

**ALLEN COUNTY COUNCIL
MEETING MINUTES
JULY 15, 2010
8:00 AM**

The Allen County Council met on Thursday, July 15, 2010 at 8:00 a.m. in the County Council/Commissioners Courtroom. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Paula S. Hughes, President; Darren Vogt, Vice President; Roy A. Buskirk; Maye Johnson; Paul G. Moss, Robert Armstrong and Larry Brown.

Also Attending: Lisa Blosser, Auditor; Tera Klutz, Chief Deputy Auditor, Jackie Scheuman, Budget and Finance Director and Becky Butler, Administrative Assistant.

The meeting was called to order by President Paula Hughes with the Pledge of Allegiance and a moment of silence.

Paula Hughes: First, we have the Consent Agenda. Does anybody want to pull anything from the Consent Agenda? If not, I look for a motion to approve.

Maye Johnson: Motion to approve.

Darren Vogt: Second.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 6-0-1 (Moss absent).** We have a discussion, Certification of public question for Referendum Tax Levy by East Allen County School Board of Trustees. Could you come up and introduce yourself for the record.

Karyle Green: My name is Karyle Green and I am the Superintendent of East Allen County Schools. We are here on behalf of our Board of School Trustees. With me today is John Bomberger from Baker and Daniels and Kirby Stahly who is the Superintendent for Administrative Services. Mr. Bomberger will establish our purpose here this morning and then we will entertain questions.

Paula Hughes: Okay, thank you.

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John Bomberger: Good morning and thank you for hearing us this morning. We are here on behalf of East Allen County Schools in support of our ballot referendum for the general election in November. We are pursuing a course that has been established by statute. At our last board meeting, we passed a resolution and it has been certified and delivered to the County Council. The next step in this process is the certification from the County Council, to the Clerk and the Election Board for the placement of the question on the general election ballot in November.

Paula Hughes: Council members, are there any questions?

Darren Vogt: I have one to make for the record. What is the thirty-seven cents going to raise for you in revenues?

Kirby Stahly: East Allen would go with the maximum rate because we still have to go through the budgetary process. The levy has not been established. East Allen would go with the maximum rate of .37 per hundred dollars of assessed value based on the current assessed value for the district. That turns out to be about \$8.2 million.

Darren Vogt: Can you explain to me, I guess for the taxpayer, how do you plan on proceeding with a final number? If we are going to put on the ballot the maximum rate but yet you are going to go through the budget process, how are you going to do that? At the end of the day, the voter is going to vote on the maximum amount and I am not sure how that process works.

Tera Klutz: They will be voting on maximum rate and so the voters are ensured to know what they will be paying based on their assessed value. Net assessed values haven't been certified nor have they been rolled over from the Assessor. We can't know exactly what the East Allen County School Board will get however, I tested the amount of the \$8.2 million and it is very reasonable, considering the rate if you use this year's assessed value and the \$8.2 million, you come very close to the rate. The values will change a little bit and when they have estimated \$8.2 million, it is a very fair estimate of how much that could raise. Without assessed values, we don't know what the rate will be but the maximum that the voters are voting on is that it may not exceed .3709. We can even tell them today, the maximum they will pay based upon that.

Darren Vogt: Okay, so once the budget is set, they set the rate that they will assess the value at.

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Tera Klutz: Yes, when you certify net assessed values, they are going to adopt the rate and we know that it can't be higher than .3709 but it could be lower. For some reason, the value comes...

Darren Vogt: My confusion comes because he said they are going through the budget process and may not need all of that. So how does that work if they don't need all of that?

Tera Klutz: They have all of that discretion during the budget process. They are letting taxpayers know now what the maximum is that they are going to pay.

Darren Vogt: So your intent is to tell the taxpayer that this is the maximum but we are going to try for less, is that the concept?

Kirby Stahly: That is correct.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: And this would be outside of the tax caps also?

Kirby Stahly: That is correct also.

Roy Buskirk: And then actually, as far as the rate, how is the maximum rate set? Is that legislation or something?

Kirby Stahly: It is set through legislation but then it is the individual school corporation that comes up with what the maximum rate would be.

Roy Buskirk: Okay. How much revenue have you lost because of the tax caps or other State programs in the last year or so?

Kirby Stahly: Realize that within General Fund, it is a State supported fund and is not supported by local property taxes. It is a little different in that particular question. As far as the estimated reduction, I believe, this year for East Allen from the tax cap levy is in that \$500,000 to \$600,000 range. That is prior to any replacement by the State.

Roy Buskirk: Like you transportation budget and everything else has been affected by the State and that is why I wanted to know how much revenue you have lost and here you are talking about replacing or coming up with \$8.2 million. Is that more than what you have lost?

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Kirby Stahly: Realize that we are just talking about within the General Fund. We are not talking about the losses that have occurred with transportation or capital projects or debt service, which are the local tax supported funds. We are strictly talking about replacement of losses that have come from the State for the General Fund since the State essentially is 100% support of the General Fund. Now getting back to your question, last year the loss for the property tax cap for 2009 was roughly about \$100,000.

Roy Buskirk: Okay, I guess something else that I am kind of shocked by is that none of the elected officials to the School Board are here this morning, right? Is that correct?

Karyle Green: That is correct.

Roy Buskirk: So who sets the final rate then and is that voted on by the school board?

Karyle Green: Our Board approved a resolution on Tuesday evening and established the rate.

Roy Buskirk: I understand that.

Karyle Green: They established the rate at .3709 and the information related to that rate is in response to a number of factors within our General Fund. Decreasing revenue from the State, which is outside of the property tax cap which Mr. Stahly said, the General fund is not supported by property taxes but is supported by State tuition and grant funding. We have had significant decreases in the State tuition funding that we have received in addition to which we are facing declining enrollment. The money that is coming from the State to support our General Fund is less than they have been for several years. We incurred a \$300 million cut to K-12 education, this year, in the General Fund which for East Allen equated to about \$2.7 million for the fiscal year of 2010. It is scheduled to be at least the same and possibly increase in 2011 as well as the Board has continued to make cuts. We made a million dollars worth of cuts last year before I became the Superintendent. We made \$4 million of cuts and we still see declining enrollment and shrinking revenues. What we are trying to do is to do some work within our own General Fund and we have put some plans out there trying to trim our operating costs by up to \$6 million. If we can't get that done through the redesign of our district, then we are trying to be proactive so that we don't have to make significantly further cuts within our General Fund and not be able to provide the services which our constituents, since 1964, have been accustomed to. We have cut teaching staff, we have increased sizes, we have cut administrators, we have cut benefits, we have taken people out of the

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negotiated agreement collective bargaining process into meet confer groups, we have cut classified staff and just in the last year and a half, half a million dollars from our budget. We are still facing increasing shortfalls. Outside of the property tax issue, it is the General Fund issue and the way that we are funded by the State. This is what we are hoping to do, through our district redesign and the potential for further reductions that we are seeing.

Paula Hughes: I want to remind Council that we are not approving a tax increase. We are approving the ability of the School Board to ask their citizens whether or not they want to increase funding for the schools. I understand the conservative approach to this but I think, from my perspective, a referendum is the purest form of representative government by asking the people what they want for their school system. It is exactly the same issue that we had with Southwest Allen County Schools in April of 2009. They approached us and asked for a referendum but in that instance they did not time it with an existing election. They had to pay for an election just for their project. This one is timed so that there won't be any extra expense.

Roy Buskirk: I just want to make sure that it goes back to elected officials that will be determining what the tax rate is going to be. To me, that is very important.

Paula Hughes: That is the fiscal body for the school system.

Roy Buskirk: I am sorry but instead of administrators showing up here this morning, I would have thought that elected officials from the School Board would have come.

Karyle Green: Our apologies but we have issues with both vacation and work.

Roy Buskirk: Okay, so in essence, you are using the highest tax levy that you can go to but you are saying that possibly it would be less than that and the School Board would be determining what the final rate would be.

Kirby Stahly: That is true.

Paula Hughes: Are there any further questions? Okay, I look for a motion.

Roy Buskirk: So moved.

Darren Vogt: Second.

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Paula Hughes: We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Thank you.

Unidentified Citizen: Can I talk?

Paula Hughes: Sure. Is this pertaining to the referendum?

Unidentified Citizen: Oh, yeah.

Paula Hughes: Okay sir, I am going to allow you to come up but I am going to give you a three-minute limit. We don't typically take comments in the middle but I will be happy to entertain your discussion.

Unidentified Citizen: These people want more money, more money and more money. We've got more schools than we will ever need, more money. We've got declining enrollment. Why do we need more money? Obviously you are going to let them do it.

Paula Hughes: Sir, I appreciate your perspective but as I stated previously, this is just a move to allow the schools to just place the question on the ballot. This is not an endorsement of a tax increase. This is allowing the public to vote on how they want to support their schools. It is not County Council's job to pass judgment on how the schools fund themselves. It is up to the citizens, at this point and that is the purest form of government and I am supportive of that.

Unidentified Citizen: I am too but then why did we even have to do this? Bye-bye.

Paula Hughes: Thank you sir. All right, we will skip the Statement of Benefits and move along to consideration of a resolution approving 2010 Compliance of Statement of Benefits.

Scott Harrold: Good morning, as you know, this is an annual rite of passage, I guess. We go through a process of reviewing the CF-1's based on procedures established by Council a number of years ago. I haven't had to do this in a few years but basically we go through and look to see if they have achieved their goals. If they don't meet those, then we look to see if they at least have made an effort. As a background, I sent you a worksheet showing a bunch of the companies that were around in 2007 as well as this year and as you can see, everyone is suffering from the recession as far as not being able to have a better payroll. Hopefully we will see that turn around at this time next year. The only company that didn't pass the test, as far as going through the

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review process, is Terex Advanced Mixer. Two years ago, they had 271 employees and they are down to 105 now. At 271, they had met their goal but with making mixing trucks and being the hardest hit sector, housing market and construction, people just aren't buying. There is an out that says if it is circumstances beyond the company's control and I think that is very applicable in this situation. With that, I would ask that you approve the CF-1's for the companies that filed this year.

Paula Hughes: I have a question for Terex. I looked over the materials just to confirm your conclusions and I agree that the economic situation has changed dramatically since Terex first applied for this abatement. They will be automatically reviewed next year and as long as we leave them on the list.

Scott Harrold: Right.

Paula Hughes: I would think that having them on a watch list is the most appropriate action at this time.

Scott Harrold: I talked to the Controller at Terex and he seemed encouraged that things at least have stabilized if not trying to pick up a little bit. The project that they came in for in 2005 was to start making rear-discharge cement mixers in addition to their regular product which is a front-discharge mixer. They bought laser CNC machines, as a part of that. Originally there was a plan to have two of those and they never quite got that much out of the market that they wanted to and timing of the recession didn't help either. They are using that laser for other things as well.

Paula Hughes: Councilman Moss?

Paul Moss: We are basically going to be approving the same compliance that we would for somebody who actually is in compliance.

Scott Harrold: That's right.

Paul Moss: My point being that I understand the situation and I certainly don't argue that but is there a different statement that we should be approving?

Scott Harrold: No, the process is that if you find they are not in compliance, you have to hold a hearing and ask the company to come in and explain themselves. Honestly, given the circumstances, I am not sure that is necessary. That is the alternative for the out.

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Paul Moss: That is the only alternate out. That is unfortunate because it seems like we are doing the wrong thing either way.

Darren Vogt: But we have to approve the Statement of Benefits for them to keep their tax abatement.

Scott Harrold: Right.

Paul Moss: I understand that.

Scott Harrold: Substantial compliance is a subjective term and that is why we have the review process. Part of the process is determining whether there are mitigating circumstances. Really, the only reason that you could legitimately deny an abatement is if you determined that they outright lied on their application. That is probably difficult to determine. Most of the time there is some kind of circumstance outside of their control. If they don't invest the full amount, they don't get the full abatement. They only get the abatement on what they invested in.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: This is an annual report that all companies receiving tax abatements must file.

Scott Harrold: That is correct.

Roy Buskirk: I know a year or two ago, it seemed that we were having some difficulties on getting all of the companies to file.

Scott Harrold: I am not sure because I was not handling that a couple of years ago. I think we did have a problem where the State decided that they weren't going to allow abatements unless a CF-1 was filed where before it was signed by a governing body where we were just passing resolutions with a list. Today we are sort of doing both. There is a resolution to be signed today and then Paula, in her spare time, gets to sign all of the CF-1 forms.

Roy Buskirk: Here is my question. Did everybody file their CF-1?

Scott Harrold: I believe so, yes.

Paula Hughes: Is there any further discussion? Councilman Brown?

Larry Brown: I share what I think is Paul's concern. It seems to me that there ought to be another alternative. If we have the figures in front of us

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that shows that firms are not in compliance, I guess that I am a little uncomfortable signing a form that basically says they are in compliance. If the alternative to that is a hearing, well, so be it. As I look down the list, there are numerous ones that are not in compliance.

Paula Hughes: That is only one of the two lists. There are three standards of compliance and they need to meet two of the three. You are looking simply at the employment levels. Anybody who didn't meet the employment levels met the investment or what was the third?

Mark Royse: Payroll, jobs and investment. The point being, on this exercise, is that substantial compliance is in the State legislation. You define substantial compliance with your guidelines to help you in terms of judgment. Again, as Scott said earlier, when you determine a company not being compliant, then you would have to go through a process where you would bring them before you and ask them why they were not. Then you would determine whether or not, based on the State statute and this is the only State statute that I have come across that puts an onus on a governing body to make that decision. I would say that signing of a compliance form, even though they didn't meet your guidelines this year is not out of policy.

Larry Brown: I see some and I didn't think far enough ahead to bring the paper from a year ago but I see the same names on here again. What good does it do to put them on a watch list if we are just going to rubber stamp the form?

Mark Royse: You always have the opportunity, as the fiscal body, to set your own standards of what the compliance regulations are and to bring those companies back before you to challenge that. Terex, before it was Terex, was Advanced Mixer and they went through a bankruptcy and now it is Terex. That is probably the only company that, over the years, has not been in compliance with one of the three components.

Darren Vogt: I just want to add that one of the things that we do is have the staff have conversations, on the front end, with companies who are not meeting what we would call a normal standard and to ask questions and dive a little deeper into what the situation is. We have done that but just not in a public forum. Is that a fair statement, Scott?

Scott Harrold: Yes. That is why I called the Controller to see what the situation was. Obviously before I called, I had a pretty good idea of what the situation was.

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Darren Vogt: Making concrete mixers in a time when the economy is not having a construction boom.

Roy Buskirk: How much benefit are they actually receiving? They never got all of the equipment that they proposed and I don't see a problem with that. They are only receiving benefit on what they purchased.

Scott Harrold: Right. They invested about \$1.2 million in equipment and they are probably in the fifth year of the abatement and it is probably a seven-year abatement. They are getting down to where the percentages are pretty small.

Roy Buskirk: So, they invested \$1.2 million but how much on the application were they going to invest?

Scott Harrold: \$2.4 million. They were going to put in two of the lasers and wound up with only one.

Roy Buskirk: It is not like they are receiving benefits for something that they didn't do.

Paula Hughes: That is absolutely right.

Roy Buskirk: They just didn't employ as many as they had anticipated.

Scott Harrold: They met their goals in 2007 but then it was hard to look into a crystal ball and see what was going to happen.

Roy Buskirk: Sure.

Paul Moss: For me personally, we are talking about somebody who has taken a risk and put their money of \$1.2 million at risk and we are talking about taking money from them through a confiscatory tax policy and granting an abatement towards that to encourage that growth. In looking at the actual resolution, I think there is enough leeway in a couple of areas where you talk about the substantial compliance. I am certainly comfortable with it. It is not perfect, I agree, but I don't see how you can have a third statement to reflect a situation like this.

Scott Harrold: I would note that Councilmen Brown and Armstrong were not on the Council when the current policy was adopted. I will send you a copy of the policy just so you can understand the set up a little bit better. I apologize because I should have done that before.

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Mark Royse: And if you would want to revisit that, this is your program and not ours. We administer it on your behalf. If you want to make any changes, we will be welcome to administer those changes.

Darren Vogt: Move for approval of the Allen County Council resolution approving the 2010 Real and Personal Property Compliance and Statement of Benefits CF-1 Forms.

Maye Johnson: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion?**

Paul Moss: I have one question. Do you believe that the policy should be adjusted? Should it be more lenient?

Mark Royse: That is your call.

Paul Moss: But I am asking you.

Mark Royse: I think it is fair as it is.

Paula Hughes: We deliberately crafted it to give us room to make exceptions. It is completely at Council's discretion on these things. I think it is fair and that we put a lot of time and effort into this when we crafted it. It allows us to be flexible at times like this.

Roy Buskirk: There, for a minute Mark, I thought you were an elected official.

Mark Royse: It will never happen.

Paula Hughes: **We have a motion and a second. All those in favor please signify by saying aye. All those opposed same sign. The motion carries 6-1 (Brown).** Next we have consideration of a resolution approving a Statement of Benefits for Saratoga Potato Chips located at 6923 Lincoln Parkway.

Scott Harrold: I thank you for adjusting the order here. I apologize because I neglected to tell Ms. Steenman that we were starting at 8:00 this morning. She was not able to relay the information to the plant manager. This is Navendra Paul and he will be the plant manager at Saratoga. Basically I will give you some background information and I will let him tell you a little bit about the company. I think that the name makes it pretty obvious what they are going to be doing out there. This is at 6923 Lincoln Parkway and is an

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existing building in Lincoln Industrial Park. It is on the north side of Lincoln Parkway and the second building in from Hadley Road. They are proposing to invest about \$3.3 million in equipment and about a half million in building improvements. This will create 175 new jobs and the total payroll will be about \$5.8 million. One hundred and forty of those jobs will be production workers making about twelve dollars an hour, \$25,000 a year. Based on the point system, they are eligible for a seven-year abatement. The tax savings would be \$97,000 for personal property and \$18,000 for real. That is pretty much the summary. Mr. Paul, if you would like to explain a little about how soon you will be starting up.

Navendra Paul: Saratoga Potato Chips started off in Canada and we decided to come into the United States to be closer to our customers. We are under construction right now and we are hoping to be up and running in late Fall.

Paula Hughes: I want to extend a warm welcome. We are glad that you decided to join us and do business here.

Navendra Paul: Thank you.

Scott Harrold: This is one that the Alliance worked very hard on to convince them to come here. It was a competitive situation with Michigan and we are very happy that we convinced them to join us here.

Paula Hughes: Councilman Buskirk?

Roy Buskirk: I have a question on the potato chip production plant on Cook Road. Isn't that a sister company of yours?

Navendra Paul: Yes.

Roy Buskirk: The one thing on this is that the existing building, on the property that you are purchasing, this will not affect the property taxes on the existing building. It is only on the remodeling and improvements, correct?

Scott Harrold: Right.

Roy Buskirk: And the equipment. There isn't any current obsolescence on the building?

Scott Harrold: I don't believe so.

Paula Hughes: Councilman Moss?

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Paul Moss: If you could, just for future reference, could you please identify what the primary motivating factors were for locating here? Just a couple of bullet point type of situations, what would they be?

Navendra Paul: Most of our customers are in the Midwest area. With the new business that we applied, the customer would like to have the production closer to their distribution centers. Fort Wayne is like the heart of the distribution center. That is one of the primary reasons to come down here and efficiently supply the customers. What can I say? Fort Wayne is a nice place. It has been a warm welcome and we like the atmosphere here and that is another reason for coming down here.

Paul Moss: Did your company, do you evaluate for instance, the tax policy of the local community and kind of compare taxation, tax rates and things of that nature? What other kinds of things went into the decision?

Navendra Paul: I believe so. I cannot shine any light on that. Mr. Margie, the gentleman that I am representing, would be more accurate on that.

Scott Harrold: Mr. Paul is here representing the owner who was unable to attend. Most of the discussions were done with the owner and Mr. Paul was not privy to those. One of the things that was in our favor was that the State of Indiana came up with five million dollars in tax credits. At that point, it tilted in our favor. And also, as Mr. Buskirk noted, there is a sister company here and they have had a good working relationship with the community. They have worked with the City regarding how wastewater is treated in the plant and as long as they continue the existing procedures they are happy.

Paula Hughes: I look for a motion.

Darren Vogt: Move for approval of consideration of a resolution approving a Statement of Benefits for Saratoga Potato Chips, LLC located at 6923 Lincoln Parkway.

Bob Armstrong: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion?**

Roy Buskirk: You know, Paula, you can't get by without me making a comment. I want to also thank the company for agreeing to return ten percent of your savings to the economic development on this.

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Paula Hughes: Are there any further comments? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. We will move along to an appropriation request in the General Fund and the first up is the Auditor.

Lisa Blosser: We have an eight-year-old copier that is failing now and needs to be replaced. We went through Purchasing to get quotes on this.

Roy Buskirk: So you got new when you came into office and it is worn out when you are leaving office?

Lisa Blosser: It is amazing how that works, isn't it?

Paula Hughes: Council, are there any further questions?

Lisa Blosser: It was on our Strategic Plan to replace this.

Roy Buskirk: Thank you and you also went through the Purchasing Department?

Lisa Blosser: Absolutely.

Roy Buskirk: Very good.

Darren Vogt: Move for approval of item one in the amount of \$5,700 for Office and Computer Equipment.

Larry Brown: Second.

Paula Hughes: We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. We are moving on to a request from the Coroner.

Lisa Blosser: We have one more request.

Paula Hughes: Oh, I am sorry.

Lisa Blosser: Item two is a request for Extra Deputy Hire in the amount of \$15,566. The Indiana General Assembly passed new legislation requiring all homeowners who receive the Homestead Credit to fill out and file a homestead verification form with the Auditor's Office. This data needs to be scanned, processed and entered into a statewide homestead database. To meet the on-time tax billing at the beginning of the year, we worked a lot of

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overtime and have gone through all of our money for the whole year. This was a State mandate that was unfunded. To be in compliance with this statute, we need to get busy and get this information entered into the State database. This request is for two hourly employees, through the end of the year, to work on this project.

Paula Hughes: I had a conversation with Ms. Butler about the amount of time that she has spent on these. Do you know, off the top of your head, about how many pink forms you have processed?

Becky Butler: It is just a gut feel that maybe half of the 97,000 have come in.

Paula Hughes: She has, by hand, had to alphabetize, scan each of them for complete information...

Becky Butler: I am not scanning.

Paula Hughes: I mean look over to make sure the information is complete, call people to ask them to complete information and then hand alphabetize all of them.

Lisa Blosser: One of the problems with the form is that it asks for the last five digits of the Social Security Number and the Drivers License Number instead of four. For compliance, it has to have all five numbers and a lot of people just thought that was an error on the form. Everyone is used to just giving the last four. It is a big project that is a lot of work.

Larry Brown: And you mentioned that this is the pink form.

Paula Hughes: For anybody that has a homestead exemption and has not filled that out, you need to get it in. You have this year and next year, correct?

Lisa Blosser: Through 2012 but the sooner, the better. We need to get these entered and get it behind us.

Roy Buskirk: The one thing on the five Social Security numbers is that my generation looks at our Medicare cards and you have A or B after your Social Security number. Some are doing the last four numbers and the A or the B. That equals five.

Becky Butler: And that is wrong.

Roy Buskirk: So Becky has to call them up and get the right information.

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Darren Vogt: Move for approval of item two for Extra Deputy Hire in the amount of \$15,566.

Roy Buskirk: Second.

Paula Hughes: We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. Now we will move on to the Coroner.

Dick Alfeld: I would like to introduce to you, Michael Burriss. I am retiring as of October 1 of this year and Mike is going to take my place.

Paula Hughes: All right. Could you introduce yourself for the record as well?

Dick Alfeld: Dick Alfeld, Chief Investigator Allen County Coroner.

Paula Hughes: Talk to us about your request here.

Dick Alfeld: The first item is a request for overtime. To clean up the overtime, I have a liability of \$3,886.84 at this point. We have reviewed and changed our call policy so that we have virtually eliminated our overtime. Not eliminated but we have reduced it to the point where if I can get this cleaned up I will only have less than \$1,000 liability next year. We have adjusted the overtime to put more time on the part-time people and less time on the full-time people. The full-time people get paid overtime and I am sitting here with two employees that if they both decided to take the time off, they want their comp time. If I can clean this up, I won't have that liability.

Darren Vogt: So are you using, on-call going to investigative scenes?

Dick Alfeld: That is correct. We have a Deputy Coroner on call 24/7/365. We have seven people on the payroll, the Coroner, three full-time staff and three part-time staff. The part-time staff takes calls Thursday, Friday, Saturday and Sunday. The full-time staff takes calls Monday, Tuesday and Wednesday. We have it worked out that it greatly reduces the amount of overtime in comp time or pay. Since we have gotten the new schedule in place, I think that we have given out about six hours of overtime.

Darren Vogt: Move for approval of item three for Overtime in the amount of \$3,900.

Bob Armstrong: Second.

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Paula Hughes: We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0. You have a request for a vehicle as well.

Dick Alfeld: It is two vehicles. Our fleet consists of three vehicles. We have a pool vehicle and two take-home vehicles for the Investigator and Chief Investigator. One vehicle is a 2001 Jeep and has 101,000 miles on it. It has been in the repair shop more often than it has been out this year. That's not really true but guess where it is today, in the shop. This time, I am not sure how much it is going to cost. It has something to do with the water pump and pulleys. The other vehicle has 152,000 miles on it. It has two rusted out front fenders and doesn't really look too pleasant. Mechanically it is a pretty good vehicle but it looks pretty bad. We have put about \$500 to \$600 in repairs this year. The other vehicle is the one that I drive and it has 99,835 miles on it as of this morning. It would be reduced to the pool vehicle and is a very reliable vehicle. In the five years that we have owned it, I broke a strut going too fast over a railroad track going to a scene. That is the only repair that has been done on this vehicle other than regular maintenance. It is a good vehicle but we have two vehicles that one is unreliable and the other is just worn out. That is where we are at. I have checked with Larry Pray, at the garage, and he is in agreement on this request.

Paula Hughes: Councilman Moss and then Buskirk.

Paul Moss: On your request, I want to clarify one thing and then I have a question. You said that you discussed with the liaison and that is me. I didn't respond because I was on vacation. I did respond eventually. My response was that you needed to check with the garage to get the form.

Dick Alfeld: I didn't know about a form.

Paul Moss: I thought we had some sort of format for vehicles. So he did not fill out one of these?

Darren Vogt: I spoke to Larry about that but I will let you go ahead and then I will address that.

Paul Moss: Okay. My only other question is, how many miles do you think you are putting on each of these vehicles annually?

Dick Alfeld: The vehicle that I drive, I live so far out, gets about 20,000 miles a year.

Paul Moss: That's total?

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Dick Alfeld: That is total.

Paul Moss: Do you think you drive the most?

Dick Alfeld: Oh, yeah, absolutely.

Paul Moss: What I am getting at here is has there ever been a consideration of just paying people to use their own vehicle? Some people actually prefer that and some don't.

Dick Alfeld: These are vehicles that are equipped with red lights and sirens. They are emergency vehicles.

Paul Moss: I wasn't aware of that.

Dick Alfeld: We are required sometimes, not all the time, to make emergency runs to scenes like I69 being closed down and we have a dead body in the middle of the street, a car or whatever. They want to get it moved as quickly as possible. We don't encourage people to put these little Kodak lights on and run with them on their personal vehicle.

Paul Moss: Okay, that makes sense.

Roy Buskirk: What types of vehicles are you talking about replacing these with? These are at a higher cost than we are accustomed to.

Dick Alfeld: Actually, these are a lower cost. These are four-wheel drive and believe me, we need four-wheel drive. We get called out any time of the day or night. The first time I got called out and had a four-wheel drive was out to Kreager Park. It was in the woods behind the park and we couldn't have made it without a four-wheel drive. There was a body in the middle of the woods and we had to bring the body out in my vehicle. I had the only four-wheel drive vehicle at the scene. That is one of the reasons and the other thing is, we are asking for Chevy Equinox, and is a more economical vehicle than all three of the vehicles that we have. It is going to get around twenty miles to the gallon. The one I drive gets about sixteen, the Ford gets about twelve and the Jeep gets about ten to twelve.

Roy Buskirk: The specialty equipment that you have, the radio and lights, you are able to take them off the existing vehicle and transfer to the new one?

Dick Alfeld: Yes. I have enough money in my budget to pay the garage to switch the emergency equipment and the Sheriff's Department does the radio

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work free of charge to us. The equipment in my vehicle is the newest. Mine is a 2005 and the other one is a 2001 and the third one is 1999 or 2000.

Roy Buskirk: So these numbers on the new vehicles was through the Purchasing Department?

Dick Alfeld: Yes, that is through the City and State's bid system. I checked the Purchasing with Mr. Bollenbaugh and the bids that we have and this vehicle would be \$3,000 less than the other vehicle that is as close to this vehicle. That was a Ford. That is why I opted for this one. Plus, if we waited until next year, the price goes up \$800.

Roy Buskirk: And you said that these are Chevy's?

Dick Alfeld: Yes, they are Chevy Equinox.

Roy Buskirk: I want to make sure that they talk with GM because of the facility that we have here in the County and we have done quite a bit to keep that facility here and they are all the time telling us to check with them for vehicles.

Dick Alfeld: Marty Bender does the purchasing for the City for all of their emergency vehicles.

Paul Moss: The President of the City Council does the purchasing?

Dick Alfeld: For the Fort Wayne Police Department, he is in charge of their fleet. We get the same cost that they get for purchasing the vehicles. The County bid doesn't have this particular vehicle on it but the City bid does. Kelley's will sell this vehicle to us at the City rate. The closest other bid rate was \$23,986.

Paula Hughes: Councilman Buskirk was asking why you are buying a Chevy over a GM.

Dick Alfeld: It is a GM vehicle.

Roy Buskirk: It is a GM vehicle. I just wanted to make sure that they talked to the plant and that the management at the plant is aware of it because whenever I see them, they are all the time reminding me that if the County needs any vehicles, let us know. They say that they will get a good deal for us.

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Dick Alfeld: Councilman Buskirk, we get the best price that GM gives anybody in the entire country.

Roy Buskirk: I don't know that to be true until you talk to the management out at the plant. That is what I'm saying.

Bob Armstrong: In reality, we are piggybacking on the City's price.

Dick Alfeld: That's right.

Roy Buskirk: We had the reverse situation a couple of years ago on police vehicles where the City went through the County because we had a better bid on police vehicles.

Paula Hughes: Councilman Vogt?

Darren Vogt: Council, in front of you is a yellow sheet of paper. I want to thank Becky for making it bright yellow so that you won't lose it. We set a policy in 2007 and it is a loose guideline regarding vehicles. I have talked with Larry about this vehicle and the Jeep in particular. That vehicle is still in good shape and good running order and is going to be moved to someone else. If you look at the bottom of the sheet, I consider these to be full-size vehicles and 150,000 is the average that we are trying to get on these vehicles. At the rate of mileage that they are putting on them, we can get a lot more mileage out of them. That is the Jeep and I am not sure about the one with 153,000.

Dick Alfeld: The Crown Victoria is the one with 153,000.

Darren Vogt: And that is the one that is rusting out, right?

Dick Alfeld: Right.

Darren Vogt: I did not look into that one at all. It met the mileage requirements. If we are going to put a form in place and a process in place and some guidelines, we are not following them. I am not in favor of replacing a vehicle that is still going to be moved into a pool position. It did have some mechanical problems. It wasn't really mechanical but was an E-Vac leak but they couldn't find it. All of you have driven cars and when you take it in, you can't find the leak. They finally found that but everything else has been routine maintenance on the vehicle that anyone would do on a 100,000 mile vehicle. Larry does not plan on getting rid of it. He also said that he is not doing the form. I am not sure who the liaison is to the Service Center.

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Tera Klutz: It would be the department requesting the vehicle needing to fill out the form. Larry won't know if the department comes here.

Darren Vogt: That is where I am at on this. I am not in favor of replacing the one car. The Crown Vic with the 153,000 miles meets the guidelines and the repair situation. That is where I stand on this. I did a little more research on this because we didn't have the form. I talked to Larry about it and the car is in good shape. He said that we have some Jeeps that are just like this one and has 200,000 miles on them and run strong.

Dick Alfeld: May I comment? Your comments are true but what he plans to do is give the Jeep to the Building Manager and replace the Jeep that he has which was one of ours. It now has 160,000 and some miles on it. The vehicle has become unreliable for us. We have had to have it towed and it has been limped to the garage on three occasions. It has given up on route to a scene and has become unreliable for us. That is why I am asking to replace it because it has just become unreliable.

Darren Vogt: That is not the information that I got from Larry. It had the E-Vac leak and nothing else.

Dick Alfeld: The E-Vac leak resulted in several problems. We also had other problems. We had to replace all of the fuel injectors and now it is in the shop. What I am saying is that this vehicle has become too expensive for me because I only have \$3,000 a year for repairs and I have spent it basically on this vehicle.

Paul Moss: And who is it going to go to?

Dick Alfeld: Patt Kite drives the Jeep but it is going to Dan Freck.

Paul Moss: Not him but someone in his department.

Roy Buskirk: No, it is his.

Paul Moss: Doesn't he need a reliable vehicle?

Paula Hughes: He is not going out into the middle of the woods.

Dick Alfeld: He is not going out in the middle of the night. I mean, he does but not with the frequency that we do.

Paul Moss: He puts a lot of miles on but it is different circumstances.

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Dick Alfeld: Exactly. He has a gold one that was my vehicle but it has over 150,000 miles on it. This one would be replacing that one.

Paul Moss: What do you do if it breaks down and someone is in route to a scene?

Dick Alfeld: They call me and tell me that I need to get there because I am the next person up on call. I am on call 24/7/365. I get called in the morning to meet her at the garage because it won't run again.

Roy Buskirk: I make a motion that we table this for a month so that we can get more information and also get a bid from the GM plant.

Darren Vogt: I'll second that.

Paula Hughes: We have a motion and a second. Is there any further discussion?

Paul Moss: Yeah. I understand the plant thing but I think that to go to plant management about purchasing vehicle, we have a process in place for purchasing a vehicle. I don't like the idea of formalizing and going to the plant manager to talk about purchasing vehicles. Yes, they have made that comment and I have heard it as well but we have a process and it works and gives us the best price. I hate to bug them, so to speak, with that type of minutia about the purchase of a vehicle. I tend to agree with the motion, in principle, so that we can get more information but I would ask the question, I am leaning towards as least one and possibly two. Are you more comfortable having us approve the purchase of one of the vehicles to replace the Crown Vic now and then maybe gather some more information over the course of the next month?

Dick Alfeld: It still leaves the problem vehicle. The Jeep is going to still be there.

Paul Moss: But you are getting half of a loaf now.

Dick Alfeld: And half of a loaf is better than none.

Paula Hughes: It gives you an opportunity to confer with Larry and get him to fill out this form.

Paul Moss: There is a discrepancy there.

Paula Hughes: That's right.

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Dick Alfeld: You talked to Larry and I talked to Larry on Monday. He was on vacation when you sent him an email or something.

Paul Moss: It puts us in a difficult position. I believe that you are an honest person and Darren is an honest person but you are both giving completely different versions.

Dick Alfeld: It is not completely different. It is just his take on it as opposed to my take on it. He doesn't live with it, I do. That is the difference.

Paul Moss: It may be semantics, I don't know.

Dick Alfeld: It is a matter of semantics because I am living with a vehicle that is unreliable for my purposes. I don't like an employee to have a vehicle that is unreliable.

Darren Vogt: I think what might help is, and this is not directed to you but more of a general comment, that maybe we need to have a list of breakdowns. That is kind of what this form was designed to do was to give a list of business interruptions, if you will. I agree with you that I don't want to have someone with a car that continuously is breaking down. There is also a difference between that and routine maintenance. A car going in for scheduled maintenance is not breaking down. That is the discrepancy I guess we will call it, in terms of doing certain things to it that needs to be done based on ball joints wearing out or whatever. That is where I think we need to adjust this a little bit because I don't want to not support a car that is not meeting your needs and desires but what I understand is that a lot of it was routine maintenance other than the E-Vac leak that was a pain.

Dick Alfeld: But it is in the shop today.

Darren Vogt: But again, what kinds of repairs are needed, I don't know.

Dick Alfeld: We don't either. It went in with a bad engine noise and we think it is either a water pump or pulleys.

Paula Hughes: Councilman Moss?

Paul Moss: It may be, if you look at this yellow sheet, that one of the things that could be added on there is the intensity of the use and having Larry clarify the intensity of the use and whether it is reliable or not.

Darren Vogt: Frequency of breakdown or something like that?

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Paul Moss: Well, if Dave Fuller gets stranded on the side of the road, it is less important than it is for the Coroner.

Larry Brown: So maybe some comment about a reliable emergency vehicle.

Paul Moss: Who is using the vehicle and what intensity level of it is.

Roy Buskirk: Another thing in consideration is that when a vehicle is going to replace one that is going to end up replacing one with 160,000 or something that is important too.

Darren Vogt: The middle of the form says is this vehicle going to be reassigned to new use.

Dick Alfeld: Dan has been asking for quite a while as to when we were going to do this. I decided to ask for both. One meets the mileage requirement and the other one is a reliability problem. It is an emergency vehicle and I just don't trust it. Quite frankly, it is going to have to be replaced next year or the year after and it is going to be more expensive.

Paula Hughes: Okay Council, we have a motion and a second on the table to table this issue.

Larry Brown: Can we restate the motion?

Paula Hughes: We could vote that down and have another motion or we could ask the maker of the motion and the second to amend the motion and the second. Those are our options. Councilman Buskirk?

Roy Buskirk: Let it stand.

Paula Hughes: Okay, Jackie could you or somebody tell us exactly what the motion was? I believe that it included the primers of both checking with the GM plant for the pricing of the vehicle.

Tera Klutz: The motion was to table the whole request.

Paula Hughes: Okay. All right, since there is not a withdrawal or an amendment, all those in favor please signify by saying aye. All those opposed same sign. If we could do this by a show of hands, those in favor raise your hand. We have two. Those opposed, raise your hand. Okay, the motion fails two to five.

Paul Moss: I move for approval of, I am not sure of the amount though.

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Jackie Scheuman: It would be half because they are the same vehicle.

Paul Moss: Okay, so \$21,500 for the purchase of one of the vehicles.

Darren Vogt: Second.

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

Mike Burris: The yellow form, is that for the department or the County Garage?

Darren Vogt: It is for the department to give to the garage. There may be some modifications to the form and we will get it on the website.

Jackie Scheuman: I don't know that all of the departments knew about this form.

Dick Alfeld: I didn't know anything about this form until you mentioned it in your email to Larry.

Lisa Blosser: It is not very often that they purchase new cars.

Paula Hughes: Okay, thank you.

Larry Brown: Are we going to amend this form to add things?

Darren Vogt: I made some notes here and will get with Becky and then get it circulated out.

Paula Hughes: Moving on, item five from NIRCC. Good morning, Mr. Avery.

Dan Avery: Good morning, my name is Dan Avery and I am the Executive Director of the Northeastern Indiana Regional Coordinating Council. I have submitted a request for an additional appropriation for contractual services in the amount of \$30,000. The project that I would like to get underway is the updating of our travel forecasting model that we use to do a number of our planning activities and justify projects in order to keep the area compliant and eligible for federal assistance. Also, the products of that modeling process are used to ensure that we meet air quality conformity which is critical for us to stay in compliance and be eligible for federal assistance.

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Paula Hughes: Mr. Avery, is this the same project that we talked about in the budget hearings yesterday?

Dan Avery: Yes it is. I would like to get it started this year and get an RFP out to get some of the services underway.

Roy Buskirk: How come, in the budget, it was \$125,000 for next year?

Dan Avery: The process, I envision, will take two or three years. This amount, coupled with what is still currently in my Contractual Services line, allows us to get started. I believe we will be requesting additional allocations in calendar years of 2011 and 2012.

Roy Buskirk: But here you have on this stating that you anticipate additional expenditures of \$100,000.

Dan Avery: That is correct. Since I prepared this report, in the meantime, had more discussions and found out more about the process and what is going to be needed. I didn't address this specifically yesterday but did mention that the amount was likely to go to somewhere between \$250,000 and \$300,000 over the course of the three-year period. Eighty percent of this is reimbursable through our agreements with the Federal Highway Administration and the Indiana Department of Transportation.

Darren Vogt: Move for approval of item five, Contractual for NIRCC, in the amount of \$30,000.

Bob Armstrong: Second.

Paula Hughes: **We have a motion and a second. Is there any further discussion? All those in favor please signify by saying aye. All those opposed same sign. The motion carries 7-0.** Does anybody have any other business for discussion? There is nothing on the agenda. Liaison Updates?

Roy Buskirk: I guess this isn't really a liaison update but I want to make a comment to Councilman Moss about the GM plant and everything. I will talk to the Purchasing Department because I would like them to contact them and see if they can get a bid list or something through them that might be better and not necessarily contact them for each individual vehicle that the County purchases. That is all that I am concerned about.

Paula Hughes: Okay, are there any other comments, Mr. Buskirk?

Roy Buskirk: No.

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Bob Armstrong: Nope.

Paula Hughes: Councilman Brown?

Larry Brown: To keep you informed, in case you are asked, the Courthouse exterior renovation project is proceeding nearly to schedule. They might be a week behind. I wouldn't think they are any more than that. Soon, within the next two weeks, the scaffold on the north side of the Courthouse will be coming down. That will allow the tunnel repair work to begin. I believe that it is planned that one lane of Main Street will be closed at that time. They will have access to under the steps and down to the tunnel to make those repairs.

Darren Vogt: Have they figured out any more, at this point? Or will they find out when they expose it? That is one risky area that we didn't know for sure.

Larry Brown: That is the one risky area but until they expose it, we don't know. We have identified, and I wish I had the exact number with me, a few thousand dollars have been used on the contingency for unexpected things. That is encouraging. The thing that is going to happen is the greenery and flower beds that were up against the building are going to be removed. I think I told you that. It kind of floundered for a little bit but it is going to happen. Concrete will be put in place of the flowerbeds and whatever and will be called hardscape. It is being studied by the Preservation Trust of whether or not to put in any planters or something to soften the concrete nature of the architecture there. Another part of that study is to determine the cost of bollards that will be placed just off the curb that would prevent or discourage vehicular traffic of coming up on the sidewalk. It is more of a security concern expressed by a few judges. That is an update on the Courthouse. If you have had an opportunity to step back and take a look at the Courthouse from the west and south, you should have a wow-factor because the before and after pictures is just unbelievable. There was a lot of crud on that limestone. That is pretty much it on the Courthouse. The co-location update, the 200 East Berry building, the cooperation or collaboration between the City and County is progressing very well, I think. Areas have been identified and it is real close, by that I mean a week or two, to being finalized as to what departments will go where. Individual department layouts, walls-no walls, offices-no offices, cubicles-no cubicles and those kinds of things are in the beginning processes. That will be ongoing for several more weeks. I don't have the date in front of me but the City plans to have their architecture work complete and ready to go out for bid in early fall because I don't remember the date. Now I will shift to this building. An architect has been selected and a construction manager has been selected. Discussions between the different departments, law enforcement agencies and what-not, that are going to be in this building are ongoing and well into that. Nothing is decided

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yet or finalized I should say. Lots of discussions and conversations are going on. I can't tell you the timetable for this project which is a County project. We plan to have the architectural work completed so that it can go out for bid in October and be able to award a contract in November. That is the update on that. Are there any questions?

Roy Buskirk: I have two. With the bid going out for November, it will probably be six months or so before they would be able to start any work.

Larry Brown: Let me explain that to you. As you all know, we are financing this with cash on hand. Being a contractor, my approach was to get the bid awarded early and part of the bid documents will tell the bidding contractors that we are willing to pay for stored material to take advantage of any price increases come along. They can then buy the materials and store them and have them available when they actually begin the work in 2011. That is the reason I did that.

Roy Buskirk: On the Courthouse, as far as the pigeon situation, a lot of the problem there was the pigeons.

Larry Brown: The County has contracted with an exterminator and they are being trapped and taken elsewhere. There are still pigeons there but not near the quantity that we used to have. They have decided to go elsewhere.

Roy Buskirk: But they are still downtown.

Larry Brown: They are still downtown.

Paula Hughes: Councilman Vogt?

Darren Vogt: One thing that is happening is a backup internet source. As you recall when the Vera Bradley sale was going on, the internet went down. We do not have a redundant source and so we are working with the City on a plan. There is a cost to it but it is not significant, about \$32,000 a year, and will be split. They haven't gotten it figured out completely yet but are working on it. I don't know if they will be coming to us for funding on that or not. Just be aware that they are looking for a backup service.

Paula Hughes: Councilwoman Johnson?

Maye Johnson: The only thing is that I think the agreement or consensus that we came to yesterday in regards to getting everyone to the table for the Strategic Plan really bodes for a much better working relationship throughout the County. I think it will also result in better efficiencies for us

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since the budget is really our Strategic Plan. It will certainly have some advantages for us as we move forward.

Paula Hughes: Councilman Moss? Okay, are there any comments from the public? I look for a motion to waive the second reading.

Darren Vogt: Move to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of July 15, 2010.

Bob Armstrong: Second.

Paula Hughes: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0. The next meeting is August 19. I look for a motion to adjourn.

Darren Vogt: Move to adjourn.

Bob Armstrong: Second.

Paula Hughes: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0.

There being no further business the meeting was adjourned at 9:25 a.m.