:30 am.

There being no further business the meeting was adjourned at 12:46 pm.