

**ALLEN COUNTY COUNCIL
MEETING MINUTES
October 26, 2006
8:30 AM**

The Allen County Council met on Thursday, October 26, 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; Cal S. Miller, James M. Ball, Darren E. Vogt, Roy Buskirk and Paulette L. Kite.

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

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

APPROVAL OF MINUTES:

Cal Miller made a motion to approve the minutes of September 14, 2006. **Roy Buskirk** made a correction that the Lower Huntington Road bridge was being paid for by 20% from the City and 80% from federal funds. **Darren Vogt** seconded it. Motion passed 7-0.

FINANCIAL REPORT:

Lisa Blosser, Auditor: The amount you have left for appropriation in the County General fund is \$179,708. For your consideration today there are additional appropriations in the amount of \$8,300. That would leave a balance of \$171,408. November is the last month to ask for additional appropriations.

Paula Hughes: Any questions about the financial report?

Darren Vogt: I do have one quick question. On the vehicle excise and license, is that a timing issue as to when we get money? I see they are a little under.

Lisa Blosser: Vehicle license excise is received four times a year. We did just receive a payment in October of \$1,200,000. The commercial vehicle excise tax is received two times a year, in June and December.

Darren Vogt: Okay, great. Thank you.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: On the charges for services in the miscellaneous income, I asked the Auditor's office if they could provide a breakdown on the Sheriff's revenue to the General Fund. The one thing I wanted to look at is the Sheriff's Sale fee to see how that has increased since we have raised the fee from \$10 to \$100 over a year ago. I would like to add a comment to that. I suggested to the commissioners that the fee should be looked at annually because it is based on our expenses. Because of the salary increases a year ago, our expenses for doing the Sheriff's sale has increased and another ten dollars or so, per sale, would generate revenue for the county taxpayers and we don't need to be subsidizing the mortgage companies. I noticed in Sunday's paper a statement that we will possibly have as high as 17,000 foreclose Sheriff's sale fees this year. That would be \$17,000 for each \$10 raised. The other thing is that it also shows our tax warrants collections so far this year is only \$32,595. In previous years, it ran substantially more than that. Who is the liaison to the Sheriff's Department?

Darren Vogt: That would be me.

Roy Buskirk: Would you address that with the Sheriff and see why? There might be a logical reason.

Jackie Scheuman: Roy, we just received \$9,500 this week.

Cal Miller: What has been for the last few years, the basis of the contract that the Commissioners and the Council entered into with the Sheriff?

Paula Hughes: Maybe we could pull together a report for the December Council meeting.

Cal Miller: Whoever the new Sheriff is will need that information in the negotiation of a contract. Whether is should be reverting back to the old system until the state law gets changed tax the income away from the Sheriff. Thanks for putting these together, Councilman Buskirk. Perhaps with respect to the Sheriff's sale fee, the Council will be considering today, the salary ordinance for an in-house lawyer and perhaps that lawyer could get involved with the sale fees and a portion of that salary could be attributed to the fees as well. We can talk to the Sheriff about that as well.

Paula Hughes: Council, any further discussion about the financial report?

Cal Miller: Move for approval of the financial report.

Patt Kite: 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 has passed 7-0. We are going to be jumping around a little bit on the agenda. We will go first to Economic Development for consideration of a resolution approving a statement of benefits for Ash Brokerage.

Ashley Steenman: I am Ashley Steenman from the Department of Planning. Ash Brokerage had purchased part of the old Waterfield Mortgage building at 7609 W. Jefferson that was vacated earlier in 2006. The original building is around 40,000 square feet but Ash needs more space. They will be constructing a 3,000 square foot building. This investment is going to be around \$342,000. Ash currently employees one hundred and eleven people and even though there won't be any new jobs created as a result of this project, there could be some new ones in the future. They provide excellent paying jobs as well as benefits. They are eligible for a seven-year abatement of real property taxes for this project. There is an outstanding abatement on the original building but that will not affect the new investment. That one has about three years left on it. They have opted to donate a portion of their tax savings to future economic development projects. That sums up the information that I have but Rob Young from the Alliance and Jim Krafcheck from Ash is here to tell you a little bit more about the project.

Rob Young: I am Rob Young, President of the Fort Wayne-Allen County Economic Development Alliance and this is Jim Krafcheck, CFO of Ash Brokerage. Hopefully, you would expect the Alliance and our partners in DPS and elsewhere to be working with Ash Brokerage for the last several years on their growth in the community. This is the third new facility for them over the last several years. When they acquired the Waterfield facility earlier this year, which is between 39,000 and 40,000 square feet, the business projections say that they should be maxing out that space in the near term. It is difficult to say precisely when. This 3,000 square foot building is meant to house employee amenities, specifically health and fitness amenities. Depending on the mix of core business, this building could very well house some of that core business. What this facility allows them to do is max out the original building and to continue to build out the campus. Hopefully, this will not be the last building project at this location. We are excited that we are helping this company to build out this campus. We think this is consistent with other base employers in the community like Sweetwater Sound, Lincoln Financial and Vera Bradley. Building in these amenities helps to not only attract but to keep the key employees that they need to

drive that core business. We are absolutely in favor of this and encourage Council to look favorably on this application.

Paula Hughes: Council, I had opportunity to speak with Mr. Young and Mr. Krafcheck earlier and one of the concerns that I had about this project is that it is a separate building. I do support the use because anything we can do to encourage our employers to create good working environments is a plus in this community. It raises the bar for what is expected. With the separate building, my suggestion, and they were agreeable, was that the abatement could be reevaluated by the Council if the building was sold. It is a little different in that it is not part of the main building and could be sold off. Council could retain the right to reevaluate the authorization of the abatement if the building were sold to a separate ownership. I suggest that we consider that. Other than that concern, I think this is a good application. Councilman Miller?

Cal Miller: Just a little information for us, Mr. Krafcheck. What is Ash Brokerage and what services do they provide?

Jim Krafcheck: We are the largest privately held insurance brokerage company in the United States. You have the big ones, Marsh McClendon, and things like that but we are not an actual brokerage firm. We do not handle stocks and bonds and are not a trader. We market and sell life annuities, long term care and disability for about sixty-five insurance companies.

Cal Miller: Didn't you get a distinction recently concerning being an employer in the State of Indiana?

Jim Krafcheck: Yes we did. It was one of the best places to work in Indiana. We were ranked at twenty-five out of a possible twenty-five but you have to remember we are only one hundred and eleven people. That was pretty amazing.

Cal Miller: And who bestowed that distinction on Ash Brokerage?

Roy Buskirk: Who awarded that?

Jim Krafcheck: Oh, the...

Roy Buskirk: It was the State, wasn't it?

Jim Krafcheck: Yes.

Cal Miller: Congratulations.

Paula Hughes: Council, any further questions? Look for a motion.

Patt Kite: I move to approve the resolution for the Statement of Benefits for Ash Brokerage.

James Ball: Second.

Paula Hughes: Was that with the caveat of Council reviewing that abatement at the time of the sale of the building?

Patt Kite: Yes.

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 has passed 6-0-1 (Cal abstained). We will now go to the Coroner which is an addendum to the agenda. Mr. Alfeld has told me that he is the only man in the office today so he needs to get back there. Good morning, please introduce yourself for the record.

Dick Alfeld: Dick Alfeld, Chief Investigator, Allen County Coroner's Office.

Paula Hughes: Tell us a little about your request.

Dick Alfeld: We ran out of gas money.

Paula Hughes: Council, any questions? Councilman Moss?

Paul Moss: Given the fact that gas prices are dropping, do you believe you budgeted appropriately for this in 2007?

Dick Alfeld: I hope so.

Paula Hughes: Councilman Vogt?

Darren Vogt: I would like to make a suggestion, not so much to this request, but at some point, we lock in a contract for our gas and the individual department heads come up with a request for the amount of miles they drive and the gas that they use. Once we lock in that contracted amount, I would like us to take a look setting money aside if that contract is lower or higher than we originally estimated so that they don't have to come before us and we know that there was an adjustment needed based on the amount of miles and gas that we thought they were going to get.

Cal Miller: Isn't that something that we are contemplating when we asked Bruce Little and Sidonie Inman to help us out to try and project, on an annual basis, what the utilities and gas was going to be? We could wrap it into that project.

Darren Vogt: Correct.

Roy Buskirk: That could work in reverse too.

Darren Vogt: Exactly right.

James Ball: So we will just add it to our other item later?

Cal Miller: That is in our discussion items later.

Roy Buskirk: Part of the problem is that they are putting a budget forth in June and we don't know until November or December what it could be. I make a motion that we approve it.

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.

Patt Kite: Abstain.

Paula Hughes: The motion has passed 6-0-1 (Patt). We will now move to the appropriation in the Lincoln Industrial TIF.

Scott Harrold: Good morning. I am Scott Harrold from the Department of Planning Services. Basically, a year ago, C & M Finepak expanded and we did a structural project for them. The rail spur was paid out of CEDIT and most of that was reimbursed. The \$300 will allow us to reimburse the remainder of the CEDIT that was for that project.

Paula Hughes: Any questions?

Cal Miller: Move for approval of the appropriation in the Lincoln Industrial TIF Fund for \$300.

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. The

motion has passed 7-0. Thank you. Now we will go to item one, the Department of Health, Councilman Moss?

Paul Moss: The folks from the Department of Health are out of town at this time but this is a request for appropriation for contractual and supplies for a total of \$22,900. This is related to the hepatitis incident with Pizza Hut. Actually, this has been fully reimbursed by Pizza Hut. I would be happy to answer any questions you have but I move to approve these two items.

Cal Miller: Second.

Paula Hughes: We have a motion and a second, is there any further discussion?

Roy Buskirk: I think that Pizza Hut needs to be recognized as a very outstanding corporation on coming forward and reimbursing the county for the expenditures. This was more than \$20,000. It was thousands and thousands of dollars.

Paula Hughes: Any further discussion? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. We will now move to the Building Department.

Dave Fuller: I am Dave Fuller, Commissioner of the Building Department. We are here for the same reason the Coroner was. A thirty-three cent increase in fuel after our budgets were set resulted in a shortage and it amounts to about \$6,900 based on our miles. We had about a \$1,400 shortage for 2005. We will have more of a shortage than that but we have transferred additional monies from other accounts to cover it.

Cal Miller: Move for approval of appropriation from the General Fund in the amount of \$8,300.

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. The motion has passed 7-0. Request for appropriation in the Weed and Seed grant, Ms. Hudson?

Sheila Hudson: Good morning, my name is Sheila Hudson and I am the Director of Allen County Community Corrections. I am also the fiscal agent for the Weed and Seed grant. This is the third and final year for this grant.

Oh, and by the way, this is Bennie Lewis and he is the site coordinator for the Weed and Seed effort. If you have any questions, he is the guy to ask.

Paula Hughes: Any questions? Councilman Vogt?

Darren Vogt: If you could break down for us a little bit, the three hundred series, which is your contractual, travel and miscellaneous. What are your main expenses out of that?

Bennie Lewis: That is for conferences and to take board members to them.

Darren Vogt: And the contractual services?

Bennie Lewis: The contractual are for hiring coordinators to run the programs and to have security.

Darren Vogt: Okay, so you hire outside instead of hiring inside. That is what I was trying to get to.

Paula Hughes: Any further questions?

Cal Miller: Move for approval of Weed and Seed Grant Fund 291 in the amount of \$200,000.

Darren Vogt: Second.

Paula Hughes: We have a motion and a second, is there any further discussion?

James Ball: Could you give me some information about what it is that you are specifically doing with this Weed and Seed?

Bennie Lewis: Our main goal is to reduce crime in the southeast quadrant. And that is through prevention programs, community policing, neighborhood restoration and safe havens. Safe havens are made up of community centers and not-for-profits such as YMCA and the Boys and Girls Club. This is to keep the kids off the streets. The money that we get from the federal government is to support those programs. We have a steering committee that reviews the requests that are submitted and then votes on those requests. This all extends into the Re-Entry Program and assisted housing and things like that.

James Ball: Could you give me some specific programs that are recipients of some of this?

Bennie Lewis: One is the Re-Entry Program. We do a lot of mentoring with ex-offenders. One of the good programs is the Family Reconnect Programs. This is held at the YMCA, the Old Fort YMCA, and they allow ex-offenders to interact with their kids. They have fellowship and counseling for about an hour and then the second hour is for shooting basketball or things like that.

James Ball: How do you gauge the success of some of these? Have you been able to do that?

Bennie Lewis: Yes, we have. We do it in several ways. We do it through attendance, pre-impulse testing, evaluations and surveys. There is a wide array of programs.

James Ball: Thank you.

Paula Hughes: Are there any further discussion? All in favor signify by saying aye. All opposed same sign. The motion has passed 7-0. Next up is an appropriation in the Internet Access Fund, Mr. Steenman.

Ed Steenman: Good morning, members of Council. I am Ed Steenman, the IT Director for the County. This request is for anti-spy ware software. We currently don't have any protection against spy ware. Spy ware is typically coming in through internet access. We are continuously addressing help desk calls for people who end up with spy ware on their machine and we have no way of cleaning it off. This is a consolidated effort between the City and the County and this is for the County's portion of the software that we will install. We are asking for the appropriation from the Internet Access Fund because the spy ware is mostly from the internet. The Internet Access Fund has two purposes. One provides accountability for departments that have users who access the internet. They have to apply for an internet account. And secondly, it generates funds for these types of expenses.

Paula Hughes: Councilman Miller?

Cal Miller: Is the fund information here?

Darren Vogt: Yes, it is right behind the request.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: You said that this is the county's share. What is the total cost?

Ed Steenman: The total cost is approximately \$50,000.

Roy Buskirk: So it is broken down to 50-50?

Ed Steenman: Yes.

Paula Hughes: Moss, Ball and then Kite?

Paul Moss: Fifty-fifty split but do we have the same number of desktops?

Ed Steenman: Yes, we roughly do. We have approximately 2,500 desktops in the combined environment. It fluctuates but we are within one or two of split fifty-fifty.

Paul Moss: So the Internet Access Fund is essentially a charge back to the Commissioners. And this is from departments for their access to the internet.

Ed Steenman: Yes.

Paul Moss: I brought this up before but I was under the impression that we were supposed to get our internet free from Comcast through the franchise agreement that we have with them.

Ed Steenman: That is not a business category account. That is a residential type account. That means that there is no guarantee of band width and no guarantee of up time.

Paul Moss: You mean if we were getting the free access?

Ed Steenman: Correct. Whereas the existing ...

Paul Moss: I am not sure I agree with that. I have read that franchise agreement and I don't recall seeing that in there. But I would also think there is a lot of room, given the leverage we have with that franchise agreement, to get quality service. The flip side of that is that given what the City has done with Verizon, we could always use them as an option. I am not trying to be critical I am just bringing it up. I understand that we don't pay for it anyway. The Commissioners are essentially charging departments for something that they don't pay for. Or are they currently paying for that?

Ed Steenman: We currently make use of the connection that the City has.

Paul Moss: So we are not paying for that?

Ed Steenman: Correct.

Cal Miller: We aren't paying the City or Comcast?

Ed Steenman: Neither.

Paul Moss: Okay. So that explains that component. So we are charging departments for something that we don't really pay for.

Ed Steenman: But it provides funds for...

Paul Moss: Okay. We won't go too deep into that. If you need access, you need access. My only other question is what is the annual renewal fee?

Ed Steenman: We are purchasing an agreement that takes us to the middle of 2009. We are receiving an approximate discount of 17% on the annual maintenance because we are signing a multi-year agreement.

Paul Moss: So this is something that we need to keep in mind for the future?

Ed Steenman: If memory serves me correctly, the annual after discounts is somewhere between \$15,000 and \$20,000.

Roy Buskirk: When does this contract take effect?

Ed Steenman: This will take effect immediately. It will not be up for renewal until 2009. We are adding this to an existing module of software.

Paul Moss: You aren't saying that we have been going bare all of this time?

Ed Steenman: Yes we have. In the past year and a half, we have addressed 125 help desk calls where the root cause was spy ware. The only method that we had to clean them up was to wipe out the machine and do a re-install.

Paul Moss: Do these purchases go through ACS or directly with the software vendor?

Ed Steenman: This will be purchased through the vendor. The City will write a purchase order and I will write a purchase order.

Paula Hughes: Councilman Ball?

James Ball: They touched on my question already.

Patt Kite: And mine as well.

Paula Hughes: Okay. Any further discussion?

Cal Miller: Move for approval of the appropriation in the Internet Access Fund in the amount of \$25,000.

Paul Moss: 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 has passed 7-0. Thank you. Next we have a request for transfer in Superior Court. Mr. Noble?

Jerry Noble: Good morning, Jerry Noble, Allen Superior Court. We have a request to transfer into the 400 series from the 300 series to facilitate the installation of the video conferencing equipment. This will connect the Bud Meeks Justice Center with the Allen County Juvenile Center. Currently, we have this in a couple of places. Judge Avery routinely conducts mental health hearings using video conferencing technology. It connects us with hospitals in the region and improves the ability to deliver services. Secondly, we are using it to connect the Juvenile Center with the jail. Judge Sims uses it for paternity hearings and what we are seeking to do now is to expand that with the Juvenile Center and the Bud Meeks Center. From time to time, we are seeing an increasing problem where we have juveniles that are being held on misdemeanor offenses and because they cannot be held at the jail, they are held at the Juvenile Center. It represents a transportation problem when the hearing is at the Meeks Center. This would improve and eliminate that transportation issue that arises from time to time. We have a demo as it relates to paternity court. Commissioner Irving came out a year ago and saw this in action and was very enthused about it. We think we are at the place where we would like to go ahead and install it. This will improve our hearings without the transportation problems. We are doing this by a way of transfer instead of a request from the General Fund. We have found that we have the ability to absorb this from the funds in the 300 series. I would be happy to answer any questions you may have.

Paula Hughes: Councilman Ball?

James Ball: You currently have a system set up in the Juvenile Center but this will be in the maximum security center as well?

Jerry Noble: That is correct. The system that we are using out there now is in the large courtroom which is used essentially for paternity court. It will be a movable system that will help enhance that operation as well. What we are

talking about is the national security side. We don't have to remove the juvenile from the secure detention facility to have these hearings. It will improve their flexibility out there.

James Ball: Will this be set up in a conference area then?

Jerry Noble: There are hearing rooms that are within the secure area and this will allow them to put this in a conference room or wherever they need it.

Paula Hughes: Councilman Vogt and then Buskirk?

Darren Vogt: Looking at the LCD projectors and the cost of them, what was looked at to determine what was needed and so forth?

Jerry Noble: If you were to visit the Bud Meeks Justice Center, you would see that the two courtrooms are pretty large. When they were designed, there were automatic screens that came down from the ceiling. The only place to install a projector was on a bulkhead just above the jury box. There is a pretty good distance so it has to be a little beefier type of equipment to cover the distance.

Darren Vogt: Okay thank you.

Roy Buskirk: So this will cut down on the transportation of prisoners?

Jerry Noble: It will eliminate the need to transport juveniles from Wells Street to the Meeks Center.

Roy Buskirk: So it would be a savings as far as transportation costs.

Jerry Noble: That is correct.

Cal Miller: Are there any other 400 series funds available?

Jerry Noble: We didn't do any appropriation from the General Fund to the 400 series.

Cal Miller: Although you are asking for a transfer from the Pauper Attorney Fund to another. In essence they are General Fund dollars because they will revert back if not used. We need to look at that request with that in mind.

Jerry Noble: That is right.

James Ball: Do you have any information or did anyone do any thought process on the dollar amount on what this is going to save in transportation?

Jerry Noble: We have not done a full analysis on it but I will say that it is not an everyday occurrence. It probably is weekly but it will greatly improve case processing. On Wells Street, they have jurisdiction over delinquency matters. Bringing somebody in on something that is adult offenses is a little difficult for them because they don't have jurisdiction. They will conduct hearings on these types of cases and it is essentially a detention hearing. The offender is released to the parents and ordered to appear at the Meeks Center for their hearing. That works well some of the time but other times it becomes a revolving door because there have been occasions where the offender has failed to appear. He is picked up later on a warrant, taken to the Juvenile Center and told to appear again. He fails to appear again. We have seen this as a problem. This will tighten up that process.

Roy Buskirk: I make a motion that we approve the request.

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 has passed 7-0. Next we have a transfer request from the Sheriff's department.

Jim Herman: Good morning, Sheriff Jim Herman. I was here listening to some of the other discussions about gas and we are on the same page. I had talked to Councilman Vogt about that and we thought that we should maybe do this as a group. I guess about the best you can do is use the current price for gas. By the time that we lock in at the end of the year, it is always different. What I am asking for is to transfer \$30,000 from the automotive line into the gasoline line. That should take care of us for the rest of the year. Apparently we haven't had the automotive breakdowns this year that we would normally experience.

Paula Hughes: Council any questions?

Darren Vogt: Make a motion to approve items 17 and 18, transfer from automotive equipment to gasoline, oil and lube for \$30,000.

Patt Kite: 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 has passed 7-0. Sheriff, if you want to stay in your seat, we can talk about your grant request.

Roy Buskirk: Before we go to the grant request, I don't want to put you on the spot, Sheriff. The tax warrant collections are less this year and...

Jim Herman: Actually they are not less than last year. I think last month we passed the point where you are now making money. Last month, this month and the next two months will be over and above what was used for the salaries.

Roy Buskirk: Has there been anything done as far as reviewing what the cost of the Sheriff's sale would be?

Jim Herman: As you know, we are now charging what we feel the cost is for us to do this. The law allowed us to go up to \$200 but we could find costs of somewhere around \$100 and that is what we are charging.

Roy Buskirk: The cost this year has increased over what it was last year partly because of wage increases.

Jim Herman: That is a good point that it should possibly be reviewed on a yearly basis.

Roy Buskirk: I think that even after we had set it at \$100 there were a couple of expense items that would have taken it over that.

Jim Herman: When we looked at it, we didn't feel that we were out of line with \$100. There are some questions as to what you can count into that but I think the increase should happen every year or two as the cost of doing business. Gasoline could be one of the main things causing the rise in prices.

Roy Buskirk: It was also mentioned that there is an attorney used in the Sheriff's sale.

Jim Herman: An attorney?

Roy Buskirk: Yes, on behalf of the County.

Jim Herman: There is an attorney that is used on behalf of the department if we have questions. I don't remember the last time we used an attorney specifically for the Sheriff's sale.

Roy Buskirk: But as far as the attorney that is assigned to your department, the fees that are paid to him, there has not been anything paid since the \$100 was established?

Jim Herman: I don't think that it was taken into account.

Roy Buskirk: Thank you.

Paula Hughes: Any further questions for the Sheriff? Let's move on to the grant presentation.

Lin Wilson: I am Lin Wilson, Grant Administrator. This is a second-round grant that the Drug and Alcohol Consortium is offering. They had money left over from the first round and so they invited agencies to apply again. The Sheriff is requesting two in-car video cameras and I will let him explain why those are important for the officers.

Jim Herman: The in-car video cameras have been in use for quite some time now and as we keep moving forward, the technology keeps changing. Now it is digital technology and it is time for some of the original cameras that we started with ten years ago to be replaced. We are in the process of refurbishing the fleet with cameras. The two that we are asking for now would be replacements for the two oldest ones. They are analog.

Lin Wilson: This would also make the equipment compatible with the Prosecutor's move to digital.

Paula Hughes: Council any questions?

Cal Miller: Move for approval of the grant request made by the Sheriff.

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. The motion has passed 7-0. Thank you. Mr. McFarren?

Rex McFarren: Rex McFarren with Allen County CASA. I am here this morning to request approval to apply for a grant from the Indiana Bar Foundation for \$10,000. We were here in August to request approval to apply for a grant for \$65,000 for recruitment. Lin found this grant and thought that we should apply and then we will add that to the \$65,000. This will then help us with a major recruitment campaign.

Paula Hughes: Council any questions?

Cal Miller: Move for approval of the CASA grant.

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. The motion has passed 7-0. Thank you. Next up is discussions of salary ordinances. Mr. Dumford, why don't you come up here and sit awhile. I know there was a Personnel Committee meeting to discuss some of these immediately before the Council session and you had to cut it short. I was not able to make that meeting.

Darren Vogt: We got through all of the salary ordinances and were into the discussion portion of the meeting.

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

Brian Dumford: Brian Dumford, Director of Human Resources.

Nelson Peters: We are asking for a salary ordinance for a Highway Director. The current ordinance is set at \$85,174 and we are looking to reduce it to \$75,155. The salary ordinance that had been established was done when the previous director also had a professional engineering designation. Without that professional engineering designation in the current appointee, we felt it was inappropriate to pay that individual the same salary.

Roy Buskirk: Part of that logic was that the state was paying \$20,000 of his salary because of him being a licensed engineer.

Brian Dumford: The state was giving the Highway Department \$20,000 to have a P.E. (professional engineer) on staff.

Paula Hughes: Councilman Moss?

Paul Moss: We talked about this in the Personnel Committee. What we essentially decided at that point is that there are two positions. There is the County Engineer and it is currently not filled. The other is the Director position. There is a total of about \$141,000 between those two positions. You said that you would keep that revenue neutral by moving dollars between those positions. The discussion at this morning's meeting was that it was fine but that you would not find someone to fill that engineer position at \$65,000. And if you don't, we have a whole other set of issues. I believe it needs to

remain revenue neutral and I wanted you to be aware of the discussion that we had.

Nelson Peters: I appreciate that. We have received numerous applications for that engineering position and they do have an understanding of the ballpark that the position would pay. I am confident that we will fill that position.

James Ball: Commissioner Peters, at that meeting, the question was also asked of the director's position and the applications for that. Commissioner Bloom stated that she would have that information for this meeting. Is that correct?

Nelson Peters: Are you asking about the number of applications?

James Ball: Yes.

Nelson Peters: I initially reviewed the applications and my recollection is that there were twenty to twenty-five applications.

Cal Miller: For the director's position?

Nelson Peters: For both actually. There was about an equal number for both.

Cal Miller: So fifty total?

Nelson Peters: We advertised an engineering position along with the director's position. There was about an equal number that came in.

Cal Miller: Are you finished, Mr. Ball?

James Ball: Yes, go ahead.

Cal Miller: If the salary ordinance for the director isn't passed, what is the current director's pay? Would it be the \$80,000?

Nelson Peters: Yes.

Cal Miller: Now that he has been appointed, he would step into the shoes of the higher salary ordinance.

Nelson Peters: Yes, he could. He is currently making what he was making in his former position. I don't remember exactly what that salary is but I think it was somewhere in the...

Paul Moss: I don't think that is what you were asking. The new director would be making what the former director was making.

Nelson Peters: What I am saying is that right now we have held off paying any increase even though he was appointed several weeks ago and with the idea of getting the salary ordinance for \$75,155. It is the Commissioners' prerogative to place him in that line item at \$85,174. We did not want to do that because the requirements for that position are different than what he holds.

Paula Hughes: Councilman Ball and then Kite?

James Ball: Go ahead.

Patt Kite: Just a question. The federal money, is that something that is determined by legislation?

Nelson Peters: Yes.

James Ball: How are the responsibilities of the Highway Department divided among the Commissioners for next year?

Nelson Peters: They are going to be divided in a multiple of ways. One will be overseeing new road projects, one will oversee conversions and one will oversee bridges.

Paula Hughes: Councilman Miller?

Cal Miller: What is the basis of the breakdown for the \$75,000 for director and \$65,000 for the engineer? We know that Mr. Fitch was an engineer and director making \$85,000. What is the justification for paying Mr. Hartman \$75,000 and doesn't have an engineering degree but is intimately qualified, given his experience? This is certainly not an attack on his qualifications. But really, what is the justification for bumping him to \$75,000 and leaving a licensed engineer, with more education and certification, at \$65,000?

Nelson Peters: I would argue history. By that, I am saying, there was a time when the Department of Planning Services Director and the Highway Department Director positions were paid equivalently without respect to any engineering degree requirements. What we did was to set the salary at the same as the Director of the Department of Planning Services. We then used the additional dollars that Councilman Moss referred to for the balance of the remainder.

Cal Miller: What is more critical to the functioning of the Highway Department, a director or an engineer?

Nelson Peters: Personally, I believe a director.

Cal Miller: And why do you believe that?

Nelson Peters: Because there are a number of engineers who provide for the more technically related services within that department. The professional designation of that position allows him to stamp plans and do a few things like that. To balance out the administrative side, you put in that director who takes care of all of the administrative details including scheduling of projects and a number of other things associated with moving the department along on a daily basis.

Cal Miller: In the salary ordinance that Mr. Fitch had, was there a requirement for an engineer's license?

Nelson Peters: No.

Paula Hughes: Councilman Moss?

Paul Moss: I still feel that there is a disconnect between the Council and the Commissioners in terms of certain decisions. I feel if I ask for a commitment publicly, we will be bound to it. In the future, if there is a department head position that opens up, that well in advance of making the appointment and developing a committee to interview and filter through those applications, the Personnel Committee could be more involved. I don't want to speak for Councilmen Buskirk and Vogt but I would have liked to have been involved in that process more from the beginning. Since we have a Personnel Committee, it seems that it would be the appropriate vehicle for some of these things. Would you be willing to do that?

Nelson Peters: With all due respect, we did approach the Personnel Committee almost a year ago with our plan going forward...

Paul Moss: To splitting this.

Nelson Peters: Right.

Paul Moss: I am not talking about that. I agree with that. I am talking about the actual decision, the actual hiring. We didn't any involvement in that. I am just asking that early on in the process, there be some additional interaction.

Nelson Peters: And I don't have a problem with that understanding the delineation of duties between the Council and the Commissioners. Part of our charge is to run the day-to-day operations including the Highway Department.

Paul Moss: I understand that. That is your responsibility. I think it would probably prevent some of the things that have occurred with this.

Nelson Peters: We are always open to input.

Paula Hughes: Council any further questions? Councilman Miller?

Cal Miller: Just some discussion of what is the Council's latitude? I know the request for a salary ordinance is in the figures given. Does the Council have the latitude to change those numbers?

Paula Hughes: Has there been an evaluation of what this job should pay?

Darren Vogt: It has not gone to the consultant. They have put it at the same as the Director of DPS (Department of Planning Services). That is where the salary came from. Keep in mind that if we do not lower the director's salary, we will be upside down if they hire and then need to hire a licensed P.E.

Cal Miller: We would have to approve that salary ordinance. I do see the dilemma. One of the unspoken is that I can't support the salary ordinance. I think Mr. Hartman is fully qualified but because the appointment came with a unanimous vote of the Commissioners without Commissioner Bloom abstaining from the vote, I can't support this. If the Commissioners would back up and withdraw that and then revote, I would support it. I don't want to get into the dynamics of what they think is more important, the director or the engineer. I think Commissioner Peters has articulated that very well. But at the same time, if we don't approve the salary ordinance, the current salary is \$85,000. I am not sure how to reconcile that with my unwillingness to support the salary ordinance.

Paula Hughes: I share your concern with the conflict of interest with Commissioner Bloom. Councilman Vogt?

Darren Vogt: If I could ask Commissioner Peters this question. Could you explain the process to look and search out for that director? That may help eliminate some of those.

Nelson Peters: First of all, let me say that we are not asking you to support our appointment. I understand the conflicts you may feel. We are asking you to support the salary ordinance regardless of who is in that position. With respect to the process that we went through, we asked some individuals from the community once the candidates had been identified. There were three people on the panel to go through the applications for the director and the engineer positions. They narrowed those positions in both categories down to three positions. That was with the caveat that the Commissioners allow the new Highway Director to pick the Professional Engineer. That seemed to make sense. We then went back and interviewed those three candidates for Highway Director. We chose the individual that we appointed a couple of weeks ago.

Roy Buskirk: Your committee, were those individuals involved in any current contracts with the County?

Nelson Peters: Some have been, yes.

Paula Hughes: Councilman Ball?

James Ball: Commissioner Peters, I share with Councilman Miller some of the concerns that he expressed. One of my thoughts, if you could extrapolate on your consideration on this part is the liaison position to that department. Was that something that you would consider doing?

Nelson Peters: I certainly don't have a problem. Those appointments will be made based on consensus of the Commissioners at the first of the year. I don't have a problem throwing my name into the hat.

Paula Hughes: Councilman Moss?

Paul Moss: I look at this salary ordinance and I don't think about who the individual is. I do that with the Personnel Committee and try to look at the position itself. I don't have the same feeling about not approving this as I set aside who is in it. Is that the appropriate salary for that position? And it probably is given where the previous director's salary was.

Cal Miller: In response, I can't overlook the appointment. I think that Commissioner Bloom should not have participated in that vote. My opinion is that it leaves us to weigh in on the appropriateness of the appointment under those circumstances. If not us, who? I would be in favor of passing a salary ordinance for the current salary that Mr. Hartman is making and ask the Commissioners to undo what they have done and have it pass with her abstaining.

Paul Moss: I don't disagree with what you are saying but is that a motion?

Cal Miller: I will make a motion for a salary ordinance for the Highway Department Director for \$55,749 which is Mr. Hartman's current salary. I would be open to the Commissioners coming before Council after they have undone the appointment of Mr. Hartman, had a vote and an abstention by Commissioner Bloom. That is the only way that I, in good conscience, participate in a salary ordinance that would pay Mr. Hartman \$75,155.

Darren Vogt: Can you restate the motion just so that I can understand what it is?

Cal Miller: Moving for a salary ordinance for the Highway Department Director in the amount of \$55,749.

Darren Vogt: Which is the current salary. Thank you.

Paula Hughes: **We have a motion.** I will say that I will support Councilman Miller's motion. I am not in the position to second it but I share the concerns with the ethical quandary that Commissioner Bloom is placing all of County government in. I think there is a moral obligation on behalf of Council to evaluate that and to step in when others have not. Is this position going through the reclass process? The idea of setting one job, because another job which in a lot of ways is completely unrelated to county government, is paid the same thing. It seems a little...

Darren Vogt: The engineering person was looked at and evaluated. Will there be a range?

Brian Dumford: All of the positions will be evaluated in the project but we do not have a SAM/EXEC classification in the system right now. The best we could hope for would be a range at these high level positions.

Paula Hughes: But we didn't even do that for this director's position. I know that when we have had other positions that fall outside of the existing grid system, don't we have recommendation from our consultant?

Darren Vogt: Not that I recall.

Brian Dumford: I don't recall whether Mr. Temple gave us this range or not. I feel confident with Commissioner Peters' expertise and the history of the position within the county. The range that was posted at \$70,000 to \$85,000 was an appropriate range.

Darren Vogt: I am not sure that we have had anything other than Ed Steenman's position come before us.

Paula Hughes: Didn't we have a nursing position for the Sheriff's department, that was outside of the grid system, that we had recommendations on?

Darren Vogt: You are correct.

Paula Hughes: Those are the two most recent examples of positions that were outside of the grid system. I can't remember if there have been others. Councilman Miller then Buskirk.

Cal Miller: This is an opportunity for County Council to right something that was a momentary lapse of judgment by Commissioner Bloom. I spoke with her prior to this meeting and she is not here to defend herself but it doesn't come easy because I think a whole lot of Commissioner Bloom and her talents and abilities and her contributions to county government. But this was, in my opinion, a temporary lapse of judgment that we need to weigh in on. We need to set the salary at the current amount, ask the commissioners if they will vacate the vote or do whatever they need to do procedurally and see if Commissioner Bloom will abstain. Then they can come before Council and ask for a salary ordinance that Commissioner Peters has defended as being the appropriate amount for the position.

Paula Hughes: Councilwoman Kite? I am sorry Buskirk and then Kite.

Roy Buskirk: I will second that motion. I will take a moment to explain some of my thought processes. I supported the salary ordinances in committee. There are three on the Personnel Committee. When one makes the motion and one makes the second, it passes. So when it came to thirding it, I moved it off here for discussion. The reason of my concern is the fact that I have talked to several licensed engineers over the last week and they were very questionable that the county would be able to hire somebody, with experience, at the \$65,000 level. So, I am very scared in the fact that in a month or two months, the Commissioners will be back before us stating that they are sorry but they are unable to find a qualified licensed engineer at that salary. I think that since we do have a person in mind for the director, the interview process could be carried forward and that these two salary ordinances could come before us after they have retained persons for these positions. I also want to be of record that I question the judgment of three Commissioners being involved in the every day management of our Highway Department especially concerning the conflict of interest that Commissioner

Bloom would have with the director at that time. But as for going back and having three individuals managing the day-to-day operations of one department, I question the logic of that in the interest of the county taxpayers.

Patt Kite: I agree with your concerns, Councilman Miller and President Hughes, about the conflict between the commissioner and the director but I have to concur with Councilman Moss that we are looking at the position and not the person. So with that in mind, I suggest that we table this until they can work a few things out and redo their vote or whatever. Is it something that has to be decided on today?

Darren Vogt: And that is along the line of what my question was. We have a motion and your seconded it, right, Roy?

Roy Buskirk: Yes.

Darren Vogt: Before I would vote, Auditor Blosser, if we were to pass a salary ordinance today, how would that affect his pay if we do another salary ordinance later? Could we retro the salary to the day of his appointment?

Lisa Blosser: Yes you could, from the date of his appointment.

Darren Vogt: So we could go back and give whatever was appropriate.

Paula Hughes: Commissioner Peters?

Nelson Peters: If it is appropriate for me to comment, I appreciate that. I am somewhat incredulous that we are coming in and asking to decrease the position by \$10,000 and we are being questioned by this committee for being as forthright as we were. If we put the individual in at the \$85,174, which is what the salary ordinance is set at right now, we could have walked merrily down the street and not had any discussion. The action that you are requesting to take today is action that compels your department heads to do some of the things behind the scenes that you so much abhor and talk about at this Council. With respect to Councilman Miller's concern about the ethics of the vote or whatever, I am not here to address that one way or the other. There were three votes in favor of this appointment. It only takes two votes. Whether Commissioner Bloom abstained or not the current individual would have been appointed as Director of the Highway Department. To question the day-to-day management of the department is your prerogative but it is our responsibility to run that. I appreciate Councilman Buskirk's concerns regarding this is the right way or the wrong way but again, it is our responsibility to run the day-to-day operations of the Highway Department.

For those reasons that I respectfully request that you establish that salary ordinance at \$75,155 and let us roll the dice on the engineer.

Paula Hughes: Councilman Vogt?

Darren Vogt: The issue is two-fold. One is sending a statement that this Council does not appreciate or condone the type of vote that happened in this position. It has nothing to do with the qualifications of the individual. There is a distinct difference between that and setting the proper salary ordinance. If we set the proper salary ordinance, which may be \$75,155, we have done a disservice to the county taxpayers by not making a statement to the fact that it was wrong. I understand where you are coming from and that it takes two votes but it takes five votes for us to make a salary ordinance.

Nelson Peters: Councilman they are mutually exclusive issues. One has nothing to do with the other.

Darren Vogt: I respectfully disagree with you.

Cal Miller: They are inescapably intertwined. The commissioners have been given a very clear and precise roadmap that if they want this director at this salary, then they have to undo the momentary lapse of judgment undertaken by Commissioner Bloom. If this Council is receptive to a retroactive pay when the vote is undertaken in an appropriate manner that is a reflection of what we want county government to be.

Paula Hughes: Council any further discussion? All in favor signify by saying aye. All opposed same sign. Let's do this by hand. All those in favor, please raise your right hand. Five ayes and two nays, the motion passes. Okay, we are moving on to a salary ordinance for a Highway Engineer.

Darren Vogt: \$65,768.

Nelson Peters: The rationale for the Highway Engineer is already effectively been explained. It is our request to set that at \$65,768.

Cal Miller: Move for the approval of the salary ordinance for the Highway Engineer in the amount of \$65,768.

James Ball: 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 has passed 7-0.

Cal Miller: With respect to the circulation of the form for signatures, the salary ordinances are combined. Can we get one that separates them?

Tera Klutz: Can you just cross out the one and initial the one that is now \$55,749?

Cal Miller: Sure.

Tera Klutz: I will get you a new one.

Paula Hughes: Moving on, we have a request for a salary ordinance for a Human Resource attorney. Mr. Dumford.

Brian Dumford: Earlier this year, through Personnel Committee, we took the Risk Manager position in Human Resources and combined some duties of the county legal staff and the risk manager to establish a Human Resources attorney. That is effectively taking in house several legal obligations of the Commissioners Department as well as performing the responsibilities of the risk manager position. We were fortunate enough to hire an attorney and her name is Kathy Serrano. She has jumped in very enthusiastically in all fronts and in all situations that we have presented her. The position was approved at \$50,000 annually. Along with that is the second salary ordinance which is to increase a part-time Administrative Assistant position to a full-time position. This is equivalent to the current Administrative Assistant full-time position at a COMOT IV with an annual salary of \$28,016. I request the passage of both of these salary ordinances. The ordinance for the County Attorney, I would request, to be retroactive to September 25, 2006 which is the date she started.

Paula Hughes: Councilman Moss?

Paul Moss: The attorney position is full-time with no outside private practice, right?

Brian Dumford: She is strictly full-time in our employ.

Paula Hughes: Councilman Vogt?

Darren Vogt: If I call, there was no return of dollars to County General on the whole restructure. \$26,000?

Brian Dumford: \$26,000 to 28,000.

Darren Vogt: Council I was just trying to refresh your memory on that type of scenario as they juggle these around.

Paula Hughes: Council any further discussion? Councilman Buskirk?

Roy Buskirk: I am a little confused. I thought this was set up for 2007.

Brian Dumford: It was set up in my 2007 budget but because of my vacancies we agreed that I could fill it now. I have enough money in my budget due to the Risk Manager's position not being filled.

Cal Miller: Out of curiosity, what was Ms. Serrano's background?

Brian Dumford: She brings a varied background having worked as a manager of a title company. She worked as a paralegal for many years and went to law school later in her career. She has done private practice and bankruptcy practice. Has experience in working with her dad's highway company. She also spent ten years in the military.

Paula Hughes: Council any further discussion?

Cal Miller: Move for approval of the salary ordinance for the HR Attorney in the amount of \$50,000 and for the HR Assistant in the amount of \$28,016.

Darren Vogt: Second.

Paula Hughes: We have a motion and a second, is there any further discussion?

Paul Moss: The HR Assistant is part of that sheet that you did.

Paula Hughes: All in favor signify by saying aye. All opposed same sign. The motion has passed 6-0-1 (Paula abstained). Next on the agenda the salary ordinance for the Juvenile Center has been withdrawn. Correct? Ms. Hudson, salary ordinance for a Programs Coordinator.

Sheila Hudson: I am Sheila Hudson, Director of Allen County Community Corrections. I am here to request a salary ordinance for position entitled Programs Coordinator. This person is responsible for all of the substance abuse, life skills and anger management classes.

Brian Dumford: Ms. Hudson came to the Personnel Committee earlier this summer and due to a vacancy in her department, she retooled a position that

would be able to manage all of those programs. The Personnel Committee earlier today passed the evaluation at a PAT V.

Cal Miller: Move to approve the salary ordinance for Program Coordinator for Community Corrections in the amount of \$40,762.

James Ball: 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 has passed 7-0. Council I have asked Mr. Dumford to do a monthly update on the progress of the reclassification process.

Brian Dumford: Thank you very much. As I believe Council is aware, the classification project didn't go down the way we wanted it to. What we have done, after I circulated a letter to all of Council, I sent a letter to Mr. Temple that outlined very specific steps, very specific deliverables and very specific deliverable schedule of how we would see this project moving forward and concluding. I have had miscellaneous conversations and clarifications with Mr. Temple but I have not had an actual confirmation from him with the plan that we have set forth. In the meantime, I have been working with departments and, from a county standpoint, am ready to move forward and have everything in place that we need to provide to Mr. Temple to move this project forward at the time that he does or does not agree. If he does not agree to our terms and conditions that we have set forth, we are developing contingency plans to bring this project in house and do this project as it was originally intended. Right now I am awaiting word from Mr. Temple and am getting ready to send another communiqué requesting a response by a certain date.

Paula Hughes: Council any questions for Mr. Dumford?

Patt Kite: I lost a copy of the letter that was in my computer.

Brian Dumford: I would be happy to send another one.

Paula Hughes: Councilman Moss?

Paul Moss: How long are you going to give him to respond?

Brian Dumford: I was thinking about a week.

Paul Moss: If he doesn't respond...is he doing any work right now?

Brian Dumford: I don't believe he is doing any work at the moment. I have told him that work will commence when I receive his response. That is when the clock will start ticking.

Paul Moss: The clock? I am not sure what clock you mean.

Brian Dumford: The time schedule that we have set forth.

Paul Moss: And so this time next week, that you don't have a response, you say you have contingencies. I was under the impression that the HR Department couldn't do this project but now you have made the comment that if he can't do it, you will.

Brian Dumford: We are developing some contingencies right now that I would be happy to share with you at the next Personnel Committee meeting. I don't have anything solid yet. I am floating some ideas and talking with departments on some of the other ideas on how we might be able to do this. We have several different plans that we are investigating.

Paul Moss: I just want to say that I am not going to sit here and assign all of the blame to the Temple organization. This is a mutual failure and I mean all of us. I think we are developing a picture here of assigning full blame to Temple and that is a little frustrating and I think that is what part of that letter was as well. I am anxious to hear more about real contingency plans as opposed to "we have some ideas". We need to have specific lists of processes and agenda items that HR is going to take.

Brian Dumford: I agree.

Paul Moss: I am glad you agree but we have to get it going.

Paula Hughes: Do we have a Personnel Committee meeting between this and the next Council meeting?

Roy Buskirk: We have a Personnel Committee meeting scheduled after this Council meeting.

Darren Vogt: We are continuing the one we started this morning. This area was not discussed as well as the reclassifications.

Paula Hughes: All right. Councilman Buskirk?

Roy Buskirk: I am what I am and so that we are not caught with our pants down, what can we do while we are waiting on Temple's response? I know

there are requirements and information that we need back from department heads.

Brian Dumford: I have already been doing that, requesting stuff from the department heads as well as meeting with them for some of their input.

Roy Buskirk: I think that I agree with what Paul said that it is a mutual blame. I think we need to be very careful with that. We need to try to move ahead as much as possible.

Paula Hughes: Thank you for the update. Next on the agenda is the discussion of the utility projection project. Mr. Little and Ms. Inman?

Cal Miller: Utilities and gas.

Bruce Little: Good morning. I am Bruce Little, Director of Purchasing for Allen County.

Sidonie Inman: I am Sidonie Inman, County Maintenance.

Bruce Little: Councilman Miller, perhaps you would like to start this discussion.

Cal Miller: A little introduction. We talked at the last Council meeting that perhaps the county would be best served if we could collapse all of the utilities under one budget for the year and having the two of you, as people who have your finger on the pulse of what utility charges may be. Mr. Little has demonstrated in the past with great success. We thought that given the positions and the departments that you head up and the wisdom of the two of you, that you could assist us in coming with the framework of collapsing all of the utilities into one line item. Then these would not be funded in the individual budget makers' budgets. They would not have to come before us to ask for extra utilities or gas. If there is a need for additional funding, then we would know that our projections were not on the mark and that we ought to be coming to the County General Fund to get those replenished. What this does for us is to prevent any shifting around of those dollars if they are under-budget and allows us to go to a truer budget. We wanted to talk to you about how you could assist us. Does anyone else have anything to add to this?

Bruce Little: I think that gives me a pretty clear idea of what it is you are trying to accomplish. I would like to take a step back and not presuppose the collapsing all of budgets into one line item isn't necessarily the best way to accomplish that.

Cal Miller: If that is not the best way then we are all ears.

Bruce Little: Let me give you a little background of what Sidonie and I have done since you asked us to appear here today. We have compiled a list of all of the various utility accounts for all of the departments. And by utility accounts, I mean natural gas, electricity and City Utilities for water and sewer. This leaves out telephones, cell phones or anything else some might consider utilities. With these 150 some accounts, the vast majority are represented our accounts with NIPSCO and I & M. I believe the purpose that is attempting to be served here today is to come up with a realistic budget figure for our utilities without relying on vastly underestimated or overestimated amounts from the departments who may not have the resources to make good sound judgments. When I got into this earlier, I contacted representatives of the various utilities and asked for their help. With their help, maybe we could come up with a truly objective and professional projection on utility accounts. They would have no axe to grind as far as giving us what they considered to be their best guess as to what the coming year's utility bills would be. What I would suggest is that the Council would consider using that information that we could funnel to you, well in advance of your budget process, then you simply use those utility estimates as hard, fast figures. These wouldn't be raised or lowered by the budgeting departments. One of my concerns about collapsing all of the budgets into one line item, actually I have two concerns. One of them is that we are talking about roughly 150 invoices every month that has to be paid. Right now, that work is distributed across the using departments. That doesn't represent a single burden to any particular department. If we were to say that all of a sudden my department or Sidonie's department or the Auditor's department is now responsible for paying those 150 invoices, I think you would realize that it would represent a burden.

Cal Miller: I do recognize that but while there may be recognition that it is a burden, why can't we have a utility company send the county a single bill?

Bruce Little: Every meter is a separate account, that's why.

Paul Moss: So there are 150 meters out there? We are obviously talking about locations here.

Bruce Little: I can give you copies of the account numbers, locations and departments. They cannot give us one bill for all of those.

Cal Miller: I didn't realize there were that many. And I think that makes a lot of sense. I think what Council would like to do though is to take away the projection from the budget maker. The Council would then insert so that the

projection is something that you are making for the county as a whole. If we don't include their portion of utilities then we have given the budget makers the latitude to say for them to put it where they deem fit to best run their office. If it was reasonably anticipated and you didn't adequately fund it, you would have to come before Council that would be less than receptive to the request. I thought that given the situation that we had with the Sheriff where he is paying half the utilities for the court side of the jail and we want to get away from all of that. Theoretically, we could collapse it for the bill paying reason but we could collapse it in our minds so that we are not giving them the funds. We are placing those funds in there as you project them. Those are not discretionary items that they could decrease or increase to make the rest of the budget work.

Bruce Little: Much in the same way that you handle salary line items. You don't allow the departments to have discretion.

Cal Miller: Exactly. So there is no temptation to manipulate that. And we would also be guided by the folks that can make the best projection for the county overall. That is exactly what I am envisioning.

Bruce Little: May I share with you my second concern? If you collapse all of these into one line item, you are going to be taking away the accountability from the using departments. I can give you an example. Last week, I was contacted by the bookkeeper in the Sheriff's Department. She had gotten an invoice from NIPSCO that simply looked out of line to her. We contacted a representative from NIPSCO who came in and explained what had happened. If you put all of this into the hands of one clerk, processing 150 invoices a month, that degree of scrutiny will be lost.

Cal Miller: As usual, both of your points are exceedingly valid. I like the idea of placing a figure in their budgets that are projections that are made by Sidonie and Mr. Little and that it is not flexible.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: What I was looking for is that gasoline would have a contract for the following year at \$2.00 a gallon and budgeted for \$100,000. But at the end of the year, the contract ran out, we are paying \$2.10. That is an increase of five percent, right?

Bruce Little: I am not sure I am following this. We have had the same price per gallon since January 1 to date.

Roy Buskirk: I am just using this as an example. The only reason these departments are coming back in here and asking for additional funds is because the cost went up on the gasoline. But if you are telling me that they are still getting the cost of gas at the same price...

Paula Hughes: It is because they had to project last June.

Roy Buskirk: Correct. It went up from the number that they budgeted. That is where my example increase is. It went up from the time the budget was made. So if it went up five percent, the \$100,000 would increase five percent or \$5,000. I think that is what we are looking for. It can be done with kilowatt hours or therms and it could still be in the individual departments. It could be flex rated up or down based on the facts of the additional cost of that particular utility item. And we would keep it in that budget. And if an individual is paying that bill every month, they will notice if the bill is extremely high.

Paula Hughes: Councilman Vogt, Ball then Moss?

Darren Vogt: I agree that there needs to be some oversight and checks and balances in that. Have you had cumulative billing talks with NIPSCO as a gas company and they list them all on the same bill? As you see your bill now, you say that this is what it was this month and this is what it was last month. I wouldn't want to pay 150 bills either but if we had it on one bill with a total dollar line amount and you could see it all. Is that not available?

Bruce Little: I have never asked that question. I will be happy to but that wouldn't be relieving that second point.

Darren Vogt: It would if you had it listed with this month versus last month. You would see a definite difference.

Bruce Little: There would still have to be an individual meter by meter accounting on that bill.

Darren Vogt: I agree and that is what I mean. They would list each meter on one total bill and then you write one check and it goes in for all of those meters. It could help to see individually what they are and we could put it all into one pot.

Paula Hughes: Councilman Ball?

James Ball: Mr. Little, I commend you because I think your recommendation is spot on for what we were looking for. The only other thing that I would

share with you is maybe adjustments made so we don't get into the situation of quarterly reanalysis. If you budgeted for \$2.20 and then January 1 rolls around and we know it is going to be \$2.35, then maybe we could see the adjustments come through in maybe February. So we know that there are adjustments that we need to make. The same in electrical and natural gas.

Bruce Little: It could be monitored quarterly but you have to remember when we are talking about natural gas and electricity it is not the same as talking about gasoline. Gasoline is somewhat consistent throughout the year. You can make good projections in the first half of the year but when you start to get to crunch time of fall and winter, by the time you are hit with those large bills, is when your usage is at the highest the rates are also at the highest. I think the best you can do with utilities is just keep an eye on it. I am sure the departments do keep an eye on it. They are looking at their balances as they are paying the bills month to month. They should be able to project ahead and come to you if they are running short. You should be safe and secure in the knowledge that it is beyond their control.

James Ball: I am sure that if the recommendations are coming from the utility company that they should be fairly accurate. One last comment or thought, when you compiled this list of 150 and I am sure the utilities have it as a bulk number and see what we are spending monthly, have they been approached in the past about a bulk rate?

Bruce Little: Currently we do that with natural gas. There is a meeting right now that I am missing but it is a purchasing consortium made up of Fort Wayne Community Schools, Northwest and Southwest Allen, the City of Fort Wayne and ourselves. We do contract for the purchase of natural gas. We are hedging our purchases with futures purchases for natural gas. So yes, we are actively involved in that. There is no similar program that I am aware of, as far as electricity. And obviously, with City Utilities, we get what they give us.

Paula Hughes: Councilman Moss, then Buskirk and then Miller?

Paul Moss: There are different ways of conducting business and it sounds like that it is going to fracture in terms of everyone paying their bills. I am going to assume that it is generally true that the bills that come into them are being paid by them or do we have an accounts payable area in the Auditor's Office?

Jackie Scheuman: The department would fill out a claim form with the invoice and send it to us. We cut all of the checks. We audit them to make sure it is an appropriate purchase.

Paul Moss: So the 150 is doable. I don't know which is better. For the sake of argument having a consolidated accounts payable or sending the bills to the departments and having one person be responsible, I would hate for us to just dismiss that. I think it might merit some additional discussion. The other component is that it appears to me that we are looking at two different things here. There is a process issue and a data issue. I would hope that we could get the data that we are looking for pretty easily. All you need is those 150 bills by department over a certain period of time and then just trend it. I think that would be something you could pull fairly easily. We should be able to get that data, throw it into a spreadsheet and trend it out.

Bruce Little: If I may, you say trend the data and certainly you could, but what the Auditor's Office is using would not be the same data that our utility consultant would be using. As I mentioned, we hedge on futures purchases. We know that maybe six months from now, what 30% of our needs are going to cost. The Auditor's Office wouldn't know that.

Paul Moss: Let me expand on that real briefly. I am talking about units. That is all I am talking about. We would know what the units are but the unit cost is a whole different story. That is the variable but we would at least understand the units and the trends there.

Paula Hughes: Councilman Miller?

Cal Miller: I had the same thought as Councilman Moss. We could develop a spreadsheet pretty easily with one variable being the unit cost. We know historically year-to-year what the consumption of the units are.

Bruce Little: But those aren't going to tend to be as consistent. A cold winter versus a warm winter makes a major impact. That could be a widely varied factor that cannot be dismissed.

Cal Miller: I don't know how much history we have but I think this can be figured out with a spreadsheet and some assumptions made to give us a better idea of what the cost projection would be. If we had the spreadsheet in place with some of the variables...

Bruce Little: Absolutely. And that is what I am asking the utility companies to do. That is what I am asking our paid consultant to do. As a matter of fact, our consultant Maverick Energy, has already provided me with a preliminary spreadsheet. They have all of this data and they have our futures prices plugged into this. They are in a better position to create the spreadsheet than we would be.

Cal Miller: To address Councilman Vogt's idea where we approach the utility companies and ask them for one itemized bill, it seems to me that we could be paying one bill. You could PDF that document, send it to the 150 people that needs to look at their particular unit and with an email every month that asks if there are any issues with this. Then we would have one bill being paid and not 150 people touching 150 pieces of paper.

Paula Hughes: If you could get the utility company to do it. Councilman Vogt?

Darren Vogt: They have already done that because they have to read every meter. Do you have enough to understand what we are looking for as a Council? I think you have already hit on Councilman Ball's point. Maybe just refining some of that and putting it in writing so we can have a formal report that speaks of what the utility company says about the billing situation and the futures prices and all that. Can you get us some data that we can look at?

Bruce Little: As far as the data that you want to look at: Number One is to see if we can get a unified bill. What would Number Two be?

Darren Vogt: The data on historical trends.

Bruce Little: You want to see the actual numbers now.

Darren Vogt: Yes. Why not start looking at it now.

Cal Miller: Without putting the numbers in a spreadsheet, if you could conceive of the variables that Councilman Moss was talking about to assist you and us in making a quarterly projection. Then we could know where we are going and the current unit price or what we think the unit price will be in the next quarter. Just come up with the concept but not plug any data in yet. Then you could meet with the Auditor's Office to see if it would be a useful tool in making some of the projections. And those projections could be used by us because what happens here is the uncertainty of what these increases are going to be. That creates for County Council to earmark that there are funds in reserve to make these in lean years. It gives us tools to make the projections.

Bruce Little: Again, to see if this is where you are headed. If I were to give you a spreadsheet with a month by month projection of what we are expecting 2008 utility costs to be.

Cal Miller: No. In a particular year, for instance 2007, if you have what the consumption will be and the one variable you could change is the unit cost. Then we could keep an eye on the bigger picture.

Paula Hughes: Councilman Ball has an idea.

James Ball: It is just back to his original recommendation. You get the solid number, you allocate it by the meter number to the department and that is the number we go with. That is the simplest and most straightforward way. I think my concern is that we are getting a very good number and there is no error or very little error and no room for manipulation.

Cal Miller: My concern is two-fold. Yours is valid on a year-to-year basis when we are setting the budgets. In terms of having a tool to look at all of the utilities and having a spreadsheet with whatever variables exist, based on historical data, and what that will mean during the current year.

James Ball: That is what I said about doing a quarterly review.

Cal Miller: I was just echoing that.

James Ball: Actually it might be as simple as a phone call to the utilities.

Cal Miller: But to do that, we would have to know what all of the unit consumption is.

James Ball: The utility would know that.

Cal Miller: We need them on all utilities, whether it is gas, electric, etc. in one formula.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: On the monthly bill, you have a breakdown of what your utility ran for the last twelve months.

Cal Miller: We have 150 bills. That is my point. It should all be factored in to one universal spreadsheet.

James Ball: Councilman Miller, I totally respect what you are saying and I understand it but I think the information can be garnered from the utilities.

Cal Miller: Whatever the easiest way to get it as long as we have it.

James Ball: I agree with you.

Bruce Little: I have a draft of a spreadsheet submitted to me by Maverick Energy. It doesn't fit all of our needs and gives us what amounts to a lump sum figure rather than a breakdown by our budgeting units. I think what we need to do is add a few more cells and formulas and we can get it. What I would like to do is perhaps send it to you and you could give me feedback on how you would like to see it modified.

Cal Miller: That sounds fine. What is underlying all of this though is that if it is not a useful tool then let's just dump the whole idea.

Paula Hughes: Okay Council any further questions, Tera?

Tera Klutz: Just want to make one comment that I agree it should be separated into the department budgets. From an accounting point of view it makes an excellent way to see what the cost of certain departments or buildings are. We often get requests and going into one line and trying to determine what the expense was for that particular part.

Darren Vogt: From the utility line item, could we make a blanket resolution that you are not allowed to transfer out of that line item...

Paula Hughes: We approve every transfer though. Oh, no we don't.

Darren Vogt: See that is the problem. If we decide to keep it in the individuals instead of the one, that is the kind of resolution we need to have as a Council and try to get to that true budget. And that is the overall goal, to have a true budget.

Paula Hughes: Thank you for your time on this.

Cal Miller: Thank you both your willingness to help us on this project.

Paula Hughes: The Commissioners have a request to move the balance from the Jail Building Corporation to the Juvenile Justice Center Corporation.

Judy Heck: Judy Heck, Allen County Commissioners Office, Financial Coordinator.

Bill Fishering: Bill Fishering, Allen County Attorney.

Judy Heck: We are here to ask for your approval to move the remaining balance of the Jail Building Corporation bond money over to the Juvenile

Justice Center Building Corp. to complete some projects there that need to be done that were not included in the original cost.

Roy Buskirk: No disrespect for you two but I make a motion to table this because none of the commissioners are here to present it and there are questions that Council will have that I don't think you two are qualified to answer.

Judy Heck: I can go get a commissioner if you want.

Roy Buskirk: Sure.

Darren Vogt: While we are waiting, if you could address the legal issues of the statutes.

Bill Fishering: Yes, 5-1-13-2 basically says that the legislative body can make a transfer to a similar project. We have said that if we are going to do that, we would come before Council to get their consent. While it may not be technically required, we made the obligation to come before you. We deem the Juvenile Justice Center and the Jail to be similar projects and would qualify for the transfer.

Darren Vogt: And the two buildings you are talking about are the jail and ACJC.

Cal Miller: So Mr. Fishering, you are satisfied along with Commissioner Peters that we have the sufficient similarity?

Bill Fishering: Yes.

Cal Miller: What is the basis of that?

Bill Fishering: Both of them are for housing persons in secured detention and/or trying because you have both functions going on.

Cal Miller: I want to be able to reconcile my vote today with the discussion we had last year with the supplemental bond issue with Wood Youth that was going to be used for the purchase of the buildings across the street and ultimately to address parking. As far as that bond, I asked if that had to be used solely for the purpose of Wood Youth and I think you said it would have to be.

Bill Fishering: Without going through this process.

Cal Miller: Oh, without going through this process. Okay.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: I guess that answers the legality of transferring the funds. I know in talking to some of the other Council members on this item being on the agenda, it just seems to be a constant overrun of Juvenile Justice System. Was any of the supplementary bonding issue used for any cost or was that strictly...

Bill Fishering: It was all used for the Juvenile Center. The supplemental bond was used to purchase the Elco Tool building and if you recall, there was a discussion...

Roy Buskirk: I am sorry but I don't consider that as being expenses for the Juvenile Center.

Bill Fishering: They are using that for storage along with the County using it for storage. We bought the lot next to it and converted that to parking. We had quite a lengthy discussion at that time about whether we would use the condemnation procedure to accrue that and I think it the Council was not particularly interested in using the condemnation procedure to get that ground. Elco Tool would only sell us the vacant ground if we bought the building along with it. The people in the auto mechanics shop decided that they did not to sell the building and since you didn't want to use condemnation, we elected not to proceed with that. All of the money was used for the Juvenile Center.

Cal Miller: I have had an opportunity, as most of us have, to tour the Juvenile Justice Center. The carpet and acoustical \$68,050 is that to address the same problem.

Bill Fishering: It is a sound problem and I toured it once and it is very loud and difficult to accomplish the goals there.

Cal Miller: Can we hear from Mr. Brita and is the acoustical issue intertwined with the carpet with that.

Joe Brita: There were architectural hiccups in that certain areas are so loud that it was unbearable. The classrooms upstairs were just terrible. In the visitation rooms, if you get 40 or 50 people in there and you couldn't hear yourself think.

Cal Miller: So the carpet and acoustical wouldn't be an overrun. It would just be an architectural hiccup that wasn't contemplated as a need until you got into the building and started using it.

Paula Hughes: Council any further discussion? Councilman Buskirk?

Roy Buskirk: The parking lot expense is for the new area?

Bill Fishering: Yes. This list has more money than is actually being transferred.

Roy Buskirk: Then there was an issue with some bad soil in the actual building.

Bill Fishering: I believe they had to put down one of those structural mats under the asphalt. That caused a slight overrun from the original projection.

Roy Buskirk: Has there been any items that have been completed on the Juvenile Center prior to being approved by the Commissioners?

Nelson Peters: Only the parking lot, if I understand your question.

Roy Buskirk: I was told by one of the commissioners that there had been some items that had been completed prior to the commissioners signing off for these items to be completed.

Nelson Peters: I think as a part of the overall project, there is some truth to that but we have since caught up with that. There were some things that took place before the commissioners' approval in the entire project.

Bill Fishering: And to just get through that, if you recall, unlike the jail, which the commissioners directly controlled, all of the changes with the Juvenile Center went to the architect and construction manager and then to Tim McCauley and Judge Sims and finally to the commissioners for approval. As those of you who have done building projects know, you can't always take as long as some to review things and to keep projects on schedule. It did occasionally happen that things got done out of the normal sequence of things.

Roy Buskirk: The \$30,000 for Microsoft, what is that for?

Nelson Peters: XP updates and things like that. We have a lot of machines that have Windows 95, 97 and 98 on them.

Roy Buskirk: And that is updates in the Juvenile Center?

Bill Fishing: Yes.

Cal Miller: All the money will be spent in the Juvenile Center?

Nelson Peters: Right.

Paula Hughes: Any further questions?

Cal Miller: I will move for approval of the request to transfer what is remaining from the jail bond to the Juvenile Center bond to be used consistent with the request set forth in the September 12, 2006 letter signed by the Commissioners.

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. The motion has passed 7-0. Councilman Buskirk?

Roy Buskirk: While we have you here, I would like to pick your brain. One of them is them is trying to get reimbursement for the excess of \$60 per day for housing. Can you provide us with information as to much it does cost for housing juveniles? Also, we are housing for other counties? And what are they being charged for?

Joe Brita: The way we do it is kind of a guarantee. Rather than establish a per diem of \$100 and some counties \$110, we charge the surrounding six counties \$5,000. That guarantees them a bed. If they elect to use the bed, we charge an additional \$70 a day. I figured this forwards, backwards and all kinds of ways and it comes out better this way because a small county doesn't usually exhaust the \$5,000. If they don't send many kids in a particular year, we are still guaranteed that money.

Roy Buskirk: And the advantage to them of paying the \$70 to us instead of to the state is probably partly the transportation cost. Oh, but that is prior to the time that they are sentenced.

Joe Brita: There are only 22 of us in the state. If you have a county, you have to have a jail but you don't have to have a juvenile detention center. In the spirit of cooperation I think that all of the major detention centers house for the counties around them. I do play games with it on occasion where a county may have a kid in there for, let's say, vehicle theft. Then I will get a call from

the Chief Probation Officer for that county and he says they just had a murder here and a kid is involved. This would be the second kid and I tell them not to worry about it and just get the kid here. Get rid of the other kid as soon as you can. There are times that I house two or three kids from a particular county.

Roy Buskirk: But they are still paying the \$70 per day.

Joe Brita: Absolutely. As far as the other facts and figures, Chandra worked with Beth Garber (legislative liaison) yesterday and she asked for numbers on certain things and Chandra is in the process of putting all of that together.

Darren Vogt: Do we know what the actual cost per day to house is when you take into account, all of the utilities and the whole nine yards?

Joe Brita: I will fine tune it but I can guarantee that it is approaching \$100 a day. When you consider the services that we provide now such as the psychological.

Darren Vogt: That's what I mean. Include everything in there because we need to know what our actual costs are.

Joe Brita: Sure.

Paul Moss: We still want to try and get a Personnel Committee meeting in today so unless there are additional questions, would someone care to...

Roy Buskirk: Yes, I have one. On the \$100 per day cost, psychological charges, to the other counties is an additional charge?

Joe Brita: Absolutely. We have all of those broken down. We have all of the tests that the psychologist is able to do and we have sent the list to the counties. We will house the kid for \$70 a day but if you want this service or this service, it is going to cost you this.

Darren Vogt: I make a motion to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of October 26, 2006.

Cal Miller: Okay, that motion is out there but before you do, I want to make sure that the motion that we made in respect to the Highway Director is clear and the \$55,749 is not part of the motion that it be retroactive to the date of appointment. He has been working under a salary ordinance that Mr. Fitch had despite he hasn't been paid commensurate to that.

Darren Vogt: Council we don't have enough votes to do that right now. That takes a five-two vote, correct?

Tera Klutz: Correct.

Cal Miller: I will withdraw that and hope that it is implicit in the motion.

Paul Moss: Is there a second for Councilman Vogt's motion?

Patt Kite: Second.

Cal Miller: Can we get Councilwoman Hughes back?

Paul Moss: She had to leave. **All in favor signify by saying aye. All opposed same sign. The motion has passed 6-0.** The next meeting is on November 16th. Actually, if you don't mind my asking, I was going to ask the Council President, if it might be an opportunity to change because I am going to be out of town that date.

Patt Kite: So am I.

Paul Moss: I hate to do that but was wondering if it might be feasible to move to the following Thursday. Does that create a conflict for that date?

Darren Vogt: That is Thanksgiving.

Cal Miller: Does it have to be a Thursday?

Paul Moss: Well, we'll leave it as it is. Do we have a motion to adjourn?

Darren Vogt: Motion to adjourn.

Cal Miller: Second.

Paul Moss: **All those in favor say aye. All opposed same sign. The meeting is adjourned.**

The next meeting will be held on November 16, 2006 at 8:30 am.

There being no further business the meeting was adjourned at 10:58 am.