

**ALLEN COUNTY COUNCIL
MEETING MINUTES
January 18, 2007
8:30 AM**

The Allen County Council met on Thursday, January 18, 2007 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: Paul G. Moss, President; Roy Buskirk, Vice President; Cal S. Miller, Maye L. Johnson, Darren E. Vogt, Paula S. Hughes and Paulette Kite.

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

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

APPROVAL OF MINUTES:

Cal Miller made a motion to approve the minutes of December 21, 2006 and January 4, 2007. Darren Vogt seconded it. Motion passed 6-0-1 (Buskirk absent)

FINANCIAL REPORT:

Lisa Blosser, Auditor: The January General Fund report shows an amount left for appropriation of \$11,587,894. I thought I would give you a breakdown as to why that is such a large number. We had a \$7.6 million cash rollover. There are three main components of that. County Council had set aside last year \$2 million in a capital expense line that was not touched. There was also \$1.1 million set aside for the Election Board voting machines. Those machines have not been purchased yet. There was also \$1.8 million set aside in the institutional expense line for the state boys and girls school. We are keeping more of the kids here, at ACJC and didn't need to use that revenue. Also, miscellaneous revenue exceeded projections. This was primarily due to interest on investments increasing because of higher interest rates. Clerk of Courts revenues exceeded estimates by \$770,000.

Paula Hughes: I have a question about the institutional expense. How much did we set aside in that line item? Was \$1.8 what we set aside or did we use part of it?

Lisa Blosser: We used part of it.

Jackie Scheuman: Part of the reason was the Child Psych Fund. We paid for part of the debt with that. We didn't need to use it all out of that line item.

Paula Hughes: What have we budgeted for this year? Are we going to run into the same situation?

Jackie Scheuman: We encumbered the whole debt amount.

Paula Hughes: Not the debt amount. We set aside a million?

Tera Klutz: Right. Our expense last year was \$2.7 million.

Paula Hughes: Two to the debt and the \$700,000 was the annual amount.

Tera Klutz: Right.

Paula Hughes: So a million should cover it.

Tera Klutz: Right. Last year we appropriated \$1.9 million for the expense because of such a large rollover on the expense.

Paula Hughes: I know there were some changes in how the Child Psych Fund is working. Are we anticipating that we will have revenues from that fund available to pay towards the institutional expense this coming year?

Lisa Blosser: Yes we still will. Tera was running an analysis just yesterday.

Tera Klutz: It was over a million that will be used this time to offset our debt. That is over half of our debt payment this year.

Paula Hughes: So there is no need to re-appropriate that \$1.8 million this year.

Lisa Blosser: No.

Paul Moss: Are there any other questions about the financial report?

Roy Buskirk: I have a question on the Highway Funds. The Major Moves money of \$1,250,000, have we received that yet?

Tera Klutz: Yes.

Roy Buskirk: Okay. It doesn't show on this.

Jackie Scheuman: We received it in October. We will receive another amount this year also.

Tera Klutz: In October.

Roy Buskirk: The same amount.

Tera Klutz: It is about one and a half million each year.

Roy Buskirk: On what you are showing here, we have not received yet. We will receive it in October.

Tera Klutz: Right.

Cal Miller: Perhaps we could address this in other business but at some point, we need to decide whether it is appropriate to move some of those funds in the rollover into the Rainy Day Fund.

Paul Moss: I would agree that we do need to have that discussion. Do you have anything in a written format that summarizes why that is such a large number?

Cal Miller: She will get that for you again.

Paul Moss: Did you send that out?

Lisa Blosser: Yes.

Patt Kite: It was in an email.

Lisa Blosser: That was so you would have time to digest it before the meeting.

Paul Moss: That's right, I recall seeing that but I didn't see it in here. Are there any other questions?

Paula Hughes: I have but I don't know if it is a point of discussion for later in the meeting or during the financial report. I had a conversation with Auditor Blosser and I don't know if Council is aware of the full situation in terms of what our restrictions are for appropriating right now. I ask Lisa to update us on that.

Lisa Blosser: The Assessor is now six months behind in determining the assessed values. Because of that, there will be a delay in receiving the certified budget. About four years ago we went through this too. That means that the DLGF will not approve any additional appropriations until we have a certified budget. It could be April or May before certification.

Cal Miller: How does this impact the current requests for appropriations?

Paula Hughes: We can't make any.

Lisa Blosser: Exactly. But Council has set aside, within your budget, one million dollars for capital expense.

Darren Vogt: So we could take the money out of there and reimburse ourselves later.

Lisa Blosser: Right.

Paula Hughes: If it is of sufficient urgency.

Lisa Blosser: Right.

Paula Hughes: Now is that for just the General Fund or for all of them?

Lisa Blosser: All tax funds.

Paula Hughes: So the four that are property tax based.

Cal Miller: So if something does come up that is of sufficient urgency, would Council be able to appropriate out of the Rainy Day?

Tera Klutz: You can appropriate right now. It is just not going to get approved.

Lisa Blosser: We can't move the money. You can transfer money within the General Fund.

Paula Hughes: Is the Rainy Day Fund considered part of the General Fund so that we could transfer out of the Rainy Day Fund?

Lisa Blosser: No.

Tera Klutz: But for emergencies, you can go ahead and appropriate. There are no worries at all, with eleven million dollars sitting in the bank, that we

will get a certified budget. It is just a procedural issue. In the past, when we have done appropriations in January, we have always had to wait until March before it actually goes into those budgets. We don't get a certified budget until later on each year.

Darren Vogt: Point of clarification. Could we spend the money out of our line for those appropriations, correct? Then we can get the money back from the General Fund. We can make the appropriation, they could get the item they need and then we can get the money back when we have a certified budget.

Tera Klutz: Yes.

Paul Moss: There are a couple of good examples on the agenda right now. The equipment purchases will have to wait until...

Lisa Blosser: Unless you decide to use the money that you set aside within the County Council's budget. You have money in your 400 series of one million dollars and that can be used for these types of purchases.

Paul Moss: So basically we have an additional layer of due diligence and consideration for each of these.

Lisa Blosser: Yes.

Darren Vogt: One of them obviously being a major chunk of that one million dollars.

Cal Miller: One additional question. When is the anticipated certification?

Lisa Blosser: We are thinking probably May. The Assessor hasn't given us a real good date yet. They are working on it and it is down at the State but they haven't been in compliance yet.

Cal Miller: Move for approval of the financial report.

Darren Vogt: Second.

Paul Moss: All in favor signify by saying aye. All opposed same sign. The motion passes 7-0. We have economic development consideration of a resolution approving a Statement of Benefits for the Breast Diagnostic Center at 11123 Parkview Plaza Dr. Could you please state your names for the record.

Ashley Steenman: Ashley Steenman with the Allen County Department of Planning.

Judy Springer: I am Judy Springer with the Breast Diagnostic Center.

Ashley Steenman: The Breast Diagnostic Center is located at the Parkview North Campus. They do diagnostic and mammography screening. At the end of this month or early next month, they will be upgrading their technology equipment by purchasing a \$426,000 piece of equipment that is a digital mammography unit. Two new positions will be added offering excellent pay and benefits. They are eligible for a seven year abatement for personal property taxes for this piece of equipment which will result in a \$14,000 tax savings. They have also elected to donate a portion of their savings back to the County for future economic development endeavors. This is Judy Springer from the Breast Diagnostic Center and she can tell you a little more about the project.

Judy Springer: I have been eating, sleeping and breathing digital mammography for several months. We have had a film based mammography system for fourteen years under the Breast Diagnostic name. Due to the aging of the current equipment and the FDA approval of digital mammography equipment for total screening and diagnostic breast services, we decided to make the huge economic leap and purchase digital mammography for Breast Diagnostic. That includes three locations, one of which is at the County location which is Parkview North. The equipment that we are speaking of has an acquisition device used to acquire the mammogram, a technologist work station to manage imaging and the portion of the cost of electronic image storage device. What you are being presented with is one-third of the total cost because that is what will be in the County.

Paul Moss: Are there any questions?

Cal Miller: Mrs. Springer, who owns the company?

Judy Springer: It is half owned by Fort Wayne Radiology and half by Parkview.

Darren Vogt: Ashley, is this part of the new legislation that was passed for abatements for technology equipment?

Ashley Steenman: Information technology, research and development and equipment. It would fall under that.

Darren Vogt: Okay, thank you.

Paul Moss: We have done this before for medical technology advancements.

Roy Buskirk: The one thing I am confused on is that Parkview is a not-for-profit and pays no real estate taxes. Is that right?

Ashley Steenman: Parkview pays real estate taxes.

Roy Buskirk: It does?

Paul Moss: No they don't pay property taxes. They are exempt.

Judy Springer: This business operates independent. We have a separate board and do not run any of our expenses through Parkview. This is a separate business but half-owned.

Ashley Steenman: It is personal property taxes.

Roy Buskirk: Yes, personal property taxes but Parkview pays no property taxes.

Judy Springer: They are not supporting the Breast Diagnostic Center in this endeavor. The expense for this project comes out of the BDC budget. There is no financial support from Parkview for this.

Paul Moss: It is a separate entity and a tax paying entity.

Darren Vogt: Otherwise, they wouldn't be here before us for a tax abatement.

Cal Miller: Move for approval of the resolution for a Statement of Benefits for the Breast Diagnostic Center.

Patt Kite: Second.

Paul Moss: We have a motion and a couple of seconds all in favor please signify by saying aye. Those opposed.

Cal Miller: I am abstaining. Does that negate my motion? I just had a second thought that we have done some business with Parkview.

Darren Vogt: Do you want to withdraw your motion and let someone else make it?

Paula Hughes: Move for approval for a Statement of Benefits for the Breast Diagnostic Center.

Patt Kite: Second.

Paul Moss: Motion and a second. All those in favor please signify by saying aye. All opposed same sign.

Cal Miller: Abstention.

Paul Moss: Okay. Motion carries 6-0-1 (Miller). Thank you very much. General Fund appropriations, we have the Building Department.

Dave Fuller: Good morning, Dave Fuller, Building Commissioner. I have come before you today to ask for an appropriation of \$58,250 to replace five of our cars. We originally planned to do this in October or November. We typically get our money for this out of the sale of county-owned property. We were told that the money was rolled into the General Fund and so that is why we are here today. The five cars we are looking to purchase are Chevrolet Malibu's. We typically replace five cars a year. I have provided some additional information for you. The first page is a six-year history of expenses. Up until 2002, we did not replace cars like we are now. They were done at three year intervals and had about 60,000 miles on them. Those cars would then be transferred to another department who would get rid of older cars. When I came in, in 2003, I decided not to follow through on the policy and drive the cars longer. We did not purchase any cars in 2003 or 2004. We are typically looking at more than age and looking at mileage and reliability. It works out to four or five years on the replacement cycle. The second page is the projection of the replacement of the entire fleet of over 23 cars. That shows you that as of December 31st, 2006, the mileage for each of those cars, the age and the model and when we project replacing those. The third page gives you the specific information on the five cars that we are looking at replacing. All of those are over 100,000 miles and we have documented the repair costs over the last three years and the number of repair trips. This does not include oil changes, tires and normal repair trips. Over the last couple of years, they are averaging about six times a year for replacements. It is getting to the point that the soft costs are the loss of production of our people.

Paul Moss: Does anybody have any questions? Councilman Vogt?

Darren Vogt: Have you ever thought when you purchase these to get what the cost of an extended service contract to 100,000 miles might do versus the repair costs between 36,000 and 100,000?

Dave Fuller: We talked to a dealer about that a couple of years ago and they would not offer it because they are used for commercial purposes.

Darren Vogt: I wondered about that as soon as I said it.

Paula Hughes: Is there a sense of urgency with these given the timing of appropriations? I don't know if this is something that we could earmark funds and then make the appropriations and approve the purchases or do you feel that this is more urgent than that? Is this a limited time deal?

Dave Fuller: We got the prices from quotes in September. DeHaven had the best price and they agreed to hold the prices until this month. I don't know that they will hold the prices for another four or five months or not.

Cal Miller: If they don't hold those prices, what sort of additional costs?

Dave Fuller: We would have to go back to the bidding process.

Cal Miller: I recognize you have changed the cycling program to benefit the County by using these cars longer and I appreciate your willingness to do that. As you have heard, we have a million dollars to deal with all of the contingencies that pop up until the budget has been approved. Setting aside the bid process and any additional costs that may be incurred, if you had to wait until May or June to get these cars, how is that going to impact the services you provide?

Dave Fuller: It is hard to tell what problems we are going to have with these specific cars. A couple of them have been fairly unreliable. Number 426 has been in eight times in 2006. They may last or they may not last, I just don't know.

Paul Moss: Councilman Vogt?

Darren Vogt: Do you have any of your money that we could use temporarily? I am not sure what your capital expenses look like.

Dave Fuller: We have no money in the capital expense.

Darren Vogt: Okay. I wasn't sure.

Paul Moss: Councilman Buskirk?

Roy Buskirk: With the new home construction down considerably last year and anticipated for the first six months of this year, that does have an impact on mileage and utilization of vehicles, correct?

Dave Fuller: It hasn't had a whole lot of affect. New home construction was down about 35% and we have less permits but we were only down a total of 3% net-wise. Commercial is up by 200%. Residential did not drop overall. We have found that people are remodeling homes, adding on additions and putting on siding and roofing and fixing up their older homes. We are still having almost as many inspections.

Paula Hughes: I was going to make a motion. I think we should go ahead and approve the purchase because Mr. Fuller has shown a willingness to work with Council on items of expense. You have proven yourself in your history with us. I think it is a valid expense and \$68,250 out of a million is justified at this time. If we go until May, there is a way to transfer funds in other departments and I don't think it is going to put undue strain on us to approve this at this time. I make the motion to approve the equipment purchase for the Building Department in the amount of \$68,250.

Cal Miller: Second.

Paul Moss: **We have a motion and a second.** Is there any further discussion? I would like to make a comment. I know I am probably not supposed to but first I have a question. The dollar amounts you have here are annual repair costs that are over and above normal wear and tear issues. One could argue that those repair costs are not outrageous and I do want to say that the Building Department has done a good job and has consistently justified the need for those. I don't have a problem with that. I do have a concern that the county vehicle fleet is bloated and as an alternative, we could look within as opposed to purchasing new vehicles. I believe you could find five vehicles fairly easily if the Commissioners had the desire and the will to do that. With that, I am happy to call the question.

Paula Hughes: I would like to comment on that as the motion maker. I would rather not hold up the progress of the Building Department with the whims of the Commissioners' Office. We have been working for three years to resolve issues in the Take Home Car Policy. We are better positioned now and the Commissioners' Office is better positioned now to take positive action in that direction but I don't think it is going to happen. I think there is a better chance of our budget being approved first. I think we should keep the pressure up but I don't think this is the way to do it.

Paul Moss: That is a very valid point. Councilman Buskirk made a good point as well. We have one new car that is out there from the Commissioners' Office that is not being used. I don't know how many miles it has on it but I know Commissioner Brown is not utilizing the former Commissioner's

vehicle. My point is that there are a lot of vehicles out there and to find five, I think we could.

Patt Kite: There is a good chance that it has been reassigned anyway.

Roy Buskirk: I call for the question.

Paul Moss: All of those in favor of the motion to approve item 1 in the amount of \$68,250 please signify by saying aye. Those opposed. Motion carries 7-0.

Lisa Blosser: Would you like to transfer from Council's...

Paula Hughes: I will make a second motion that we transfer \$68,250 from the Council's 400 series line item into the Building Department's 400 series line item.

Cal Miller: Second.

Paul Moss: Motion and a second. All those in favor, signify by saying aye. All opposed. Motion carries.

Darren Vogt: Can the Auditor's office keep track of what we do so that when it comes available, we can make a transfer from the General Fund?

Tera Klutz: Yes. You didn't spend any of your money last year.

Paul Moss: We have another appropriation request. This is from the Department of Planning Services. If you could state your names for the record, it would be appreciated.

Kim Bowman: Good morning. Kim Bowman, Executive Director of the Department of Planning Services. I am here today on behalf of the iMap Division. As Alex Wernher has vacated his position and moved to California, I am representing the final half of his request that he started back in May with the Council.

Ed Steenman: I am Ed Steenman, IT Director for Allen County.

Kim Bowman: I also have with me, Rick Bokern who is our iMap systems coordinator. He is here in case you have some technical systems questions. The request today is the second part of the request that Alex started back in May during the pre-budget meetings. You may recall the notebook that he put together with our business plan and financial plan. You may recall some of the discussion that you had with him. The initial request was for a total of

\$505,000 and was broken into two parts. One part was \$160,000 for personnel which Council funded and thank you very much. I am here today to represent the other part which is \$345,000 for hardware and software. I don't know how much you are aware of our iMap system but it is about three years old. I would submit to you that it really has changed the way that Allen County has done business. This is more than just a Department of Planning service. The Highway Department, the Auditor's Office, the Surveyor's Office, Health Department and many other departments in our county government use the iMap system on a daily basis. In many cases we have become more efficient and more effective in our decision making because of the information available to us. We are at a point in time where our equipment has become unreliable. One of our servers is about six years old and we had a situation with that one in December where that server failed. Everything was off-line for two business weeks. When our system goes down, it is a domino effect. It affects a lot of people and our productivity and efficiency goes down. For example, all of our permits are scanned and to look at past records, we rely on iMap and the computer system. To do any type of history on permits, we couldn't do that for those two weeks. This also affects our service to the public. To be honest, the sky is not falling and we are not at a critical point. We are at a very important point in time and I would like to lay out our timing with this. We have been working on the quotes with Dell for this equipment for many months. We need to finalize those quotes. The equipment needs to be shipped and installed. We will need to migrate the old servers over to the new servers and in total this is probably a three month process. Yesterday, when I learned of your budget situation, my heart sank because it isn't a timely situation but will take several months to complete. I do fear of the equipment failures that we may face if we have to wait until June. I can't speculate but given the history, we are really watching the system closely to make sure it continues. I would like Mr. Steenman to talk a little bit about the equipment and then at that point, we would be able to answer any questions.

Ed Steenman: One of the topics that Kim mentioned was not being at the point of baling wire and duct tape yet but one of the servers is experiencing abnormalities. The only way to fix it is to replace it or completely wipe it out and rebuild it. Unfortunately, to wipe it out and rebuild it, we are looking at another week or so of down time. And that would affect all of the departments that were mentioned. So while it is running, it is not in a safe sense right now. This is the plan that Alex put together and it does introduce some additional availability in that the systems are more redundant than they are today. If one server does fail, the backup server can take its place. The two weeks of down time that have been experienced in the last few months are theoretically not going to happen again. As Kim said, we have been working with Dell over the last few months. The prices are more

aggressive today than they were when we started out. They have given us about a fifteen percent discount. That is what we are looking at and we'll be glad to answer any questions.

Paula Hughes: As the liaison, I have been on the iMap board for three going into my fourth year. We cover a lot in those allocation meetings but when we talked about this, we told Alex and the iMap department that we would approve the first part of his request and to come back in the fall for the rest of it. What happened was that he took this job. Alex gave us quite a bit of notice before he took the job and we didn't want to undertake the server migration with Alex leaving. But since it has been a little difficult to fill that spot and with the system difficulties we have experienced, we decided to go ahead with the request to Council. The Council said, during pre-allocation hearings, that we were supportive of this and that we would fund, but didn't want to do it as part of the budget.

Paul Moss: I recall that but we didn't set money aside, did we?

Paula Hughes: No, we did not earmark. We just said to come back to us. It is also a part of the business plan that iMap has that rolls over on a five-year cycle. This is a big chunk in the five-year cycle.

Paul Moss: Councilman Miller?

Cal Miller: That recollection is consistent with my own and as Alex presented at the time, we would need to continue to do this. The point that Ms. Bowman has made about iMap being intertwined with literally every function of county government, leaves me to conclude that I am in favor of moving forward with this despite our concerns about the budget certification. I would like to move forward in a proactive way to keep a critical part of county government operating.

Paul Moss: Councilman Buskirk?

Roy Buskirk: On the information you provided to us in our notebooks, on page 8 you have receipts and expenditures. I know we talked a little bit about this during the budget hearings last year. The receipts keep going down each year. Is there a reason for that or is there anticipation that it will turn around?

Kim Bowman: Some background about the receipts. The subscription service was not immediately available through iMap. It doesn't accurately represent a full year of services. I have our numbers from last year and we did bring in \$122,000 last year. We are finding an increase in the subscriptions. We had a

major sale of \$15,000 from a large company out of Chicago, who purchased some data from us. We continue to work on data sales. We had 2006 aerials flown. We are working on bringing in more money this year.

Roy Buskirk: Yeah, this actually shows \$44,000 for 2006 and you are saying \$122,000.

Kim Bowman: Yes. Map sales have been a lot higher. The \$15,000 sale helped a lot.

Roy Buskirk: Thank you.

Paul Moss: Councilman Vogt?

Darren Vogt: Can you break out the subscriptions from the \$122,000?

Kim Bowman: I know we have approximately 50 subscriptions. Some are short-term. What we have found is engineering companies, especially from out of town, will do a short-term subscription. We have been a little disappointed because our business plan showed more of the large-scale subscriptions and we are finding more of the individual subscriptions at \$40 a month. I don't have the total number for that but I could get that to you.

Darren Vogt: If you could, that would be great.

Kim Bowman: Okay.

Cal Miller: On the subscription issue, as I recall the discussion that we had in the pre-budget meeting, there had been some recognition by iMap that this had not been the financial windfall that we thought it would. There was a detailed discussion about the importance of the system as it relates to the other functions of government and even with the projection being less than what we had hoped for, the function and utility of the iMap system greatly outweighs what we were not bringing in. If we decide, we need to go forward because it is such a worthwhile tool.

Paula Hughes: We have also had discussions with the City of Fort Wayne and I am quite disgusted with those discussions. I felt very positively that the City and County would come to terms on the merging of the City's GIS function and the County's iMap function. The impression that I have been left with is that the City has walked away from the table and are not interested in pursuing it. There is an acknowledgement that the County's iMap system is more sophisticated and more accurate than what the City uses currently. I think what it is the expense of migrating their information

to our map is too cumbersome. I am struggling to figure out a way to help these two entities work more together. It is a tremendous system and the investment that the County has made should serve all of the entities of the City and the County. We are in a tight spot because we are receiving some money from subscriptions so we can't share our information free of charge with the City without damaging the income we are receiving. We get requests for free information at every meeting and I have not found a good resolution to the situation. Because the funds we receive through the subscription process are minimal enough that I don't think we should continue to charge for it. I think the partnership between the governmental entities is more important than the revenue we receive but the potential shortfalls that the County faces, it is hard to just walk away from that income.

Paul Moss: Councilwoman Johnson?

Maye Johnson: My question had to do with a relationship between the City and the County. I would like to discuss that with you at a later date, Councilwoman Hughes.

Paula Hughes: I would appreciate any assistance. The City has not shown a willingness to contribute to the system. If we opened the door and gave it to them, they would take it. It is all about resources and priority. I have not given up on that because I think that is what is going to serve us all best.

Maye Johnson: I would agree.

Paula Hughes: It's been frustrating.

Paul Moss: Councilman Vogt?

Darren Vogt: The reason I asked the question about the fees was not so much between the City and the County. But as I was the liaison with the Assessor's office, they received a deluge of calls that when we first opened up the service, it was free. Their call volume went down and they were able to be more productive. Since we started charging the \$40 a month, the call volumes and the questions that they have to answer have gone up again. That is where I wanted to go with throwing the City and County sides out of it and just look at the constituent side and the effectiveness of the County Assessor's office. I think that we, as a Council, needs to have a discussion about whether we feel there is a real need or reason based on what that would do to the assessing community and free up their staffs to not be answering the phone all the time for those questions.

Paula Hughes: I can't speak completely for the iMap board but I believe the prevailing mentality on the iMap board is that we continue to adhere to the subscription process because the iMap board committed to County Council that they would in order to get the system funded. This was funded with a \$2 million dollar bond and the commitment to that Council was that it would become self sustaining. That has not happened. It is really more that if Council said they wanted that, the iMap board would be ecstatic. We spend lots of unnecessary time talking about whether we are going to give away the data, where if it was wide open we would have much more efficient meetings.

Ed Steenman: If I may interject, not only are we going to give away the data but also be disappointing those who do come and ask for it to be free and we say no, such as the Fort Wayne Community Schools. They asked for the data to be free and we said no.

Cal Miller: In order to position the Council to let its thoughts on the matter to be known, we should have a presentation relating to whether those fees should be charged. We could hear from the Assessor as to how the call volume would drop and we could hear about the people who call, how they react and how they would be better served. I think it would be difficult to say that we are just going to walk away from the subscription dollars. I think if we undertake some analysis to say that, it would make a lot of sense. Could we make that presentation so that Council could decide if they want to do that?

Kim Bowman: I will put that on the agenda for the iMap board. I would also like to add that although that our direct revenue isn't what was anticipated, what we are seeing is that a lot of revenue is coming into other County departments for projects. The summary that I gave you, prior to this meeting, gave the example of \$796,000 going into the Surveyor's office for a project. Homeland Security is using this. The Health Department is benefiting. The Highway Department is using the iMap information with the road contractor and they are saving money. There is a lot of secondary money that is coming in or being saved but the money just isn't there for funding the system.

Paul Moss: I think the other issue, and I would be interested in seeing the original business plan, is the savings and whether those savings are ever realized. I am sorry, Councilman Buskirk, did you have another comment?

Roy Buskirk: Yes, it is not the fact that other departments are saving money, the original presentation was that this was going to be self-sufficient or a revenue generating department. It is now a definite negative and we are going to have to go through and start replacing these. I don't understand that you said there is \$122,000 of receipts and only a small portion of it is the monthly fee that some companies are paying.

Kim Bowman: Yes.

Roy Buskirk: The rest of it is generated by like the \$15,000 one-time fee?

Kim Bowman: Yes. We sell data to many departments. If you can picture a developer that is looking at a piece of property, they can purchase information about the property such as the topography, soils and with the aerials. We have a lot of those one-time types of purchases. I am in discussion with an agent with the Internal Revenue Service who wants to have access. They are very interested in the information. Anybody who is dealing with people and/or property, from the schools to the Internal Revenue Service to developers, it is really across the board. The business plan that was prepared, really anticipated a lot more data sales. It anticipated that instead of the engineers coming in and purchasing site-specific information that they would purchase the overall County information and then bill it back to their clients as different projects came in and that is not what we are experiencing.

Roy Buskirk: So you are saying that even with the possible elimination of the monthly fee, you would still have the project fees.

Kim Bowman: Yes, well...

Roy Buskirk: Well, that is where I am confused because if you eliminate one fee, you would almost have to eliminate all fees.

Kim Bowman: I would like to discuss that with the iMap board. There are several circumstances where we do incur costs that at this time we couldn't charge back to the customer. For example, specific data sets that isn't available through the website or a different type of analysis that takes time of the iMap staff. We burn CD's or whatever and I would hate to think that we are getting to where this is costing us money.

Cal Miller: I agree that we should hold onto those and it would just be the subscriptions. I don't think we should be giving up the other charges.

Roy Buskirk: I think this is a discussion that we would need to have at a later time.

Paul Moss: I would agree with that.

Cal Miller: Move for approval of the equipment purchases of \$345,000 as laid out for us in the pre-budget meetings and is now being requested out of the County Council's 400 series.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0. Next we have a request from the Department of Health. It has been a while since we talked about this but it is another step in their record retention project. If you could, state your names for the record, please.

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

Janet Westendorf: Janet Westendorf, Director of Vital Records.

Mindy Waldron: Janet is with me this morning to answer any technical questions. She is recognized as one of the state experts on gathering data and data retention in the vital records field. Just to bring you up to speed of where we are at with this project and what we are looking to do with this extra funding. We started about five years ago, in 2002, the digitalization project of all of the records. We have done nearly a million in that time. It overall has taken us from the big ledger books to a digital mechanism. It saves about five minutes for the client and the staff and we are seeing over 100 clients a day for these records. This is especially due to the change in leaving the country and getting passports. We will probably hit 7,000 births this year and probably around 3,600 deaths. That increases our volume. When you add five minutes per transaction and over 100 transactions per day, it saves us client time and staff time and makes us more efficient. It is an easier way to categorize and search data. We are very data-based and use our data to make program decisions. Janet's data is one of the critical pieces that we put together to make program decisions. If our death rates are high in an area, we might divert something to that area. We use our data every day and it is a lot easier to see it this way than to see it the old manual way. The last thing I will say is that the Recorder has committed \$20,000 to this project to augment it. They had committed funds to the project early on to speed the project and augment our funding. Basically it is for extraction and integration of some more problematic files that were microfiched a long time ago. I would be glad to answer any questions you may have.

Paul Moss: Are there any questions from Council?

Paula Hughes: I have one reminder that this Department of Health Fund is also a property tax based fund. We cannot appropriate unless we do so out of our 400 series.

Mindy Waldron: I had one thought, as I sat here and listened to that. We would be able to use some current funding in contractual that would usually

be used to pay ACS. I think we could take from that and then repay it when we get the money back. We have about \$80,000 in that.

Roy Buskirk: The \$25,000 that the Recorder is putting in, how will that be affected with this situation?

Tera Klutz: They will pay for it right from their fund. Their fund doesn't require appropriation.

Paul Moss: Councilman Vogt?

Darren Vogt: So the total is \$27,000 and some change and the money from the Recorder?

Mindy Waldron: For this phase, yes.

Darren Vogt: Okay. So do we need a motion at this point if you can take it out...

Paula Hughes: It is between series 300 to 400. So we have to approve that?

Lisa Blosser: No, you just want to go ahead and approve her appropriation.

Darren Vogt: Then you can do it when you can do it?

Lisa Blosser: Yes.

Cal Miller: Move for appropriation of the Department of Health Fund of \$27,418.

Maye Johnson: Second.

Paul Moss: **We have a motion and a second.** Is there any further discussion? I do have a question. As far as future expenditures, what do you anticipate for this particular project?

Mindy Waldron: I don't see this as being our last request to do that. We had reviewed the remaining data to be extracted, integrated and indexed. We reviewed what was left and it was a larger project than what we were willing to commit to this year. We have other projects that we would like to move forward with. What we did was to try to prioritize the most crucial data. We hate to have a half paperless system and half where you have to look up in the books. We are committed to having it completed in the next year and a half or so. This is about a third of what is remaining. This would get us

completely out of the old microfiche system, all of the old ledger books and all of the records that come in each day. To answer your question, we would probably be coming back one or two more times over the next year or two to ask for funding of ours in order to complete the project.

Paul Moss: Any other discussion? All of those in favor of item 3 in the amount of \$27,418 please signify by saying aye. Those opposed same sign. Motion carries 7-0.

Roy Buskirk: While we are waiting for the next people to come up, something that I just learned that Elkhart is doing in their recording. They are charging five dollars for each key number that is in a deed. So if you are selling a property that has a couple of key numbers, they are charging the five dollars as a revenue income.

Cal Miller: Who is the liaison to the Recorder's Office? Maybe someone ought to talk to John about that.

Paul Moss: I think I am currently but I think that changes here soon. Grant requests and if you would please state your name for the record.

Lin Wilson: Lin Wilson, Grant Administrator.

Art Barile: Lt. Art Barile.

Lin Wilson: This request is for a grant to fund the Drug Task Force which is composed of several entities. I will let Lt. Barile discuss that in a little bit. This is a fifty percent match and the funding request is going to be for \$25,894. \$20,000 of that will be used to subsidize the building lease for the location of the Drug Task Force offices. The balance will be used for confidential funds. I will let Art tell you a little about the operations and if you have any questions, you can direct them to him.

Art Barile: This is a grant we have had for the last twenty years. They keep whittling it down and since 9/11, a lot of the federal funds have been going to Homeland Security. Ten or twelve years ago, we were given around \$100,000 but now it is down to around \$25,000. We are almost to the point that there will be no funding.

Paul Moss: Councilman Miller?

Cal Miller: It says that a fifty percent match is required. Did you address that, Lin?

Lin Wilson: That is funds that will come about from seizures and that sort of thing. It is divided up equally among the agencies that participate in the Task Force. Right now it is Allen County Police Department, Huntington City and Huntington County. When the DEA is involved, it becomes a federal asset seizure and it goes a different route. If it is the Task Force entities then it is just divided among them.

Cal Miller: So there is plenty of funds within that to provide the match.

Lin Wilson: Yes.

Art Barile: That would be correct.

Roy Buskirk: That is very restrictive on what those funds could be used for, right?

Lin Wilson: The Indiana Criminal Justice Institute is requiring us to use project income. We can't just let it sit there and grow. We have to start using it in our grant application and it has to be reported quarterly as to how we are using that money.

Roy Buskirk: Okay.

Lin Wilson: It is a good thing it is there because we are going to need it. They are already going to have to purchase their own vehicles. They can't use the standard unmarked cars because everybody knows they are going to be Chevy's.

Cal Miller: Move for approval of the application for the justice assistance grant.

Patt Kite: Second.

Paul Moss: Motion and a second. All of those in favor of approving the Criminal Justice Institute grant please signify by saying aye. Those opposed same sign. The motion carries 7-0. Thank you very much. We have a grant request from the Prosecutor's Office. State your name for the record, please.

Mike McAlexander: Mike McAlexander, Chief Deputy to the Prosecutor. We are also requesting funds from the Indiana Criminal Justice Institute for both a renewal of the Domestic Violence Coordinator Investigator and the addition of another position. Part of what happened in this area is that the legislature last year elevated the battery statute for strangulation as well as battery committed in front of children to the felony level. This has required a

greater level of investigation for a felony prosecution than what was previously required for a misdemeanor. As a result, we have seen some of the investigative timelines start to stretch out and this creates a real concern in domestic violence. It is very important to get with the victim early. There are a lot of factors that go into cooperating with prosecution. The sooner we can get in and get these cases filed, the more likely it will be that we will be able to successfully prosecute.

Paul Moss: Any other questions from Council for this request?

Roy Buskirk: I was talking to Mr. Cunegin last week and he is working very hard on the funding for the victims of domestic violence.

Paula Hughes: Move for approval for the Domestic Violence Coordinator Investigator grant from the Indiana Criminal Justice Institute.

Roy Buskirk: Second.

Paul Moss: Do we have some further discussion, Councilman Vogt?

Darren Vogt: One quick point. Is this a grant funded position? If the grant goes away, that position goes away.

Mike McAlexander: Yes, we would either eliminate it or look for another source of funding.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you. We have a couple of salary ordinances on the agenda and one is from the Commissioners. You are interested in increasing the salary range for the security guards. I am assuming that this is for the security guards who are in the City-County Building and in the Courthouse.

Judy Heck: No this is just for the ones here, the daytime security guards.

Paul Moss: If you can explain the logic behind that, we will certainly appreciate it.

Judy Heck: By the way, I am Judy Heck, Financial Coordinator for the Allen County Commissioners.

Bill Brown: Bill Brown, Allen County Commissioner.

Judy Heck: One of the security guards went over with the two percent increase and so we need to change our range so that we can give the correct increases. We just rounded it up to \$15 an hour.

Paul Moss: If I may start with a question. How does this factor into the salary survey that we are doing?

Judy Heck: I am not sure that the part-time security guards would be included in that or not.

Paul Moss: Is that a contract service?

Judy Heck: No. This is the daytime security. The nighttime is a contract. These part-time guards are through the Maintenance Department.

Paul Moss: So why wouldn't that be part of the salary survey?

Judy Heck: I think because they are part-time.

Paul Moss: So part-time is not...

Judy Heck: I don't think so.

Paul Moss: I wasn't aware that part-time positions were not a part of the survey.

Darren Vogt: They are not. Is this common, and I will ask the Auditor's Office because they see the salary side, but is it common when we do a salary increase to increase part-time as well?

Lisa Blosser: It varies department by department.

Tera Klutz: You are trusting in them to look at the employee, the experience that the employee has and pay accordingly an hourly rate within the range.

Paula Hughes: And within the budget.

Paul Moss: Are there no full-time positions that are similar to this?

Tera Klutz: No.

Paul Moss: Any other questions or comments?

Darren Vogt: Judy, as the financial administrator, do you typically take all of your part-time people up whatever percentage we give the rest of the county employees?

Judy Heck: Actually, Tony Burrus handles the security guards and he requested that the two percent be included with the security guards. I think that maybe two years ago when we had an increase, we did not increase the part-time. We felt the two percent was not out of line.

Cal Miller: These folks are the ones we see over and over again in this building. I don't see why this wouldn't be a justifiable thing to do.

Judy Heck: There is not much turnover.

Paul Moss: Is that in the form of a motion?

Cal Miller: Move for approval of the salary ordinance in a range of \$11 to \$15 for the part-time security guards.

Darren Vogt: Second.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0. Parks and Recreation has a salary ordinance as well. If you could introduce yourself for the record, we would appreciate it.

Mitch Shepherd: Mitch Shepherd, Allen County Park Board.

Carrie Gutman: Carrie Gutman, Park Board Attorney. This is a request for an increase to the salary ordinance and I will preface this with the reason that I am here is that this affects the Superintendent and the Park Board didn't feel that it was appropriate for the Superintendent to make the request. The request is to increase the range from \$6 to \$22.50 and is currently at \$6 to \$10.50. I will let Mitch explain the reason for that.

Mitch Shepherd: Due to some changes in the structure of the Park Department, the Council recently approved the full-time salary position to run the new nature center. That created a vacancy in the Superintendent's position. While we search for competent leadership, we feel it is very necessary to have a competent interim Superintendent. We have the money in the budget and wish to compensate this person out of the part-time pay but the salary range does not cover that. Roger Moll has voluntarily taken a leave of absence from the board and is willing to assume that position. He has

a great deal of institutional knowledge, a great deal of public policy background and we would like to offer him that compensation level.

Carrie Gutman: And to verify why this isn't being taken out of the Superintendent's line is because that is a full-time position with PERF. Roger is retired and receiving PERF benefits and doesn't want to disturb those by taking the PERF benefits that go with the Superintendent's pay. If we put him in a part-time salary ordinance, it is not a full-time position and his PERF will not be affected.

Mitch Shepherd: On behalf of the volunteer board, we respectfully request the approval of this change.

Paul Moss: So in theory, if you find someone to fill this position on a full-time basis, then this will just go away.

Carrie Gutman: The part-time line item will still be there.

Paul Moss: Right.

Darren Vogt: So are we only adjusting the part-time salary for the interim superintendent or is it for all...

Paula Hughes: We would be increasing the range. Instead of \$6 to \$10.50 an hour it would be \$6 to \$22.50. I am comfortable with that because as long as they stay within the budget parameters, it is appropriate for the departments to have the leverage and flexibility to move within that range. I would imagine that the Park Board is not going to start hiring toll takers at \$22.50, right?

Darren Vogt: And I guess that is my point. Is there a way to do it just for the one position versus doing it for all the others? It is not related to any of the others and is for a specific request.

Carrie Gutman: I suppose we could come back and lower the range at the end.

Darren Vogt: Not necessary. I was just trying to clarify from the Auditor's standpoint if we needed to do that or not.

Paul Moss: I need to understand something though. The position title is Interim Superintendent. So is there a job description out there somewhere for an Interim Superintendent?

Mitch Shepherd: The job description for the Superintendent would be used on an interim basis.

Paul Moss: And the range for the Superintendent is certainly not \$6 to \$10.50. Is that correct?

Mitch Shepherd: That is correct.

Paul Moss: So if there is no official Interim Superintendent job description and no salary range applied to that, the salary range that we are adjusting is what?

Cal Miller: Part-time hire.

Paul Moss: It is simply part-time hire.

Cal Miller: Our description of the salary ordinance on the agenda is a little confusing but it is just for part-time hire.

Darren Vogt: But it is intended to pay the Interim Superintendent \$22.50 an hour.

Roy Buskirk: I wouldn't say that. I would say the reason they are doing it is so that they can pay the interim superintendent. They have other part-time people that they are still paying at the lower rate because the range is \$6 to \$22.50. They need the upper amount raised so they can cover the interim pay.

Tera Klutz: Right.

Paul Moss: Is there a reason why you couldn't just use the Superintendent's job and just say that we are applying this because you are in this salary range? But that would be with the understanding that it is an interim appointment.

Carrie Gutman: Roger Moll is the individual who is filling this position and he has retired and is receiving PERF. The Superintendent position would have to take PERF and he doesn't want to impact his PERF.

Paul Moss: So it has to be designated as a part-time position. So if it was somebody else, you would be able to go the other direction.

Carrie Gutman: Yes.

Cal Miller: The adverse impact on Mr. Moll's PERF would be that his last earnings would be less than what he was earning as the Director of the Co-op. I move for approval of the salary ordinance for part-time hire for Parks and Recreation with a range of \$6 to \$22.50.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you. The next item is the discussion of the Allen County Council liaison appointments and this officially qualifies as my first failure. I have printed out the liaison appointment sheet and it is sitting on my desk at home in my office. I realized as I walked in the door that I had forgotten to bring it in. I will email those out today to everybody and I guess the only thing I would say is that there have been a few adjustments. Basically I took the input that was provided from those of you that had expressed concerns or opinions, made a few adjustments and at this point, I would consider it to be closed unless there are some large concerns remaining. I consider those to be effective today. I apologize for not bringing the list in. We do have a couple of appointments that we do need to discuss. One is the Alcohol Beverage Commission and the other is the PTABOA Board. If you recall, from the reorganization meeting, we had talked about the Alcohol Beverage Commission appointment and we decided at that time that I would serve on an interim basis. I did go to one meeting and frankly found it to be an interesting commission to serve on. I would certainly be willing to do it on an on-going basis but there were some issues brought up on some potential legal issues with an elected official serving in that capacity. I want to get that law clarified but at this point, I am just going to bow out and not participate on that if it is okay with the Council. I would also suggest that one of the other individuals, Mr. Alfeld who would probably do a good job, should also be stricken from that list. And that is simply because he is a County employee and this law applies to him as well. Given that, we do have another individual who has expressed an interest and based on the resume and comments from the folks that know him, it sounds like he will do a very good job and I certainly appreciate his willingness to do so. There is a bit of a time commitment to it but again I think it would be an interesting and enjoyable experience for him. That is Mr. Mattingly.

Paula Hughes: Mr. Mattingly is here.

Paul Moss: Would you like to come join us just briefly?

Cal Miller: President Moss, before we have our discussion with Mr. Mattingly, could you outline for us what it is that this board does?

Paul Moss: There was a remonstrance at that meeting. Basically, what they do is approve alcohol permits for the county and occasionally there are remonstrances against those permits being granted. It is a fairly formal process and there were roughly a dozen permits that were either renewal or new permits. That is the primary duty of that commission.

Cal Miller: One of the concerns that I have heard expressed about the ABC and the role that they play is in the potential expansion of sales of wine and beer at convenience stores. Is that ultimately a decision made by that board?

Paul Moss: That is ultimately a decision made by that board. That was an interesting discussion and related to the remonstrance that occurred at that meeting. I have some opinions on that but we don't need to go into those here. To answer your question, yes that is one of the issues that they handle.

Cal Miller: If the County Council has an appointment to this board and Council has a consensus that we are not in favor or expanding those sales, shouldn't our appointment also be like-minded in that regards?

Paul Moss: Theoretically yes. As you get into that discussion, there are many dynamics to it. Some of those, I am not sure we would want to discuss in this forum. I would agree but I don't know if there would be a consensus in that regard or not. There is more to it than to just say do we want to expand liquor sales to convenience stores. I am not sure how to address your concerns.

Cal Miller: Right. I think this is one of our more important appointments that we make because of the subject matter we are dealing with. We know the destructive effects of the sale of alcohol to people who aren't consuming it in a prudent fashion, particularly when you extend it to convenience stores.

Paul Moss: I think that implies that, alcohol is pretty prevalent right now and easily available, you are presuming that by extending it to convenience stores is going to make it even more prevalent. You are implying some things that I am not so sure...

Cal Miller: I don't know that I am implying anything. I just wanted to find out what they do and he should mirror some of the feelings of Council anyway.

Paul Moss: I don't know if an appointment should mirror and I don't know if we can get a consensus. Frankly, my perspective is that I am interested in somebody who is going to be objective because each of those cases is going to be a little different. Each convenience store issue is a little different. I don't think you can just throw a blanket on it and generalize and say that we

should never do that. I think it is a case by case basis. I would ask that we have somebody who is objective and willing to research the issues and willing to attend the meetings.

Cal Miller: Did you learn, in your brief tenure...

Paul Moss: Are you having second thoughts about this?

Mike Mattingly: Not yet.

Cal Miller: Part of what we discussed last time is that there would be a reporting back of what the function was and I know you are doing that. Did you learn that these come before the board on a case by case basis?

Paul Moss: It is a case by case basis. I hate to get into this level of detail but it is important to note that the ABC locally has declined to grant those permits. If memory serves me well from that meeting, all of those have been overturned at the state level. There is no legal reason not to do that. There are many dynamics that I am not sure we can address and come to a consensus in this meeting.

Paula Hughes: Without a more educational forum. It has been my impression that there have been a host of issues and opinions that surround this. I am not sure Council could reach a consensus. In any of these appointments that we make, there is a balance of finding an appointment that reflects the prevailing mentality of the Council and finding somebody that is going to be diligent and serve that office well and fairly. That is the most we can ask. To have an appointment that takes the time and has the capacity to be thoughtful about the issues.

Paul Moss: Councilman Vogt?

Darren Vogt: To Councilman Miller's point, there is a difference between a convenience store and a gas station and I would like to see some like-mindedness in an appointment that we do have. As I deal in my day job with people who drink and drive on a regular basis and accidents that occur because of it, those are the kinds of convenience stores where you have alcohol and gas and people can run in and get a 40 ounce in a brown paper bag and drive down the road. Those are the things that I have extreme concerns with.

Paul Moss: There is no cold beer sold at convenience stores.

Paula Hughes: They can do it but they just have to drink it warm.

Cal Miller: It sounds like we all want to learn a little bit more about it but if we make a capable appointment and one who expresses an interest over the next year or so, we can learn from reporting to the liaisons of Council.

Paul Moss: Let me see if I can offer a suggestion here but is it possible to have an interim appointment or if we make an appointment, is it automatically for a year? Can we appoint Mr. Mattingly and ask him to come back in three months because you would have had several meetings at that point. Or you could talk to us on an individual basis so we can get a feel for what his perspective is?

Paula Hughes: I would suggest that we let it ride for a year because I think in terms of public policy a year is a short amount of time. We have had a conversation about the Council having an appointment to the Plan Commission and while there are different issues, there is complexity of issues and it seems that you are just getting on your feet with a year's worth of meetings. I would suggest that we make the appointment for the year.

Roy Buskirk: When there are appointments to other committees that are longer, I feel that one year is an interim appointment. Hopefully over this year, he will be able to get his feet on the ground because the first year is just a training period.

Paul Moss: Absolutely. That is correct. The main point I would like to make is that we appreciate your willingness to do this. Hopefully you haven't had any second thoughts as you have sat there. Is there any other comment before we ask Mr. Mattingly to..?

Darren Vogt: To your point, our appointments always serve at our whim and if we feel there is a situation and we need to take some action, we can always do that. I am not saying that in your area but just in general.

Cal Miller: With that said, I move to vacate or eliminate Councilman Moss' position as the interim appointment to the Alcohol Beverage Commission.

Paula Hughes: Second.

Paul Moss: **There is a motion to eliminate my position on the ABC and it has been seconded. All those in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.** Mr. Mattingly, again we appreciate you coming here and your willingness to serve. If you could, just briefly describe your background and what your interest is in participating on this commission.

Mike Mattingly: Certainly. I am part owner of the contracting company, Robert E. Crosby. With that, fortunately enough, it allows me the time to become involved in such a committee. It is two Mondays a month for about two or three hours, is what my understanding is. Beyond that, the committee looks like an opportunity for me to become involved with the County. The ABC, although it is not a County board but a state agency, I have become fascinated with the research I have done and it is regulated more than just what the board decides on. It is an opportunity for me to get involved and maybe to help regulate what does occur in Allen County.

Cal Miller: Do you have any ownership interest or family have any ownership interest in any liquor stores?

Mike Mattingly: No.

Darren Vogt: I appreciate the fact that in the short time you have been considered that you looked into it and tried to figure out what is going on. Most people wouldn't have known that it is a state agency and so I appreciate that.

Darren Vogt: Make a motion to accept Michael Robert Mattingly to the ABC board.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you very much. PTABOA board, I do not see our Assessor here.

Lisa Blosser: They are at conference this week in Indianapolis.

Paul Moss: We do have a name, correct?

Lisa Blosser: Yes. Dave Meyers.

Paul Moss: Is Mr. Meyers in the audience?

Lisa Blosser: He is probably at conference also.

Paul Moss: Oh that is right. He probably is. I do want to point out that my service on the Alcohol Beverage Commission and Mr. Alfeld's, the state has described as two lucrative offices. This also applies to Mr. Meyers but he has indicated that he will not accept payment or compensation for serving on this board. Based on the Assessor's recommendation, I support his appointment.

Paula Hughes: What is Mr. Meyer's position within the Assessor's office?

Lisa Blosser: He is with the Aboite Township Assessor's office.

Cal Miller: Does anybody know anymore about his background? How long he has been there?

Lisa Blosser: He is a level two assessor which is what they need on the board.

Paul Moss: I probably should have printed out the email from the Assessor. She gave a pretty lengthy history on him. Her recommendation is pretty strong.

Darren Vogt: Is it a Republican or a Democrat that we need to appoint?

Paula Hughes: We needed a D.

Darren Vogt: It depended on what the Commissioners were doing. Did the email describe which he was? We had to coordinate that.

Lisa Blosser: He doesn't actually live in the County which could be a benefit on that board.

Darren Vogt: Do we have enough information to make this decision at this time without seeing the resume? I don't want to delay this but I want to make sure we are doing what we need to do.

Paul Moss: When do the Commissioners make their appointment? It seems like there is a bit of a domino effect here.

Roy Buskirk: Do you know, Judy?

Paula Hughes: Have they made those appointments yet?

Judy Heck: I am not sure but I can find out.

Paul Moss: We could delay this until February couldn't we? Or will that create a situation with them on a quorum or something?

Tera Klutz: It may cause situations but at the same time, if you don't feel comfortable, I think you should look at how you feel.

Cal Miller: I think we need to find out his affiliation so we have the proper balance on the board.

Paula Hughes: The Council can make the appointment and then the Commissioners will have to worry about the party affiliation. We have a bird in the hand.

Roy Buskirk: And the other thing is that without either of the Commissioners' or the Council's appointment, they probably can't have a quorum at a meeting.

Tera Klutz: And Jackie just said that Stacey did recommend a Democrat to the Commissioners.

Darren Vogt: I am still not comfortable without talking to the person and having more information. That is just my own comfort level. If the rest of you are comfortable with it, I will vote against it at this time.

Cal Miller: Moving to table the appointment until the February meeting.

Darren Vogt: I will second that.

Roy Buskirk: I do have another comment and that is the fact that Paul couldn't be on the ABC because it couldn't be a County employee. It seems that the PTABOA appointment would be the same thing.

Lisa Blosser: I questioned that also but it had been looked into by legal counsel in the past and because of the qualifications needed, a county employee could be appointed.

Darren Vogt: It would be hard to find a non-employee that is a level two.

Lisa Blosser: Right.

Roy Buskirk: I could understand that,

Paul Moss: There appears to be differing legal opinions. One of the things I would like to do on a perspective basis is to get an additional legal opinion on this. **There is a motion on the floor and it has been seconded. Is there any other discussion? All those in favor of tabling this until the February meeting, please signify by saying aye. All opposed same sign. The motion carries 7-0.** Hopefully we have not just tied the hands of the PTABOA board too much.

Roy Buskirk: We are going to have to make sure, as far as the D and the R, that if they appoint an R we will definitely have to appoint a D. Who is the liaison to the Commissioners?

Paul Moss: I am. I will work with them on that. Next agenda item is the Tax Adjustment Board and we have a couple of esteemed guests that will be joining us here to talk about that. I do want to make a couple of comments before we have this discussion. The reason I wanted to have Mr. Fishing and Mr. Harper here is because they have a significant amount of expertise in this arena. I was hoping that Mr. Fishing would be able to provide a summary of the Tax Adjustment Board legislation so that we have some knowledge base there. With Mr. Harper, I was hoping he could provide us with some of his perspective in terms of the legislation itself and the intent of it given his history. I wanted to get this to us in January because I think it is an issue that we need to put on the table or get off the table one way or another. I am not sitting here saying that I am necessarily in favor of the Tax Adjustment Board because I need additional information. Frankly, there are some components of it that I am concerned about. There are other pieces of it that sound pretty intriguing. I would like for us to gather information today, let everybody digest that information and I would like Councilman Vogt to discuss his interaction with some state legislators in terms of some potential changes. With that, if you two could introduce yourself for the record, then I would ask Mr. Fishing to give us a brief overview.

Bill Fishing: My name is Bill Fishing and I am the County Attorney.

Mitch Harper: Mitch Harper, Attorney and former State Legislator.

Bill Fishing: With that, I will start. The Tax Adjustment Board legislation has been around since at least the 1930's. There is some indication that it predates that but I couldn't find anything before 1933. It basically is a board that has the ability to review rates and levies. It is a board that approved or disapproved in the mid 80's or early 90's and that County Council did away with the Tax Adjustment Board. That was because with the frozen levy it seemed to be a superfluous option. The DLGF (Department of Local Government Finance) basically was controlling all taxes based on levies as compared to rates. The original 1933 legislation was a rate control piece of legislation. The current legislation allows a seven-member board, one appointed by you, one by the City, one by the largest school corporation and four freeholders currently appointed by the Commissioners but used to be appointed by the Superior Court in the olden days. No current officials of entities that might be reviewed are allowed to serve on it. So they are true freeholders and non-affiliated with any current municipal corporation. They would review the rates. There is a maximum rate set by the statute. My guess is, and Mitch would know better than me, that those were all eclipsed many years ago through that process which is why we ended up with the mid 70's Bowen Tax Plan. That board did not work particularly well in bringing

in those rates. The Auditor serves as the Clerk in the administrative personnel for that board and if you would reinstitute it, all units would be required to submit their budgets to that for review. The power is somewhat limited in the review and is subject to the State Board of Tax Commissioner's approval or disapproval. This is an old statute and now provides to the extent that the levy freeze supercedes it. The levy freeze legislation controls, which is a DLGF procedure with everybody's taxes. That is the basic background for it. I will be happy to try to answer any questions after this.

Paul Moss: Could you briefly reiterate what the Tax Board, let's assume that one of those taxing entities submitted their budget. The Adjustment Board cannot decrease anything nor do anything on a line-item basis.

Bill Fishering: They cannot increase the rate or on a line basis change the budget. In essence what they do is change the levy. In theory, they reduce it back to the levy and order the appropriating agency to adjust their budget but does not say how the budget is to be adjusted.

Cal Miller: Does it at least give guidance as to the amount that is to be adjusted? Doesn't go to line item?

Bill Fishering: You live in a taxing unit. And your unit is made up of everyone who collects taxes on your particular piece of property. Yours may be different than mine. For instance, you live southwest and so you have southwest schools, you may have the City of Fort Wayne and PTC and blah, blah, blah. Paul and I live Northwest Allen. He may have Hometown but I don't. I have Northwest Allen County Schools and my township but I don't have any city in mine. If you are unincorporated, there is a maximum rate that you used to be able to charge. This board would say if the rate exceeded the rate that was allowed, then it would go in and say Northwest Allen would have to reduce yours by so much. That was their function. At the time, it was quite an important function. They also have the ability to say that the rate limits shouldn't apply and could then appeal to what is now the DLGF and was the State Board of Tax Commission. They could say that the rates ought to be allowed to exceed and to the best of my knowledge, if we go back to 1977, everybody was exceeding the allowed tax rates based on that procedure. I looked up our tax rates and we are all well in excess of what was then the limit. To me, that means we have been there forever.

Cal Miller: You indicated, at the time of the Bowen Levy, that the Tax Board became superfluous.

Bill Fishering: No, it was shortly thereafter. We went from a frozen rate to a frozen levy when they did reassessment because they figured out property

values were going up significantly. Therefore, a frozen rate wouldn't help you very much.

Mitch Harper: You had an inflation factor that was built in. I'll get in to that.

Bill Fishering: I can remember when inflation was like 17%. Property values were greatly rising. Frozen rates made no difference in those days. Frozen levy became much more important to control spending. Somewhat like the Circuit Breaker that is going on now. The argument for the Circuit Breaker is that with drastically increasing real property values, you never get to it and I am not sure that is true. In the late 1970's and early 1980's, we had what was referred to in Jimmy Carter's era as stagflation. That meant that things were going up greatly in value but income wasn't going up at all. They rolled over from a frozen rate, from the original Bowen Proposal to a frozen levy. That is where you have all been dealing from for a number of years. Frozen levy with levy plus some automatic increase and that is it.

Paul Moss: Thank you for that. Mr. Harper, if you wouldn't mind giving us your viewpoint and history.

Mitch Harper: A little bit of the history, I think the taxpayers expect that somebody, somewhere in Allen County government is looking at the entire property tax rate that is on a given piece of property. When they make inquiry, if they can get through the fog of how much is property tax replacement and how much is local option income tax, they find out that there really isn't anybody who looks at the overall tax rate on a given piece of property. Some had called it the silo affect with each unit that has taxing power. Tax rates are like a stack of pancakes on a piece of property. Some might call it a stack of bricks. And if you inquire of various units of government, the County is a little different because you have had to struggle with funding criminal justice and public safety matters you haven't had much flexibility or much choice other units have had. They go to the school board or they go to the City or Town Council, they go to the Township Board or the Trustee. They go "Well, it is not our rate because we are doing something very necessary here." Somebody may say that you need to do something about East Allen County Schools because it is limiting public power for us to increase something. They will say that they are doing the right thing but if you go to the school board, they will say the same thing. Nobody is looking at the overall tax burden. County government, as was originally conceived, couldn't get to the various areas of the state on horseback and became the administrative arm of the state government as well as being the local governing body. They are constitutional and all of the other units are creature of the statute. So you occupy a very special place, I think, in terms of looking at the overall tax. The public generally is expecting somebody makes

that review and nobody is. Through the long history, from the late 1960's to the 1970's, the appointments that were made to the Tax Adjustment Board, they were generally chief financial officers of local businesses. They were folks with accounting backgrounds and not necessarily political. They were the ones who were digging into the budgets that were submitted. They were the last stop in the budget process before you sent everything off to the state. The Tax Adjustment Board depended very much on the quality of the individuals that were appointed. As Bill was saying, the Bowen Property Tax Program, as instituted in 1973, controlled through various rates and levies but there was an inflation factor built in. Into the late 1970's and early 1980's, we had inflation running rampant. Local governments were saying that the cap was not allowing us to keep up. Something must be done to allow us to exceed the cap. The legislature, as soon as Doc Bowen left the Governorship, started carving away at the property tax control program. The inflation factor kept a pretty good cap on taxes. Inflation was running near that cap or slightly in excess. Late 1980's, a few counties went to the General Assembly, through the Indiana Association of Counties. This is kind of superfluous thing to go to a Tax Adjustment Board in the smaller counties. We already have a tight timetable in terms of the budget process and of getting approval and getting the rates determined in December. We were having a Tax Adjustment Board meeting and they asked if we were going over the state statutory limit? No. There is nothing for us to do. It is really one more step in the process. Can you make it optional? A few counties in 1987 or 1988 made it optional. They were smaller population counties. Next year, they decided to make it optional for everybody. Most counties and Allen County was one of them, after the passage of that, they made the Tax Adjustment Board optional. They passed a resolution and said that we weren't going to have it any longer. Some counties retained the Tax Adjustment Board, Delaware County and Muncie. Right after this happened we entered the 1990's where in many years inflation was below 1%. Some units, like the counties, were dealing with criminal justice matters. Some units did a fairly good job of managing their increase in expenditures and there have been some units that pretty much went to the maximum of their operating levy increase every year. There was much over-inflation through the 90's, it was an exponential increase. You were going up 5% one year and 5% another year and following a couple of years where inflation was 1%, you were stepping up your levy pretty quickly. That was going on all across the state of Indiana. The time that we should have had the Tax Adjustment Board in operation should have been through the 1990's and into 2002. In the time of low inflation, we didn't have it. We are seeing the affect now. We should have done away with the Tax Adjustment Board or made it optional in the high inflation years and kept it in the low inflation years. But if you get back to who is looking at those stacks of pancakes and frankly, nobody is. It is not a perfect mechanism because there are some units that would say we

aren't adequately represented. Councilwoman Johnson's district, for varying reasons, whether you are in southeast Fort Wayne with East Allen District or you are in Fort Wayne, New Haven, Hoagland or Monroeville, you say that other than the County Appointee, we don't have representation. The fact is that between the County Commissioners and County Council, you do have the majority of appointments. If you do reinstitute it, and you do need to act by April 15th, I would urge you to make one of your appointments out of Councilwoman Johnson's district. Economics, in the classic sense, is allocating scarce resources. General units of government do a good job. You have to make decisions between very disparate functions of County government. Cities have to do the same thing. The special taxing districts have one purpose in life. One school superintendent told me that it is his fiduciary duty to maximize the amount of revenue available for my school district. That is the fiduciary duty of the head of a non-profit. They have sometimes lost the sight that they are a taxing body. The Tax Adjustment Board can serve to remind folks that all of those pancakes or tax rates have an impact on individual home owners. The individual home owner in Allen County is looking to somebody to look at the overall property taxes.

Paul Moss: That is absolutely the key, in my opinion. We have a fractured system which lends itself to incremental increases over time. The most glaring and intriguing part of this is to have some entity to take a look at the whole picture and see the burden on property tax payers.

Mitch Harper: If I could make one other point. I understand that the last couple of years, there's been a lot of talk about consolidating government functions. None of it has touched on fiscal consolidation. None of it has looked at the taxing side. It has looked at maybe making things better from the revenue side. I think some of what you have heard about from the community is when are they going to get concerned about spending and taxation? Their belief in the consolidation of government may actually be a way for governments to enhance the revenue and to expand government. I think, whether folks are proponents of consolidation and whether it is a limited or wide number of consolidated services, the first step is to take control of the fiscal side. For those who have their grave doubts about consolidation, in certain aspects, it makes sense.

Paul Moss: I think Councilman Vogt has something to say.

Darren Vogt: I have been working on some of this legislation with Senator Long. I see some clear problems with the legislation. Before I make those statements, I want to say that this Council has sometimes been accused of asserting power where we don't have power. That is not the case with some of these comments that I am going to make. These comments do create more

power for the County Council but that is not the intent. The intent is to give someone that overall big picture. What I have been working with Senator Long, and it is in its infancy, is the problem that this is an appointed board. We need no more appointed boards than we need a hole in the head. The suggestion that I gave, along with Councilman Miller, is that the County Council become the Tax Adjustment Board. The reason that it is important is that it addresses those issues that the southeast has representation and all four quadrants and at-large members have responsibility to the County and all of the constituents. That was the first part of it. The other part is actually broadening the power that they have. Right now the power is somewhat limited in what they can do. They can still bond outside, is that correct?

Mitch Harper: It really doesn't affect capital expenditures.

Darren Vogt: Exactly. So the point would be to fold all of that into, as we have talked about a capital improvements board, someone looking out for the County's big picture. That piece is missing. This is just the budget area and doesn't go into the capital improvement. So if the board, as I have talked to Senator Long about this, would have addressed the Coliseum, the library expansion and the other capital issues that come up, would have to come before the Tax Adjustment Board. Those are kinds of things and the history behind it with the DLGF is that they have stepped behind what has happened. I don't speak for any other Council member when I speak with Senator Long. He is putting it forward in the committees to see as they continue to look for ways to control property tax and figure out ways to fund it and oversee it. Those are some of the areas that I want to let you guys know about. If you have any input, I just want to let you know that I am in no position of power but am just trying to forward an idea and still making it optional. I don't believe that every county has the same situation and that every county has its own makeup and distinct structure. It would still be an optional force for County Council to deal with. There are some other ideas of usurping some of our authority to other members of County government. That is an overall nutshell of what I have been working on with Senator Long. I have not heard back from him yet.

Paul Moss: You have hit on my biggest issue which is the appointments. I think that having the County Council serve as that body is very logical. It is something that I would certainly support.

Roy Buskirk: The pancakes on my property are the Southwest Fire District, the airport, the library, the Fort Wayne Community School District, a township and the county. You indicated, when you made the comment about bonding, I see it being a problem that we are coming into now with the Fort Wayne Community Schools. They are talking about going with a bonding

issue to make their improvements and so forth. To fund that bonding issue, isn't that added on to your tax levy, as far as the 2% Circuit Breaker? It doesn't make any difference if the funds are for bonds or current expenses.

Bill Fishing: That is correct.

Roy Buskirk: Well then who would be the person, committee or whatever to decide, when you exceed the 2% Circuit Breaker, which pancake gets cut?

Lisa Blosser: They all get cut.

Roy Buskirk: On a percentage basis? What kind of an arrangement do they get cut?

Mitch Harper: Obviously the 2% Circuit Breaker is hauling local units of government up short. I don't think anybody expects that it is going to retain its present character. I think it was designed as a wake up call as to how serious the General Assembly was. There may be a merging and I am sure Councilman Vogt is talking well. How do you reconcile the 2% Circuit Breaker and other property tax initiatives? There are going to be changes in code and I certainly carried and was an advocate for non-elected boards. If it was inside the City limits, it should be reviewed by the City Council and if it was outside the City limits, it should be reviewed by the County Council. The organizations of the non-elected boards get a little vociferous about those things. I hope you don't let the perfect become the enemy of the good here. The legislature is going to change the 2% Circuit Breaker and will make modifications to the current Tax Adjustment Board statute. The Governor had the chance to speak with the Association of Cities and Towns and I think he was sending up a flare that he wanted to reestablish the Tax Adjustment Board. Councilman Vogt brought up a good point. During the 1990's, the counties that retained the Tax Adjustment Board, actually recommended cuts automatically and then whatever local unit was cut appealed to the State Board of Tax Commissioners. Governor Bowen appointed tax commissioners and would back up the local Tax Adjustment Boards. I don't think that the counties who retained the Tax Adjustment Boards in the 1990's and into 2002, once it was made optional, I don't think there was one time that the DLGF didn't override the local Tax Adjustment Boards. They would say that the local units are closer to the situation. Tax Adjustment Boards, even for those counties that retained it, were made ineffectual. I think there has been enough public concern and has been almost unanimous that they are feeling the pinch.

Paul Moss: I don't know if there are any other questions on this. This is the type of discussion for those folks who watch reruns of this at 10:00 at night,

will put them to sleep really well. But I think it is extremely important and is at the core of what we should be looking at and talking about. If there aren't any other questions, I would like to suggest that we provide some support to Councilman Vogt to continue to have those discussions with Senator Long and look at options to make some changes here. My fear with that is that they have a busy legislative session and I don't know how much of a priority this would be. The alternative for that would be for us to work with the Commissioners and see if we can essentially accomplish what should occur in terms of the body itself.

Paula Hughes: Actually the language of the board is such that before they call them freehold members, they cannot, in the last year, be an official or an employee of a political subdivision or tax unit. They cannot appoint members of the Council. They have to be non-elected officials.

Bill Fishering: I agree.

Roy Buskirk: It wouldn't work.

Mitch Harper: They generally appointed people who dig into budgets. The Council's budgeting process is a little strange to most folks because you have all of these independent budget submittals to you. One of the key things that the legislature said is that now is not the time. Come back in two years. When it comes to County budget, you have to tell this department to come back in a year and see what the revenue picture is. That is really the function of the Tax Adjustment Board. One of the parts in the statute is that the County can hire a staff person from the State Board of Accounts and that would give the Tax Adjustment Board a much more robust view of comparing expenditures requested versus the budget. One of the things that happens in the budget process is that you don't know what is going on with all of the other units.

Roy Buskirk: Exactly.

Paula Hughes: Exactly.

Mitch Harper: The Tax Adjustment Board could be one-stop and reconcile that. There needs to be a reform of the budget process too. Budgeting process right now, where the public can have their say on the budget, comes at the very first meeting that the County Council has seen them. I have seen it happen more often at school boards and the person says they don't know if they are for it or against it but what does this mean? The school board attorney will say that this isn't for us to talk to you it is for you to give us your opinion of the budget. The confused person out there wants to be helpful

but they don't know anything about it. When it goes to the Tax Adjustment Board, everybody has seen it. The newspapers have seen it and people have been able to chew on it a bit. People with a great deal of financial expertise can give their input. The school boards, the City Council and the County Council think that they must be doing a good job because they don't see many members of the public here complaining about the budget. The problem is that the folks that are interested in budgetary matters have learned over the years that they don't get to have much input.

Paul Moss: You make the point, again, that the appointments under the current law are key. That is my concern because history shows that frequently appointments are made for a variety of reasons and not necessarily in terms of who is going to do the best job. That is my fear. Again, what I would like to see us do is have at least some consensus here for support of what Councilman Vogt is doing and I would like to participate in that to a certain extent. I would also like to talk to the Commissioners and try to get them on this. This may not have to be an official agenda item but I would like to have it in the pocket of our legislative liaison to be working on as well.

Paula Hughes: If I could finish the thought I had earlier, one concern is how it is addressed that if the County Council were made the Tax Adjustment Board, it would be overseeing its own budget? To me, that seems like an inherent conflict in making the County Council the Tax Adjustment Board because the County budget is one of many to be considered. I think that may be a flaw in the logic but otherwise I agree it should be elected officials overseeing this. I think you need that level of scrutiny.

Darren Vogt: Councilman Miller, do you want to address that?

Cal Miller: Yes. Councilman Vogt and I did have a discussion about this idea to see if the Indiana legislators were interested in elevating the County Council to the Tax Adjustment Board because it is already familiar with the nuances of how each of the residents is taxed in the County. This would be a very big job. I think what Councilman Vogt and I were talking about is to get around your concern of County Council approving its own budget. Somehow the Tax Adjustment Board looks at that budget like everyone else's and then would give responsibility of the day-to-day decisions to someone else. They set the budget for the year and then the Commissioners or whomever would take the day-to-day issues. I don't know if that could be done or not. If you two, as lawyers, are advocating for the taxpayers, I think we have heard that we have one person or body overseeing the stack of bricks to make sure the best decisions are made. What are the downsides to having a board overseeing this? Can you advocate for having the downside for appointing

this board and getting involved? Why this shouldn't be instituted? I am not suggesting that you have that position, just what you are thinking.

Mitch Harper: Certainly it consecrates the thinking of the other local governmental units, particularly non-elected units. Some of the boards of the taxing units, you make appointments to. There will be renewed discussion in the City Council race. Who is asking your appointments to come back and explain what is going on? Is your own appointee even paying attention? I know that in some past years, many of those appointees, when they go to take their place on the board, they believe they got there by divine will. They get captured by the Executive Director. That is just in the nature of special taxing districts. You are asking me, what is the downside? Some of the discussion is that folks that are in some of the smaller taxing units would say that subjecting it to the overall Tax Adjustment Board isn't very fair with us. But they don't have a very large tax role. I know in past years, the Tax Adjustment Board didn't operate with a huge knife in cutting levies or rates. They were generally pretty focused in saying that you need to go back and look at this area of your budget. There was an opportunity for the units to go back and discuss how they would move things around.

Bill Fishing: The Commissioners have no sympathy for the non-elected board's taxing abilities. So as Mitch suggests forcing those groups to come back for bond issues or budgets, they are all for them coming to the City or County Councils. Where I suspect that the Tax Adjustment Board will run into problems is schools. The last thing those school boards are going to want is to say that you or anybody can adjust their levies. The school boards are powerful groups and the teachers unions are powerful groups. They will not want anybody reviewing their levy. I suspect, and I think it is a great idea and County Council is a lovely group because you are elected countywide. You are the only people, other than the Commissioners that are elected countywide, to review those things. Those school boards will want nobody having a say in their levies but themselves.

Cal Miller: But take it from the perspective of the property owner. Can we conceive why this wouldn't be an appropriate scrutiny on an annual basis?

Bill Fishing: I am not arguing with you. I am just saying that you need to realize in that discussion, when you take elected school board members you will hear that they are elected and why should any other group have any right to say that we are spending too much money. I think an oversight committee would be lovely but if you want me to tell you where people are coming from, you are going to face the school boards.

Cal Miller: All right. Taking out the focus of a good fiscal oversight board, it could make the political landscape pretty interesting. If the County Council

were somehow elevated to this position, there would be a lot more people interested in running in this race.

Bill Fishing: Absolutely.

Maye Johnson: I just want to say that I don't agree with this part of the discussion that this program is putting people to sleep. I think a great number of people, especially those in the first district, that would find this part of today's meeting riveting. I see merit to this body being that appropriate entity, but I am not sure. I want to thank the two of you for coming today and sharing this information. I would like to talk to you further. I would also like to be a part of the discussion with Senator Long. Because of the concerns around consolidated government, I would like to be a part of those discussions. I find this very interesting and I can see merits with both. I don't know enough about it and I admit that. I need some additional information.

Paul Moss: Well, the intent here was to gather some information. I don't want to let this languish forever. We obviously have a couple of different situations here. One is a desire to get this law changed a little bit in order to get this body to be the Tax Adjustment Board. I am supportive of that and hope that the rest of the Council is supportive of that as well. I intend to talk to the Commissioners to gauge their support or lack thereof of that initiative as well. Another piece of this is that I would like to have this on the agenda for possibly February or maybe March to have a feel for what the legislative initiative is going to really be. If it is not going anywhere, I would like to get this back on the agenda to talk about whether we want to, in its current form, utilize the tools of this Tax Adjustment Board. Then we could at least bring some closure to it this year.

Mitch Harper: Closing statement. I sometimes think that I am the youngest old man in Allen County politics. A little bit of historical perspective was that the biggest function of the Tax Adjustment Board... I think you should go in after your discussions with the Commissioners and enact it. Having the Tax Adjustment Board will have an affect on the behaviors in the budgeting process. You can see what the problems are. I think that you will find that the Tax Adjustment Board is a conservative board. I don't mean that in the fiscal sense but that they are pretty judicious. In reviewing the budget, it gave a little breathing time that folks discover and get into the detail of the budget documents. They could see how they related to the other governmental units. It got people talking about spending things that didn't quite jive. The editorial writers and newspapers had time to look at everything and all of a sudden there was community attention and focus. What goes on today is that the budget process that seems to move

excruciatingly slow but really moves rather fast. There are all of the deadlines that the Auditor's office must get the units to comply with. What happens is that the public doesn't have much opportunity to look at these because it is a done deal by the time anybody looks at the overall documents. What you hear are complaints the next year. People are raising issues about how something got through when they didn't know anything about it. I think the Tax Adjustment Board, by allowing just a little bit of grace period before everything is finally approved, will allow the public to feel much more legitimacy in the process.

Paul Moss: Well, I think if people don't know your position on this, they truly have fallen asleep. You make very valid points and I am supportive of that as well. I certainly appreciate both of you taking your time to come here and help educate us a little bit. I personally found it very useful and I hope everybody else did. I am going to assume there are not any other questions or comments at this time. Thank you. One of the items I would like to have on the agenda is the opportunity for public comment. I don't think anybody in the audience qualifies as the public at this point so I am going to assume that there are no members of the general public that would like to make any comments at this time. One of the other things I would like to do as well, contrary to recent articles in the paper, is have as transparent government operations as possible. One of the things I would like to do on a routine basis is to have a discussion, after public comments, in regards to upcoming meetings that might be important for people to be aware of. We have Personnel Committee meeting scheduled for next week and proper notice will be sent out for that. The things we will be talking about will be the salary survey and it will be hopefully coming to conclusion before too long. I also want to mention, if you recall, Councilman Vogt and I had initiated some discussion with IKON on doing a survey and analysis of the copier needs for the county. This Council agreed to spend \$4,000 to pay them to do that study. That study is coming to closure fairly soon and I anticipate getting their report in the next couple of weeks. I will share that with the Council and I do believe that based on the interim discussions with them, there are some opportunities.

Cal Miller: Are we in the Other Business?

Paul Moss: Yes.

Cal Miller: Towards the end of the budget discussions last year, we made a motion to pass a budget that did not max out the total levy. It was going to be at least \$100,000 less than the total levy. We appear to be in a position, with an \$11 million rollover and \$7 million in the Rainy Day Fund, to discuss the wisdom of being more aggressive about what levy we do pass and see if we

have something that is a greater savings than the \$100,000 that we committed to. This would at least be a symbolic gesture of the good work that has occurred over the last four years of all of the elected officials and department heads coming together and getting control of all of the finances. When does the final decision need to be made about the tax rate that the county is going to set if this County Council wanted to pass a levy that is significantly less than what its maximum could be? We have already committed to having it \$100,000 less but what is the timing of making that decision.

Tera Klutz: We actually get extra time because we don't have assessed values. As soon as the DLGF works our budget and tax rates, they send us the 1782 notice. We have ten days to respond and that is where we were going to cut the \$100,000 and I believe, I don't know if there is a legal thing that says we can't do it anymore, so you can cut as much as you want at that time.

Cal Miller: So along those lines, maybe at the next meeting we would have a discussion about if the Council wants to be more aggressive than the Council already said it would be. There are significant rollover funds and significant fundage in the Rainy Day fund. I realize the salary study adjustments will have a price tag for the County Council to consider. Given our financial position, I think we should revisit the issue of passing a levy and setting a rate that does quite a bit more than what we had already pledged.

Paul Moss: Councilman Buskirk?

Roy Buskirk: I think that is something that needs to be discussed. There are a lot of things in the future. The Circuit Breaker 2% would have an affect on us. We have a lot of capital improvement items which we initiated last year. There are some expenditures that I think this rollover should be applied to. I agree with you, Councilman Miller, that possibly we should increase the Rainy Day Fund. I would be very hesitant at reducing our levy at this time until we address the expenditures and especially the County employees' wages.

Paul Moss: I think it is a good discussion to have because we can't make that decision without putting all of that out on the table.

Cal Miller: What is our deadline for that?

Tera Klutz: We don't know but are thinking we may have one in April or May.

Cal Miller: All right. So that we don't catch any more Council members flat-footed, I know when we had this discussion last time, I intend to make some motions at the next meeting or the March meeting of what my own perception would be appropriate. I would encourage the rest of the Council members to think about what the appropriate number would be as well along with the concerns that Councilman Buskirk made. It needs to come to head by the March meeting at least so we can consider setting a rate that is going to be more aggressive than the savings we promised of \$100,000.

Paul Moss: Councilman Vogt?

Darren Vogt: One of the other issues that we talked about and I brought up at the last meeting was the employees and salaries and an additional increase for 2007. I would like us to move that topic and discussion to the Personnel Committee officially so that they can come up with a recommendation so that we are not every year trying to figure out what percent to do. The Personnel Committee can come up with a recommendation and the rationale behind it to present to the full Council. Then there can be some set aside every year. From a budgeting perspective, that helps us immensely not only year to year but going forward for years out. That is something I would like to see the Personnel Committee put there.

Paul Moss: I was going to say that it was conveniently tied to your exit.

Paula Hughes: I also wanted to bring up, in your mention of transparency of government, not only do we have the Personnel Committee meeting set for the 23rd at 10:30, I wanted to make Council aware that Ray Temple, who has been a part of the delay in the process, will be in town the second week of February. There was a tentative meeting for the 8th but I will be out of town at that time and for our regular meeting. I would ask that we delay any discussion of lowering the levy because I would like to be part of that discussion. I will be gone the 5th through the 15th. I would encourage the full Council to attend the meeting on the 8th. It is an important project and we need to have as full Council presence as possible.

Paul Moss: I agree and the Personnel Committee meetings are public noticed so everybody is invited and I would encourage people to come to those if they have the opportunity. I would also encourage everyone to have a conversation with the Auditor on the issue that Councilman Miller brought up between now and February or March when those issues come up. That way you will have a complete understanding of the potential liabilities and a full grasp of the issues.

Darren Vogt: This is a quick question to the Auditor. Can you formalize some sort of memo to us as far as the capital expenses that we have had on hold? It would be all of those things through the minutes that we have had or not. This is a disadvantage of not having a full time staff member or part time staff member to help us in this. We have to rely on you and I apologize for that. Is there a way you can put something together for us?

Cal Miller: And how about your recommendation as well since you are the people so intimate with the numbers. Would you be willing to do that?

Lisa Blosser: Yes.

Cal Miller: I also have to confess that I am going to be out of town for the next meeting. I will be trying a case in Fulton County. If there is any interest in moving the meeting date, I would be happy to but I know that is an imposition on a lot of other people.

Paul Moss: So that is February 15th. If we are going to move it, I would suggest that we do it soon.

Roy Buskirk: When can you do it?

Cal Miller: I could do it the next week.

Darren Vogt: The 22nd?

Paul Moss: Councilwoman Hughes, could you do the 22nd as well?

Paula Hughes: Yes.

Cal Miller: I was wondering if the 21st was an option because I will be leaving for Denver on the 22nd.

Paula Hughes: The Data Board meets on the 21st at 8:15. They try to meet before the Council session so that they can make recommendations to the Council.

Darren Vogt: Is anybody opposed to meeting after Data Board?

Paula Hughes: They meet from 8:15 to 9:15.

Darren Vogt: So we could meet at 10:00 to give them buffer time.

Paul Moss: So we are looking at 9:30 on the 21st.

Judy Heck: We have a conflict on the Courtroom on the 21st. There is a grievance hearing.

Brian Dumford: We can move the grievance hearing to conference room 1 on that date.

Cal Miller: So when are we meeting?

Tera Klutz: Wednesday the 21st at 9:30.

Paul Moss: Okay. Just to go back real quickly. I want to have after public comments, upcoming committee meetings or other important meetings. I have already indicated the ones I believe should be noted. In the future, if you have any comments along that line, I would appreciate you indicating it at that time. I don't know if there are any other open discussion items.

Patt Kite: What time is the Personnel Committee meeting on Monday?

Roy Buskirk: The one on the 23rd is at 10:30.

Paula Hughes: The one is the 23rd at 10:30 in conference room 2 and there is one pending for the 8th but no time has been set yet.

Brian Dumford: I believe that we are looking at 10:00 for that one.

Paul Moss: Is there any other business?

Darren Vogt: I make a motion to waive any second reading for today's County Council meeting of January 18, 2007 where it deemed necessary.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0.

Darren Vogt: Motion to adjourn.

Patt Kite: Second.

Tera Klutz: If anybody wants to come to our RFP meeting, our proposals are due from all of the vendors on February 2nd.

Paul Moss: This is for the Tax Accounting System? When is that meeting?

ALLEN COUNTY COUNCIL MEETING MINUTES 01/18/07

Tera Klutz: Yes. February 2 but I don't think they have set a time but we can email that to you.

Paul Moss: We have a motion and a second. All in favor signify by saying aye. All opposed same sign. The motion carries 7-0.

The next meeting will be held on February 21, 2007 at 9:30 am.

There being no further business the meeting was adjourned at 11:23 am.