

**ALLEN COUNTY COUNCIL
MEETING MINUTES
JUNE 21, 2007
8:30 AM**

The Allen County Council met on Thursday, June 21, 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; Cal S. Miller, Maye L. Johnson, Darren E. Vogt, Paula S. Hughes and Paulette Kite.

Also Attending: Lisa Blosser, Auditor; Jackie Scheuman, Finance Manager; Nelson Peters, Commissioner; Bill Brown, Commissioner; Linda Bloom, Commissioner and Becky Butler, Administrative Assistant..

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

Paul Moss: Council, we do have one adjustment to the agenda. We are going to have Superior Court up but first we will have the financial report from Auditor Blosser.

FINANCIAL REPORT:

Lisa Blosser, Auditor: The amount left for appropriation in the County General fund is \$442,536. For your consideration today, there are requests for additional appropriations in the amount of \$352,098. We have not received the 2007 certified budget order but are expecting it any day now.

Cal Miller: Looking at the financial reports, where it says County Council Capital Line budget of \$1 million less Building Department cars?

Lisa Blosser: Right. Earlier in the year, you had approved that and we were waiting for the certified budget.

Cal Miller: I see. That is not the request that he was talking about.

Lisa Blosser: No.

Cal Miller: Thank you very much.

Darren Vogt: So at this point, we will not be able to appropriate any funds out of General Fund?

Lisa Blosser: No but we should be getting that certified budget order any day now. Then we will send the additional appropriation requests on to the State.

Paul Moss: Are there any other questions for the Auditor?

Darren Vogt: Move for approval of the financial report.

Paula Hughes: Second.

Paul Moss: Moved and seconded. All those in favor please signify by saying aye. All opposed same sign. Motion carries 6-0-1 (Buskirk absent). Thank you. Is Superior Court wanting to go now?

Lisa Blosser: Yes.

Fran Gull: Thank you for taking us first. I am Fran Gull, a judge in Allen Superior Court, Criminal Division.

Jerry Noble: I am Jerry Noble, Court Executive in Allen Superior Court. We are distributing for your review, a copy of the letter from the Supreme Court Chief Justice. The Court has received an extra \$20,000, over and above the usual \$10,000, for a foreign language interpreter grant. This was done in recognition of the fact that we have a death penalty jury trial scheduled for the month of October. The distribution of the first \$10,000 is going the normal way. Superior Court will get \$8,500 and Circuit Court will get \$1,500. The remaining \$20,000 will be applied to the death penalty case. With that, we are reducing the request before you today to \$320,945. The consulting line will be reduced to \$40,400. For discussion purposes, I have given all of you a copy of our documentation and specifying the various line item amounts that we are requesting. These are basically in the areas of defense costs, trial management costs and interpreter costs. Our request before you today is an estimate, an educated guess, based on experience. We have had the opportunity in the past of conducting other sequestered jury trials and death penalty cases. None had this kind of complexity and length. Based on our understanding and experience of going to another county to pick a jury, as we will do for this case, Judge Gull has ordered that the jury will be selected from Clark County. We know that with the mileage and hotel and meal costs connected with that, sequestering the jury for a trial that may last for thirty-five days or so. That is what we are anticipating. A lot of the costs have to do with that. There are many costs connected with pre-trial. We have expended a significant amount of money up to this point. This is kind of a moving target but this is our best educated guess. We met with Councilman Vogt and Councilman Miller and we appreciate the opportunity to just bring this request before you. As Councilman Miller mentioned yesterday, it is important to get this right. I would be happy to entertain any questions you may have at this time.

Paul Moss: Council any questions?

Paula Hughes: I was going to ask that certain expenses are reimbursable?

Fran Gull: Correct.

Paula Hughes: What is the timing on that?

Jerry Noble: The Auditor can probably answer that better than we can.

Fran Gull: It is a 50% reimbursement for specific defense costs that are submitted to the Auditor and then the Auditor submits those to the Public Defender Commission.

Lisa Blosser: There is usually a delay, with the State, of about six months.

Paula Hughes: Would it be possible for Superior Court to keep track of the expenses that are specifically tied to this?

Jerry Noble: Yes.

Fran Gull: We are tracking them now with the understanding that, assuming that you approve the appropriation of \$320,945, it would be specifically directed for the Rios trial. Anything that we don't use would be turned back to Council as unneeded. I would point out that this does not include any appeal costs, if there is a conviction in this case. It does not include any extraordinary costs for defense experts or any extra costs for any extra transfer that may be required. I am required to employ a computer-aided transcription service out of Indianapolis. We are making a fairly educated guess on how much this is going to cost but I can't anticipate anything out of the norm.

Paul Moss: Councilman Vogt?

Darren Vogt: One of the things that I discussed in our meeting was that if not all of this money was expended and there is a conviction, there is an automatic appeal. We need to have a discussion with them about maybe encumbering this money for the appeal. Normally we don't want encumbrances but this may be a case that makes the most sense to do that.

Cal Miller: I just wanted to add thanks to the Superior Court for seeking the interpreter grant which underscores the importance of what Allen County is going to be embarking upon with putting on this case. When the Chief Justice tells Judge Gull that this is a one-time deal and ups the funds to do this because what is at stake here is enormous. That is not only for the person on trial but we owe it to the taxpayers to do it right.

Darren Vogt: I make a motion for items 13 through 18 in the amount of \$320,945.

Patt Kite: I'll second.

Paul Moss: Motion and a second.

Paula Hughes: I have one question on the technicality of appropriating this money. If we move to appropriate this, will the timing work out for funding the request?

Lisa Blosser: Can you transfer within your budget right now?

Jerry Noble: What kind of timeframe are we talking about?

Lisa Blosser: Maybe a month, at the most.

Jerry Noble: Yes.

Lisa Blosser: Okay.

Paul Moss: Any further discussion? All those in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).

Fran Gull: Thank you very much.

Paul Moss: Okay, we are going to move back up to the top of the agenda and Economic Development.

Ashley Steenman: Good morning, I am Ashley Steenman of the Department of Planning Services. As you can recall from last year, the State requires that all commercial applicants comply with the statement of benefits that they submitted to the designated body responsible for approving the abatements. This CF form deals with employment, salaries and the increased property values that was a result of the new investment. In the packet that I sent out last week, I included a summary of all of that information for each company. If you refer back to the compliance policy which was also included, it is up to you to determine whether these companies have satisfied your standards or if other action is required. Today, you have a blanket resolution that includes all of the different companies. This is for next year so that they receive their abatement.

Paul Moss: Councilman Vogt?

Darren Vogt: On the second page, regarding employees, I wanted to just clarify, when you say employees created, is that the retained number or the gained number of employees?

Ashley Steenman: The gained employees.

Darren Vogt: Okay. That is what I wanted to make sure I was clear on. Thank you.

Paul Moss: Council any other questions or comments on this issue?

Cal Miller: Are there any that the Department of Planning Services found were not in substantial compliance?

Ashley Steenman: No. In the compliance policy, it says that they have to be not in compliance in two categories. None of the companies were. In some of the ones that did fall into that category were ones that weren't finished with their projects or haven't reached their employment level or they weren't aware of the new assessed value.

Cal Miller: So each of them were reviewed and the policy applied.

Ashley Steenman: Yes.

Cal Miller: Move for approval of the Allen County Council approving 2007 Compliance with Statement of Benefits Form (CF-1).

Maye Johnson: Second.

Paul Moss: **There is a motion and a second. Any further discussion? All those in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).**

APPROVAL OF MINUTES:

Cal Miller made a motion to approve the minutes of May 17, 2007. Paula Hughes seconded it. Motion passed 6-0-1 (Buskirk absent).

Paul Moss: Item one is next on the agenda. Good morning.

Sheila Hudson: Good morning, Council. I am Sheila Hudson and I am the Director of Allen County Community Corrections. I am here to request approval to appropriate from three different funds for the fiscal year beginning July 1. The first item is Community Corrections State Grant Fund 234 which is the amount of money that I receive from the Department of Corrections.

Paul Moss: Does anybody have any questions about that?

Darren Vogt: Can you just give us a brief overview of what is going on? I know you have been doing some things with staffing and restructuring some things.

Sheila Hudson: The State fund was increased by only 2%. That is supposed to cover the salaries. We were not able to reconcile the grid increases of any other salary adjustments that we made so that is out of the Project Income Fund. We have increased that fund by \$300,000. Project Income is money generated through fees to the offender and program service fees. That is the amount we were able to generate over the last year. The Community Corrections Transitions Fund is money that we

still continue to use for persons who are released early from prison. We anticipate that this fund will be used to include the Re-Entry participants for up to six months. That is the word from the Department of Corrections, at this point. Overall, the fund has been increased by half a million dollars.

Paul Moss: Are there any other questions from Council?

Paula Hughes: I am presuming that you have left all of the salaries, we have a lot of stuff pending and run into this every year, with the decisions that we are making about wages and classifications, so is there the flexibility within your budget to make those adjustments when we complete that project?

Sheila Hudson: Yes, in the Project Income Fund.

Paul Moss: Any further questions?

Cal Miller: Move for approval of items one, two and three.

Darren Vogt: Second.

Paul Moss: All those in favor please signify by saying aye. Those opposed same sign. The motion carries 6-0-1 (Buskirk absent). Cedar Creek Township Assessor.

Lori Hammons: Lori Hammons, Cedar Creek Township Assessor.

Laura Roberts: Laura Roberts, Chief Deputy.

Paul Moss: What can we do for you?

Lori Hammons: We are here by recommendation of the Personnel Committee to make an adjustment to the Chief Deputy salary. We would like this to represent a full time position.

Paul Moss: Council, I think there has been substantial discussion about this in the past and I think we are all familiar with this. I don't know if someone cares to summarize why we are doing this.

Cal Miller: I think we handled most of the discussion in the pre-allocation budget hearings.

Maye Johnson: I would move to approve items four through six and with the salary ordinance for \$37,560.

Cal Miller: Second.

Paul Moss: Motion and a second. Any further discussion? All those in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent). Thank you. Items seven through nine, Information Technology.

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

Nelson Peters: Nelson Peters, Allen County Commissioner.

Ed Steenman: We have a request to increase the salary of our Project Manager. The Project Manager is involved in all of the IT projects for all of the departments, getting them from initiation to implementation. He has been with the County for about a year and a half now and has done a remarkable job. It is felt to be appropriate to raise his salary to be commensurate with his experience and with the level of opportunities that he brings to each of these projects. We are asking for \$2,435 increase for the remainder of this year.

Nelson Peters: If you would add in the amount of responsibility that has been foisted on his plate at this particular point, the salary is well warranted.

Paul Moss: Council any questions?

Cal Miller: Has Personnel Committee considered this request and what is its findings?

Paula Hughes: I was not present at that meeting although I have had conversations with Mr. Steenman and Mr. Peters about it. As I understand it, this is a matter of keeping this position in a competitive pay range. I have worked with this person a little bit and it is more than appropriate to fund this position. The documentation has been done to show that this is an appropriate salary range. I am comfortable supporting this.

Paul Moss: I can't recall if we actually discussed this.

Nelson Peters: No. Very candidly, this has not gone to Personnel Committee but we thought that it was enough of a concern that we contacted you individually.

Paul Moss: The biggest concern that I have is that we are stepping outside of the project that we are in the midst of. We could have a long line out the door of people saying they have a particular need but it was a compelling argument in terms of making sure that this position is stable. I am a little more comfortable that the project is going to be completed.

Darren Vogt: That is the same concern that I have. I haven't heard the compelling reason.

Nelson Peters: Part of the compelling reason is that he had one foot out the door. We had to reel him back in. Had he walked, at that particular time, we would have been in huge trouble. In speaking with Councilman Moss, I understand the concern and yes, we are asking for an exception. Any time that you look at a system of this magnitude, there are going to be some exceptions. You have to do what you have to do and as quickly as you can do it to maintain some of these people and keep some continuity within the system. If we lost this individual right now, we would be in big trouble.

Ed Steenman: To that point, also, when I look back at the candidates when we made this hire, the salary that we ended up at was less than many of the candidates expected. We are bringing this salary more in line with the commensurate position.

Nelson Peters: Let me say one more thing to Mr. Steenman's credit. There was a salary ordinance that was set a little bit higher. To his credit, he came back to Council and lowered that salary ordinance with what he felt at the time. He would not be here asking for this appropriation and salary ordinance unless it was needed.

Paul Moss: In the interest of retention, I think it is justified. I would hope that any other departments that are having similar crisis needs like this would not hesitate to approach the Personnel Committee and talk about that. I think we have to retain that flexibility.

Paula Hughes: It reminds me of the situation we had with the Sheriff two years ago. His chief nursing officer had the same kind of competitive market issue. At that point, we had lost a couple of people in a row. It reminded me of that instance where it was a clear example of County going head to head with the private sector. I believe that this is an important position within the function of that department and this is not just for the department but for county-wide. We have done this before and we were at the start of the reclassification then.

Cal Miller: I assume there is some threshold, at which we don't make the adjustment or try to reel the employee back in. It sounds to me that you don't believe we are at that threshold with the respect to this job and the duties that are performed by this individual. Is that right?

Nelson Peters: When Mr. Steenman and I first discussed this, I asked the same question. I will ask him to respond.

Ed Steenman: This is not an attempt to get into a bidding war with the private sector. It is a means to make the salary competitive so that we can retain an employee. I am not of the mind to be back every year asking for an increase because an employee gets a better offer.

Cal Miller: The reason I ask is, what are you being guided by to suggest that this is within the range...

Ed Steenman: This salary was based on a national technology salary survey that was localized using 83% of that national pay range. This particular salary of \$64,000 is in the first quartile of that salary range. It is only 16% up from the bottom of the pay range.

Cal Miller: Thank you for that explanation.

Patt Kite: I think it does equate to the Sheriff's earlier problem with the Director of Nursing. I believe it is still a dilemma as we sit here today. I am in favor of this too.

Paul Moss: Councilman Vogt?

Darren Vogt: I have concerns of opening the floodgates to every person or department head that is saying my chief deputy is vital to the roles of county government and they deserve to be paid a commensurate salary with the private sector. I struggle with individualizing this in this manner. It is a slippery slope when we have a process in place for those jobs to evaluate them. At this point, I am going to struggle to support this. I understand that this job is justified for the \$64,000. It is just the way and the manner in which we are doing it. This will open us up to every other county department head or elected official to come before us and say that this person deserves money based on what they have.

Paula Hughes: I have a response to that. What was the range that we gave you initially when you were hiring for this position?

Ed Steenman: The initial salary ordinance was \$61,000.

Paula Hughes: I thought we had a conversation that this was within or close to the initial range that we talked about.

Nelson Peters: Actually, it exceeds the initial range by about \$3,000.

Cal Miller: I agree with everything that Councilman Vogt said but I am going to support the salary change. I am in that dilemma too. The position and everything that Mr. Steenman does in his department touches every other department in the county. I think we need to have some flexibility to make adjustments on the fly or outside the norm. If the Commissioner and Mr. Steenman are coming forward and saying that this is an integral part of their team and touching all other aspects of county government, the case has been made for the exception.

Maye Johnson: I would agree with much of what you said, Councilman Miller. I do share the concerns that were shared by Councilman Vogt. Based on the importance of this particular position, the technology and its relationship to everything else, I would vote for it.

Paula Hughes: Move for approval of the salary ordinance setting the pay for employees within the budget of the Information Technology Services, Special Occupation at \$64,000.

Cal Miller: Second.

Paul Moss: Motion and a second. Any further discussion? I would make a comment that as far as opening the floodgates, I think we need to have some faith in the department heads to assess needs. I don't think you will see a long line out the door as I mentioned earlier. I think it is interesting that the positions that we are talking about, with regards to Information Technology and the nurses just happens to be two positions where everybody is having a need. These are competitive fields. I think we would just need to assess other approaches based on merits. With that in mind, **all those in favor please signify by saying aye. All opposed same sign. Motion carries 5-1(Vogt)-1(Buskirk absent).**

Cal Miller: Did your motion include items seven through nine?

Paula Hughes: I did not do that.

Cal Miller: Move for approval of items seven through nine.

Paula Hughes: Second.

Paul Moss: Motion and a second. All those in favor, signify by saying aye. All opposed same sign. Motion carries 5-1(Vogt)-1(Buskirk absent). Circuit Court is next. No Mr. Miller today.

Terri Berry: I am Terri Berry and I am the Assistant Court Administrator for the Circuit Court. I am here today to ask for appropriation of more salary for our hearing officer, Judge Ryan.

Darren Vogt: As the State loves to tell us about unfunded mandates, this is set by the Judicial Review Board, who sets their salaries. As I spoke with Mr. Miller, we talked about whether we can appropriate or not and we cannot yet appropriate. We can pass this but there will not be any money until we get the certified budget. I know Judge Ryan had some email conversations with Mr. Miller and we will address it when we can.

Terri Berry: So Tim will need to come back the next time?

Darren Vogt: We will approve it but they can't send it until...

Terri Berry: The funds will not be there.

Jackie Scheuman: That shouldn't be a problem because the salary wouldn't run out until the end of the year.

Cal Miller: Move for approval of items ten through twelve.

Darren Vogt: Second that.

Paul Moss: Motion and a second. All those in favor please signify by saying aye. All opposed same sign. Motion carries 6-0-1 (Buskirk absent).

Paula Hughes: Move for approval of an ordinance amending the range of pay in Circuit Court Magistrate/Hearing Officer for \$99,915.

Darren Vogt: Second.

Paul Moss: Motion and a second. Any further discussion? All those in favor, please signify by saying aye. All opposed same sign. Motion carries 6-0-1 (Buskirk absent).

Terri Berry: There is one other thing on the addendum. It also is a salary ordinance. We are requesting that one of our line items be changed from a Judicial Assistant to a Court Reporter. The salary is being reduced for a savings to the County. Councilman Vogt, did Tim talk to you about this one?

Darren Vogt: No.

Terri Berry: This actually took affect in January. We have been paying this person at a Court Reporter salary and it was brought to out attention that we needed to get Council approval.

Jackie Scheuman: This is something that they had done in December. I talked to Tim and we thought it had gone through Personnel Committee and they had done a little bit of a restructure. They just failed to come before you to get the salary ordinance.

Paula Hughes: Move for approval of an amended salary ordinance for a position within the budget of the Circuit Court for a Court Reporter. This is retroactive to December 9, 2006.

Maye Johnson: Second.

Paul Moss: Motion and a second. Any further discussion? All those in favor please signify by saying aye. All opposed same sign. Motion carries 6-0-1 (Buskirk absent). Next we have item nineteen, the Department of Health.

Mindy Waldron: Morning, Mindy Waldron, Administrator for the Department of Health. I am here to request approval of an additional \$25,000 appropriation into our contractual line due to some higher expenses on our legal fees. I would be happy to answer any questions.

Paul Moss: I assume everyone would know what these legal fees would be in regards to.

Cal Miller: I guess I need a refresher.

Maye Johnson: I do too.

Paul Moss: I guess I assumed incorrectly.

Mindy Waldron: The monitoring of the employees. We always have lawsuits going on inside and outside but there just seems to be more of them this year.

Cal Miller: Since we are talking in half sentences, this is the result of using the satellite positioning units in cars of the employees of the Health Department.

Mindy Waldron: Following the project last year, there were many different types of actions that were filed. We had to follow up with each of these. These went outside of us being able to use our county attorney. That was additional fees that came out of our budget. That is why the expenses are higher than normal because we couldn't use our county attorney.

Cal Miller: I think it is unfortunate that you had to spend the resources in that manner. I would like to take the opportunity to say that what you did took courage, was justified and I support you 100%.

Mindy Waldron: Thank you.

Paul Moss: It is safe to assume that you had additional legal advice and guidance for the personnel issues that you dealt with so as to avoid lawsuits and things of that nature.

Mindy Waldron: Prior to doing it, yes. There was significant after-cost but there was a pro-active step that we took so that we wouldn't have the lawsuits and so forth after the fact.

Paul Moss: Are there any other comments or questions on this?

Paula Hughes: Move for approval of item 19 in the amount of \$25,000 for contractual in the Department of Health.

Darren Vogt: Second.

Paul Moss: Motion and a second. All those in favor please signify by saying aye. All opposed same sign. Motion carries 6-0-1 (Buskirk absent).

Paula Hughes: While Ms. Waldron is at the table, I want to compliment her on the presentation last week. We had the presentation to City and County departments about the possible joint enforcement data platform. I thought it went really well. It has started some good conversations and I am optimistic that we will be able to follow up on that and create some bonds between those City and County departments.

Mindy Waldron: Thank you for your support.

Paul Moss: Item 20 has been removed. Is that correct? I think Councilman Buskirk is following up on that. Moving on to the Sheriff and his salary ordinances.

Ken Fries: Ken Fries, Sheriff of Allen County. Do you want to do the Nursing Director first? These have all been through Personnel Committee. I would like this approved at \$62,000. I will tell you from the beginning that I would like to make all of these retroactive to January 1, 2007. We have money available through unused salaries.

Paul Moss: Is that common, to have these retroactive?

Lisa Blosser: It isn't common.

Paul Moss: Let me rephrase that. Has it been done?

Lisa Blosser: Yes it has.

Cal Miller: Sheriff, what is your argument for why people who have served in these positions at the salary they were making, be retroactive to the first of the year? Have all three of these people been in these positions since the first of the year?

Ken Fries: Yes they have. I will tell you, and I am not sure what order we are going to do these in, my best argument is for the HR Manager position. When I came in January, I changed that job substantially. We are saving about \$20,000 a year by administering our own testing for confinement officers, regular officers and dispatchers. We were paying an outside company to do that. She also represents us at pre-deprivation hearings as opposed to having an attorney represent us. The head of Medical Services started out at \$55,000 and we want to get her up to \$62,000. If we are going to keep her, that is what the previous head of Medical Services had. If she doesn't get retroactive, I won't lose sleep over it. She might but she has been here long enough and is competent enough that we need to get her up to the \$62,000. Since the HR Manager has changed so much, it needs to be retroactive to January 1st. With the Comptroller, I would like that to be retroactive to when the ACJC Comptroller got bumped up in January or February. Since they do very similar jobs,

she is only being moved up to a PAT 4. The ACJC Comptroller also does some HR work.

Paula Hughes: I am going to comment on one of the things that I didn't understand in the Personnel Committee. It is natural that you would make a lot of changes in the way that the office runs. The process in other departments has been to seek approval first for reclassifications and restructuring in departments. Then they would start the changes. We have just seen that in Circuit Court. You did it and have come back and said you did it so now we have to pay them for what I did.

Ken Fries: Yes and no. I believe government should be as efficient as possible and that is what my goal has been from the start. We were going to do things better and smarter and it is like I have said before this is not your father's Buick. I am not going to do things that I think is a waste of taxpayers' money. If we can start saving \$20,000 a year and we have successfully saved about \$500,000 this year. During that process, we were doing the JAQ's and going through the process. Their job descriptions will probably continue to change and have things added to them.

Cal Miller: I too am struggling with your request to have them be retroactive. I would like to ask the two members of the Personnel Committee that are here, these are ones that have been approved?

Paula Hughes: These have been through the Personnel Committee but the order in which things occurred is...

Cal Miller: I think what we are finding as we go through the study is that there are people doing jobs that aren't placed appropriately on the job grid. Hopefully those will get switched but will those people think that because they have been doing those jobs they should get retroactive pay? I think the answer is no and that is the answer with respect to these being retroactive. I don't think you can reconcile this request with other people in the County that are doing jobs that aren't placed appropriately while we go through the study. Mr. Hartman with the Highway Department took over a job as the Director and his pay was given retroactively. He took over a different job and classification and I think we can distinguish that from your HR Manager. I can't support the retroactive but can support the salary ordinances for all three positions.

Paula Hughes: I want to ask a question from the Personnel Committee. I believe we talked about four positions at the time.

Ken Fries: The one for the RN supervisor position was approved back in May. This one is the Director of Medical Services.

Paula Hughes: Okay.

Darren Vogt: I want to clarify so that I am consistent with my position. The duties and responsibilities within your department for these positions have changed.

Ken Fries: HR has been there but the responsibilities have grown immensely.

Darren Vogt: The Comptroller is because of what ACJC did, you think they are deserving of a different pay level?

Ken Fries: I argued that it should be a PAT 4 instead of PAT 5. Personnel Committee approved it at a PAT 4. She deals with a \$20 million budget and 350 employees. Like I said, the job that changed the most is the HR Manager. I certainly would hope that I wouldn't have to come to Council if I am going to give her an additional duty.

Paul Moss: I would tend to agree with that. I am not sure if that is what you were expecting or not but I don't have the desire to be in the position to micromanage what you have your staff do.

Paula Hughes: There is a difference between sitting down and looking pro-actively with how your department runs. We have been approached by several departments that have wanted to restructure and had done so in a thoughtful and measured way. They have gotten the full approvals because that is what Council does is to set the salary ordinances. I applaud the Sheriff but if you are going to change a position and that impacts a pay level, then that is why the checks and balance is in place.

Ken Fries: Maybe Personnel Committee can tell me if this position may have been a PAT 5 anyway through the JAQ.

Paul Moss: That was a question I was going to ask. I am curious as to where it has fallen in that.

Ken Fries: The only thing I have done is added on more responsibilities to this position. She has been doing it since January and that is why I feel that she should be paid for the extra work that she has been doing.

Brian Dumford: The position was not classified as a PAT 5 before the new duties were added. When the new duties were added, it bumped it up to PAT 5.

Patt Kite: Was it at a PAT 3 before that?

Brian Dumford: Yes.

Paula Hughes: I feel that we are going out on a limb by hearing some of these reclassifications ahead of the entire process. I did that because I think it is appalling how long the process is taking. I understand the need to reorganize when coming

into office. I applaud that but I going to lean with Councilman Miller in that I support the change but making it retroactive to the first of the year pushes it.

Paul Moss: I would be interested in your response. You talked about the Director of Nursing and the other two positions and retro pay. Have there been promises made?

Ken Fries: No. I make no promises that I have no control over. I truly believe that the Director of Nursing and the Comptroller, I have no issue if it doesn't go retroactive. I do have an issue with people doing extra work and not getting compensated for it. There has been no promise made to any of them that it is going to be retroactive.

Paul Moss: You do understand the dilemma.

Ken Fries: I do understand.

Paul Moss: The Project Manager is one position that one could argue for retro but we didn't make it retro. One could argue that he was being underpaid for what they were doing for a period of time. It is tough.

Paula Hughes: We went through this with the Juvenile Justice Center. Their financial person's job changed dramatically and they approached us about reclassifying that position and we did the reclassification for the same compelling reason. We did not make it retroactive to when she started doing those duties.

Darren Vogt: The thing for me on this is that there is only one position where the job has changed, the HR Manager. I agree that it should have been done the other way by you coming to us and saying that I am changing the duties and we need to re-evaluate this position to make sure that it is done before the duties are started. I am still struggling with the other two to get those figured out and how we can move along this line where not everyone is now going to come in and say, "I've got...".

Paula Hughes: I think we have brought it upon ourselves with the time that the reclassification process has taken.

Darren Vogt: I would be very careful using the terms that we brought it on ourselves. Due to the reclassification process...

Paul Moss: As far as the communication is concerned, I would suggest that for the future, departments should interact with their liaison to make them aware of some of these things. Is there a desire for a motion?

Paula Hughes: I am supportive of these and will make motions for each of these salary ordinances but not with the retroactive pay.

Paul Moss: I don't recall the retro issue coming up in Personnel Committee.

Paula Hughes: I do. I recall it but we didn't address it. I will also say, Sheriff Fries, that you came to the pre-allocation budget meeting and asked for an across the board ten percent raise. That is a little bit of a crying wolf thing. I understand your desire to have that but...

Ken Fries: I will bite my tongue.

Paula Hughes: That's fine. We will do what we can. You have to have five votes to pass a salary ordinance. I don't believe you would have those five votes so I would rather get you part of what you are asking for. Move for approval of amended salary ordinance reclassifying a position within the budget of the Sheriff's Department, Director of Nursing with annual salary of \$62,000.

Cal Miller: Second.

Paul Moss: We have a motion and a second, any further questions? All in favor please signify by saying aye. All opposed same sign. The motion carries 5-1(Vogt)-1 (Buskirk absent).

Paula Hughes: Move for approval of an amended salary ordinance reclassifying a position within the budget of the Sheriff's Department, HR Manager with an annual salary of \$41,577.

Cal Miller: Second.

Paul Moss: We have a motion and a second, any further discussion? All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).

Paula Hughes: Move for approval of an amended salary ordinance for a position within the budget of the Sheriff's Department, Comptroller with an annual salary of \$37,829.

Cal Miller: Second.

Paul Moss: We have a motion and a second, any further discussion? All in favor please signify by saying aye. All opposed same sign. The motion carries 5-1(Vogt)-1 (Buskirk absent). Sheriff, did you have anything else to bring before us?

Ken Fries: No. Thank you.

Paul Moss: Okay, moving right along, the Commissioners have a couple of salary ordinances.

Nelson Peters: Nelson Peters, Allen County Commissioner. We are looking at reorganizing the Commissioners Office. We looked at some cost saving measures

last year with respect to the attorneys and found that there were dollars to be saved. We continue to pursue ideas that may help more with additional savings. This year, we come with a few more ideas that will help the office operate more effectively and save money. We have moved Mary Hitchens into the Public Information Officer position. It is our intent to eliminate the position of Assistant PIO with a salary reduction of \$37,061. In the meantime, we would like to turn the Receptionist position into an Administrative Assistant position with an increased cost of \$4,830. We would like to go one step further and take the Legislative Assistant position and make it an Executive Assistant position at an increased cost of \$18,610. When you take the decrease of the Assistant PIO and the increases that we are asking for, you are looking at a net decrease of \$13,621. The Receptionist increase would be funded with a split between the General Fund and the Highway Department. The increase from the Legislative Assistant to the Executive Assistant would be funded out of the Public Information Office budget. These aren't all General Fund savings but they are net savings to the County.

Cal Miller: Commissioner, how are the responsibilities of the Legislative Assistant moving up to the Executive Assistant? How is that going to help your office?

Nelson Peters: What we are trying to do is add more power. When you ask to have a letter taken, a letter can be taken. Most of my correspondence, I write myself. Most of things that are done in the Commissioners Office, by the Commissioners, is done by each individual Commissioner. What we are trying to do is, I hate to say make the office more professional, but we want to strengthen and create a high powered office in the terms of the duties and responsibilities that will be expected. The Receptionist job out front has been part-time for some time now but is paid out of a full-time appropriation and could probably be doing more if the responsibilities were increased. It is the same thing with the Executive Assistant position which becomes more of a personal assistant for the Commissioners.

Cal Miller: Will that person also be doing the legislative duties?

Nelson Peters: The legislative position is not being touched. What we are doing with the Legislative Liaison position which is the one that goes down and talks to the legislators. We are taking some of the Assistant PIO duties and moving that into the position. Part of our realization was that perhaps there was more that this person could be doing when the legislature is not in session. She would handle constituents' complaints and neighborhood things and those types of issues. Some of the other duties will be moved over into the Administrative Assistant's position. In cutting out a \$37,000 position, there is going to be some spill over. Some of those duties will be absorbed by the Executive Assistant and the Administrative Assistant.

Paul Moss: Other questions or comments? We did discuss this at the Personnel Committee.

Darren Vogt: From a funding standpoint, I am a little confused as to why a Highway Fund is being used in this particular case. Are they doing stuff with the Highway or is this just a funding mechanism?

Nelson Peters: They have done things for the Highway in the past. That position used to be funded fully out of the Highway Department. As you can see, we reduced that to request \$2,400 out of the Highway Department. There are things, that come over periodically, that compels that position to get involved in things.

Cal Miller: Thanks to the Commissioners for these proposals that are going to make you more efficient and cost less money.

Paula Hughes: Move for approval of a salary ordinance setting the pay for employees within the budget of Public Information, a new position of Executive Assistant with annual salary of \$47,186.

Maye Johnson: Second.

Paul Moss: **We have a motion and a second, any further discussion? All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).**

Paula Hughes: Move for approval of a salary ordinance setting the pay for employees within the budget of the Allen County Commissioners, a new position of Administrative Assistant with an annual salary of \$28,576. (General Fund \$12,789 and Highway Department \$15,787).

Darren Vogt: Second.

Paul Moss: **We have a motion and a second, any further discussion? All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).** Are you going to talk about the grant or is somebody else?

Lin Wilson: That will be Bill Hartman and me.

Lin Wilson: Lin Wilson, Grant Administrator.

Bill Hartman: Bill Hartman, Director of the Allen County Highway Department.

Lin Wilson: This is an INDOT grant which is a federal pass-through and called the Safe Routes to School program. The Commissioners have authorized us to pursue this on behalf of the community of Hoagland. They currently have a project going on that is called the Hoagland Pathways Project and the west section of the project which is sidewalks from the north side of Hoagland Road from Minnich Road to Third. The Chamber of Commerce has committed to paying for this. They have already done two blocks. The Hoagland Chamber of Commerce is having bake sales

and that sort of thing to do one block at a time leading to Hoagland Elementary. I just became aware of a reimbursement grant from INDOT that would finish off the second phase which would go from First Street to Hoagland Elementary. It is a reimbursement grant so we went to the Commissioners to get approval to use CEDIT funds and we are not going to ask for an appropriation unless the grant is awarded. That would not happen until November of this year and the project would not start until probably next spring of 2008. We are only asking for permission to apply for the grant. I am working with Bill to make sure all of the figures are correct. Four Square has done the design for the path and will probably do the design on the sidewalks with no cost. It is a really good partnership. The school is very supportive and we believe that this will create more of an incentive for children to walk to school and increase the activity level of the children. The problem that is happening with most schools is that a lot of children are bussed because of the geographic area that the school is in. Only twenty-five percent of the kids actually live within two miles of the school. We want to try to increase the mobility for those kids.

Bill Hartman: This project will be approximately half a mile of sidewalk. The Highway Department will provide inspection services and paperwork services as far as administrating the grant. This is 100% reimbursement.

Paul Moss: This will complete the project?

Lin Wilson: Yes. They have another phase that I am not really sure of. We are not going to apply for it this year. There is other trail money out there but they have a pathway project that would connect the school with the ball fields which are on opposite sides of Hoagland Road. That is going to be a six foot wide path. These sidewalks are 48 inches. They have four different phases in their pathway strategy. They have new housing development called Hawks Nest. They have another development that is a little bit older but they want to try to connect all of these neighborhoods with the school, ball diamonds and the park.

Cal Miller: I have been sitting here now for five years and Lin, I want to know, how do you do your job? Where do you find these things?

Lin Wilson: This one came through an email. I get notices from the Offices of Community and Rural Affairs and this is one of those. I get notices from U. S. Fire Administration when the fire grants come up. A lot of them I just go to Google. I thank God for Google. You used to have to go to the library and go through some books, write down the address and send off a letter. I don't know how people used to do it.

Patt Kite: I see this as a win-win. We get healthier kids and safer kids and we get our money back. Unless there is any more discussion, I will move to approve the request for application for the Safe Routes to School Program.

Maye Johnson: Second

Paul Moss: We have a motion and a second, any further discussion? All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent). Thank you.

Cal Miller: I have another discussion item. Following the pre-allocation budget decisions that were made, I had an opportunity to meet with Dave Fuller. He wanted to understand what the justification was for his allocation. He made a request for cars on a revolving replacement basis. I want to make sure I told him the right thing. If this is the right approach that Council is taking, I want to put the right framework on it. My understanding is that there were various departments making requests for cars and coming to Council without knowing what the problems are with the vehicles. We wanted to seek the assistance of Larry Pray when coming to ask for replacement vehicles. He could speak to the cost of maintenance and when failures start to occur and when replacements would be warranted. Is that what Council is looking for?

Paula Hughes: Yes.

Cal Miller: Does anyone recall if Darren or I was given the responsibility of contacting Larry Pray and letting him know that we would be seeking his expertise on that?

Maye Johnson: Now that I think about it, it was Councilman Vogt.

Paula Hughes: I think Councilman Vogt volunteered for that actually.

Patt Kite: I had an informal conversation with him and gave him a heads up that Council would be looking for his expertise.

Cal Miller: Is that the framework, if someone is making an automobile request, they need to be accompanied by Mr. Pray or have some assessment taken by him on the replacement?

Paul Moss: Yes, I think so and I think a general statement should be that anyone requesting replacement vehicles will be at a substantially higher level of scrutiny than has been the case in the past.

Cal Miller: I made that clear to Mr. Fuller. He does intend to come back and appeal and hopefully explain with Mr. Pray's assistance the type of use they get on their vehicles.

Paula Hughes: We also said that we would entertain those requests yet this year. That would be a capital expenditure.

Cal Miller: Right and I told him that. We may be seeing him sooner than that.

Darren Vogt: The other conversation, that I recall, we needed to determine the difference between routine maintenance and big things like transmissions. That is the big thing that has been missing from my perspective. What are we doing to them that is not routine? If we put a new transmission in a vehicle, will it then get us another 50,000 miles? Sometimes, that is all a vehicle will need and we can get more time out of it. Those are the kinds of conversations we need to have with Mr. Pray ahead of time and before we get to the decision making process of getting new or replacement vehicles. I will contact him and sit down to discuss this.

Maye Johnson: What is the tracking mechanism for the repairs and who is responsible for that?

Darren Vogt: Mr. Pray is responsible.

Maye Johnson: Is there some kind of software that could assist him?

Cal Miller: I think that is what the Highway Department is suggesting that we get.

Patt Kite: The Service Center has a system in place for what they do now.

Paul Moss: Any comments on that issue, in particular? We are still in the discussion phase. Are there any comments or other issues that need to be brought up?

Paula Hughes: Have we had the travel reimbursement policy? That was on the addendum.

Darren Vogt: I would like to table this because we just got it.

Paul Moss: What are we expected to do with this?

Paula Hughes: I believe the amendment is just to increase the mileage reimbursement. There suggestion was to increase it to \$.45. What was the old rate?

Jackie Scheuman: \$.405.

Darren Vogt: What is the federal?

Cal Miller: \$.485 the last I heard.

Paul Moss: Why wouldn't it just track with the federal?

Lisa Blosser: That would be my recommendation. Then this never needs to come before you again. We would just do the update automatically. It makes a lot more sense.

Cal Miller: Would Commissioner Peters speak to that? I happen to agree that it not only makes it easier but it makes it more fair.

Lisa Blosser: The federal rate does lower at times too.

Nelson Peters: Nelson Peters, Allen County Commissioner. The policy decision that was made by the Commissioners was made with the idea that as gas comes down in cost, that perhaps \$.485 might not be appropriate. There was discussion to move it to \$.485. You have federal reimbursement, state reimbursement and county reimbursement. All three differ at this point. The idea is that nobody really knows. We thought that we could probably move more quickly than the federal government could. We wanted to move to the \$.45 and pick some middle ground. And that was with the idea that we wouldn't probably have to go as far as the feds did. If we needed to go back and readjust it, we could make that decision separate and independent of anything that the federal government might do.

Cal Miller: Is there a way of looking at this problem that says that the County is always going to be three or four cents below the federal rate? How did you get where you were?

Nelson Peters: That is the discussion that got us where we got to.

Darren Vogt: Does anyone recall when the federal rate changed to \$.485? It has been a while. My concern is that it was like that prior to the gas spiking up and was like that when gas was \$2.50 or \$2.60. Maybe more research needs to go into how often they calculate that and what it is based off of.

Nelson Peters: I think it moved from the \$.445 rate more recently than a year and a half. I know when we were first looking at car policies and such it was down around the \$.445. I would just ask for the flexibility without having to get tied into the federal government in any particular way. We came to the \$.45 with the idea that the cost was going to be about \$7,740. That is if the 172,000 miles that were driven in 2006 were driven in 2007.

Cal Miller: You are going to be adjusting this based on what formula?

Nelson Peters: That is an excellent question and I knew you were going to ask that. I really don't have one. The forty-five cents was middle ground.

Cal Miller: The rationale makes sense because you say the prices have come down. But that is just a snapshot today. What do you have in mind for making adjustments to track some fairness measure in terms of reimbursement?

Nelson Peters: We don't, frankly. I am not sure that you can. You look at gas prices in Fort Wayne and Allen County and sometimes they are higher than anyplace else

in the country. I guess the rationale and the methodology going forward is probably my drive into work and looking up at the sign at the gas station.

Darren Vogt: Council, one of the other things, as I have talked to at least one department is about the pool cars. I don't know if you have any idea how often those cars are used but we have six vehicles and need to make sure that those are used. That is what they are there for. If people know they have a meeting, they need to be using those so we are not reimbursing for mileage.

Nelson Peters: I believe those cars are used almost daily and all day long.

Paula Hughes: So that is the priority to use a pool car first and your personal vehicle second.

Nelson Peters: Yes.

Paul Moss: I guess that the subjective nature of identifying what the mileage rate should be is bothersome from my perspective. I am also not going to lose a whole lot of sleep over it. I have complete faith in the Commissioners when they make these types of decisions. I can go either way on this.

Cal Miller: Does this require an approval of Council?

Paula Hughes: Yes. I have a resolution. Resolution 2007-7-01-1 whereas the undersigned member of the Allen County Council resolve that mileage claimed while attending to official County business will be at a rate of \$.45 per mile.

Darren Vogt: Second.

Paul Moss: **We have a motion and a second, any further discussion? All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).**

Nelson Peters: Thank you and let me add that I am more than open to any suggestions regarding methodology.

Paul Moss: Sounds good. Recent and/or upcoming meetings.

Paula Hughes: I think we have a Personnel Committee meeting scheduled. Commissioner Bloom was gracious enough to include me in a space study meeting. We met with representatives from the City and then had a good conversation with Commissioner Bloom and Dan Freck and they have provided me with a lot of the background on the City-County space study. They also provided an explanation that Commissioner Bloom misunderstood us at the pre-allocation hearings when we requested that they had met with every County department. They had not had those meetings to talk about needed renovations but they had a series of meetings where

they had talked about needs for additional space but not renovations to existing space. They are going to start on that process so that we can have a prioritization that is similar to the one that is established for the technology projects. On another topic, one of my placements that is tied to my position on County Council is to the Drug and Alcohol Consortium. They have asked me to join their board, which I have done. They have had an abrupt shock. They have been located at the former YWCA campus and were served notice last month that they are being evicted. The school is going to be taking over that space. They were only paying \$500 a month for almost 2,000 square feet. It is going to be hard to replace and they certainly will not be able to replace at that rate. They found a new location but they may be undertaking a capital campaign to do improvements to that location. Right now it is a warehouse that doesn't have office space built in. They may be approaching us for that. I am guessing it would be minimal, maybe in the range of \$70,000. The Drug and Alcohol Consortium, since their inception, has had a position of not fund raising in the community. They are funded through the money that is received from drunk driving offenses. Drug Free Indiana was their main source of funding for years. Since they have had a new executive director, they have multiplied their budget many times over with State grants.

Darren Vogt: How big is their staff?

Paula Hughes: Currently they have the executive director and two or three part-time. The executive director is part-time. They work in a room right now that is one big room and an office for the executive director if she has any personnel issues to address. The reason that they need so much space is because their board is over twenty people and they host meetings which is the Consortium part of what they do. On a regular basis they have got to have this conference space. They have talked to a lot of groups and trying to find a space where they could share conference room space with somebody. It hasn't happened.

Cal Miller: I did have a chance to meet with Jerry Noble about the request that came before us today. Not to step on Councilman Vogt's toes, I asked to meet with him because they were surprised that they didn't get an allocation for next year over and above their budget. I had to confess that I had stepped out of the room during the discussion and that if they felt justified, they should come back before Council. During that conversation, I learned that part of what they are doing in their 400 series request was that they have the next phase of their technology upgrade in the courtroom and based on discussions that Council has had before on the 400 series, let's get these things refreshed while we can. I told them to consider coming forward yet this year. They have been doing quite a bit with respect to the upgrade and technology in their courtrooms. Next, I will not be here on July 19th. I will be in Fulton County trying a case that has no chance of resolution short of trial.

Paul Moss: I do want to comment on a potentially upcoming meeting. As a result of the discussion that we had in the pre-allocation meetings about CEDIT expenditures and how the CEDIT funds are prioritized, the Commissioners have asked Mark

Royse to do some research into that. It will give us a better idea of what the current commitments are and how far out they go. The intent is to sit down with the Commissioners and have an open invitation to any Council members who want to attend.

Cal Miller: Get a date and put a notice out.

Darren Vogt: I would prefer a couple of dates. If we pick one solid date, not everyone will be able to be there.

Paula Hughes: To add on to that topic, one of the things that Mr. Royse is following up on in the Shovel Ready Site committee is that the Alliance has asked for stronger guidelines on CEDIT expenditures. That way the Alliance would have a better understanding of our wishes in that area.

Paul Moss: Any other comments?

Darren Vogt: Couple of things to your point on the courts and clarified that I was in on the conversation and the real issue was that there were a couple of things that looked like there should be a reduction. There were conflicting issues in the Guardian Ad Litem and it should go down but yet it wasn't and so there were more clarifications of issues and not so much the capital expense items.

Paula Hughes: As well as the concern with what is happening with some of the outside funds that they have. They committed that with the purchase of the building, they would be able to maintain that and now they are on track to exhaust those funds in four to five years. I think we need to have a conversation about that. The made a commitment to us when we went through the process to purchase that building.

Darren Vogt: The second thing is that there was an initial meeting of the Tax Adjustment Board and the discussion points were just typed up and I haven't had a chance to look at them yet. Once they are reviewed, I will get each one of you a copy. The HR reclassification process, I have fallen out of the loop and I want to be involved in that reclassification process. I have not heard where we are on it. I can attempt to make those Personnel Committee meetings and be part of the end of that discussion.

Paul Moss: The most recent meeting on that issue was a couple of weeks ago. Basically it is loosely titled the appeals committee. We went through Brian Dumford's overview of the classification process and the listing of those departments and positions that are requesting appeals. It is a pretty lengthy list. My concern is that this is going to take some time and significant effort to get through it. Do we have another appeals committee meeting scheduled?

Brian Dumford: Brian Dumford, HR Director. Just yesterday, I sent out an email to the appeals committee for the July schedules so that we can get the meeting on the

books. Also, a tentative process that I put forth for comment for summarizing the appeals and to minimize the amount of time the appeals committee needs to have for this.

Paul Moss: We do have a tight timeline. We need to have this done this summer because it impacts the budget.

Brian Dumford: That is why I am trying to have all of the meetings scheduled and on the books.

Darren Vogt: Could you just include me in those?

Brian Dumford: Will do.

Paul Moss: The list is pretty lengthy of the people that we want to participate in this and unfortunately, participation has been problematic. I think it is probably wise to keep that list going in terms of email invitations and all of that. We are just going to have to make sure that as people come in, we can't go back and bring them up to speed. Fair enough?

Cal Miller: I move to approve to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of June 21, 2007.

Darren Vogt: Second.

Paul Moss: We have a motion and a second. Is there any further discussion? All in favor signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Buskirk absent).

Cal Miller: Motion to adjourn.

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 6-0-1 (Buskirk absent). The next meeting will be held on July 19, 2007 at 8:30 am.

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