

**ALLEN COUNTY COUNCIL MEETING MINUTES**  
**DECEMBER 15, 2011**  
**8:30 AM**

The Allen County Council met on Thursday, December 15, 2011 at 8:30 am in the Discussion Room at Citizens Square. The purpose of the meeting was for transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Bob A. Armstrong, Roy A. Buskirk, Tom A. Harris, Kevin M. Howell, Paul Moss and Darren E. Vogt

Also Attending: Tera Klutz, Auditor; Nick Jordan, Chief Deputy Auditor; Jackie Scheuman, Finance and Budget Director; Linda Bloom, Commissioner and Becky Butler, Administrative Assistant.

The meeting was called to order by President Darren Vogt with the Pledge of Allegiance and a moment of silent prayer.

**Darren Vogt:** Make sure that your cell phones are on silent mode. Also, if Council and guests could speak into the microphones and not lean back in your chair so that Becky can hear the recording. With that, we have the minutes for November first and November 17<sup>th</sup> Council meetings. Those were emailed to you. Are there any corrections on those minutes?

**Paul Moss:** Move for approval.

**Roy Buskirk:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). With that, we will now have the financial report.

**Tera Klutz:** Good morning. We are getting ready to disburse the property tax that was collected this past fall. This goes to all of the units including ourselves. With that, I do believe that we will still be a few percent short on our General Fund with our estimates on collections. I will give you a full report in January.

**Darren Vogt:** If we are a full percent short, how much is that in terms of dollars?

**Tera Klutz:** About \$500,000.

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**Darren Vogt:** Council, are there any questions on the financial report?

**Roy Buskirk:** I have a question on with the tax sale and everything, is that included in that disbursement?

**Tera Klutz:** Yes, it will be included in the disbursement.

**Roy Buskirk:** I didn't know if it had already been made or not.

**Tera Klutz:** Nope. We did an advance in November, a partial distribution.

**Roy Buskirk:** Okay, thank you.

**Darren Vogt:** Are there any further questions for the Auditor? Not hearing any, we need a motion for approval.

**Roy Buskirk:** So moved.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. Those opposed. The motion passes 6-0-1(Brown absent). You will note that the unemployment rate now shows the National, Indiana and Allen County. Unfortunately from September to October, we ticked up two-tenths of a percentage point to 8.4%. We are still below the National average as well as the Indiana average. With that, we have several budgets that we need to approve for 2012. We have the Fort Wayne-Allen County Capital Improvement Board and Visit Fort Wayne. First on the agenda is the Capital Improvements Board and the Grand Wayne Center. If you gentlemen would like to come up and introduce yourselves for the record, that would be great. You should have this information. It was in the folder.

**Ben Campbell:** Good morning, I am Ben Campbell, President of the Capital Improvements Board.

**Bob Lister:** I am Bob Lister, Director of the Grand Wayne Center.

**Ben Campbell:** We are here this morning pursuant to IC 36-10-8-8, to present the results of the 2011 year for the Capital Improvements Board and most specifically the Grand Wayne Center. We are also here to present the 2012 budget for the Grand Wayne Center for your review and approval. We are also here to report on the Capital Improvements Board budget. You have the numbers in front of you and I would like to offer to you that 2011 was a very good year for the Convention Center. We had an all-time record of 54

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conventions booked in Fort Wayne. We are very pleased about that and that is in light of a very challenging economy. I think that Bob Lister and Gary Wasson and the team at the Grand Wayne Center have done a great job of bringing people into our community which is really the primary role of the Grand Wayne Center. You can see that one of the conventions of note was the Association of Indiana Counties. Thank you all for your support and participation in that particular convention. We think that was a resounding success. Going through the numbers for 2011, you will see that we actually enjoyed an improvement in the room tax up to \$2.6 million. That is an improvement but far, far from what we enjoyed in 2007 when we generated \$3.1 million. We fell a bit short of our overall revenue goal by about \$51,000 in spite of the improvement of the room tax. That was mostly due to a food and beverage tax shortfall of about \$130,000. Most of that shortfall comes from community parties. We have seen a reduction in the number of holiday parties by corporations in this economy. We have seen increased competition and we continue to struggle in that particular area. The other shortfall was in interest income. Those doggone banks just aren't paying the interest that they were before. Bob shared with me that back in 2007, we generated over \$207,000 of interest income on the same level of deposits that we have today. We are down to \$25,000 in interest income. That is a tough one that we can't control. I think that when you look through the numbers, you will see that this team did an excellent job on expense control. With the increased number of conventions that we had over the projection, we had an increase in part-time labor. There is no way around the fact that we have stage set-up and things that have to be done. I know that Council will ask appropriately so about salary and wages and increases projected for 2012. There are no merit increases or promotional increases anticipated in 2012. The increase from \$1.432 million to \$1.470 million, Gary Wasson who has been an employee of the Convention Center for 27 years is retiring, much to our dismay, and we will have an overlap for a short period of time for Gary's successor to learn the ropes. There will be some modest monies paid to both Gary and his replacement. I would welcome any questions and Bob knows the specifics far better than I.

**Darren Vogt:** Council, we will open it up for questions.

**Roy Buskirk:** You mentioned about Gary Wasson and his replacement. His salary will be less than what Gary's is?

**Ben Campbell:** We have not yet hired a replacement. I am reluctant to say what that salary will be but we anticipate that it will be less than what Gary makes having been in his position for as long as he has been.

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**Roy Buskirk:** I guess there is a possibility that there might be some savings there.

**Ben Campbell:** Yes, indeed.

**Darren Vogt:** Council, are there any further questions? Bob, is there anything that you want to add?

**Bob Lister:** No, I think that is it. Ben mentioned Gary but we are also running into that with our Director of Sales and Marketing. He will be retiring mid-year and there will be an overlap of a month or so on that person also. That is the only place that salary increases are coming.

**Darren Vogt:** Are you doing a national search for those types of positions?

**Ben Campbell:** We absolutely do. We have retained an executive search firm. We formed the committee of the Grand Wayne Board and it is headed by Ben Eisbart. Ben is a professional Human Resources Director at Steel Dynamics. He, along with Councilman Larry Brown and others have been working on this. We have identified three candidates that will be coming towards the end of this year or early next year.

**Darren Vogt:** Okay, great.

**Bob Lister:** The Director of Sales position, we are going to move from within.

**Darren Vogt:** That makes sense. Councilman Harris.

**Tom Harris:** I have a question on the room tax. You are anticipating another \$100,000 but are the room rentals going to stay the same?

**Bob Lister:** Pricewaterhouse, this year, anticipated that rooms around the country would be up about seven percent. We took a more conservative approach and figured a four percent increase.

**Ben Campbell:** Councilmen, two very different things. Room tax is the Innkeepers Tax that we receive for room rentals at hotels. Room rental is actually at the Convention Center.

**Tom Harris:** Oh, okay. That makes sense.

**Roy Buskirk:** The room tax, a couple of years ago there was some concern on the collection of that. Has that improved any?

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**Bob Lister:** Tera has been helping us with that. She oversees that and has done a great job for us.

**Ben Campbell:** The concern remains that we have hoteliers that are not paying the room tax. We administer this through the State Board of Accounts and they conduct the billing, collection and auditing of that.

**Tera Klutz:** It is the Indiana Department of Revenue.

**Ben Campbell:** We talked to the County Treasurer about taking over that role and we found that we would need two FTE's within the County Treasurer's Office to conduct this business. We decided that the additional cost was unwarranted relative to the additional revenue that we would be able to collect.

**Roy Buskirk:** So, the Indiana Department of Revenue is doing the service in which the two additional people that would be in the Treasurer's Office would have been doing.

**Ben Campbell:** That is correct.

**Roy Buskirk:** Do they have any charge for that?

**Ben Campbell:** They do not. We were also told that if we left the Indiana Department of Revenue and brought it locally, we could not return if that didn't work out. With a one-way ticket, we are very wary about making that move.

**Roy Buskirk:** I just have a curious mind.

**Ben Campbell:** The CIB asked that question too and we appreciate the County Treasurer putting a great deal of energy into reviewing the possibilities. She interviewed a lot of other County Treasurers around the State. The two principal Counties, Marion and Allen Counties, still use the Indiana Department of Revenue.

**Roy Buskirk:** Do they send a statement to a hotel or motel owner? Getting something from the Indiana Department of Revenue would be a little stronger than receiving something from the County Treasurer.

**Ben Campbell:** I don't know that I can comment on that.

**Bob Lister:** Tera can probably comment on that.

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**Tera Klutz:** I would think that I would be a little more scared to get something from the Indiana Department of Revenue.

**Darren Vogt:** Council, are there any further questions?

**Paul Moss:** Of the revenue breakdowns, what would you view as the best one to look at in terms of gauging performance? Would that be room rentals?

**Ben Campbell:** Yes. That is what we can control the most directly.

**Paul Moss:** What year was the expansion done?

**Bob Lister:** The expansion was in 2005. It has trended up every year. We are right at about \$900,000 for the last three years. That is pretty good considering the economy. Meeting planners are tending to use less food and beverage and less Audio-Video and such and we are still maintaining the \$900,000. In the old building, we were trending in the \$500,000 to \$600,000 range.

**Paul Moss:** Since the expansion, on a percentage basis, how much has it trended up since the expansion?

**Bob Lister:** It has stayed steady at about \$800,000 or \$900,000. In 2008, we were at \$889,000, \$869,000, \$899,000 and then \$901,000 this year.

**Ben Campbell:** Councilman Moss that is a great question. I think timing is everything. We did the expansion in 2005 and had a couple of good economic years after that to show off what we had and then we entered the 2008 downturn. We are conducting a study of how we are comparing to other convention centers in the Midwest and like-size cities. We would be happy to come back and present that to you. We know from early indications that South Bend and Grand Rapids and Toledo have seen a decline over the last couple to three years. We have held flat to actually increasing the numbers.

**Paul Moss:** What was projected when the Marriott was built in terms of the increase? If I recall correctly, that was the pretty big impetus for taxpayer support of that.

**Bob Lister:** What was projected?

**Paul Moss:** In terms of the increased rentals.

**Bob Lister:** I don't know, right off hand. We knew that it would probably take three years to realize the full impact of that. The first year, hotels tend to

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cannibalize each other. They have had one year of operation and now with conventions that were booked two or three years ago and so they are just switching off rooms right now. We will see what conventions we were able to bring in three years from now, with what happened.

**Paul Moss:** How long has that hotel been here?

**Bob Lister:** Two years.

**Ben Campbell:** The hotel opened in 2010. We were up twenty percent in the number of conventions for 2010 to 2011. We went from 45 to 54.

**Paul Moss:** So that is not a one-to-one relationship with the revenue side.

**Bob Lister:** No, most definitely not.

**Ben Campbell:** We know that there were certain conventions that we obtained in 2011 that we would not have obtained had we not had the second hotel. We needed those additional rooms very much.

**Bob Lister:** The Counties being one of them.

**Ben Campbell:** Once it was known that the hotel was being added, our VP of Sales specifically marketed the fact that we had the nice space. We were really down to one hotel in Fort Wayne and most conventioners do not want to drive even though it is only fifteen minutes. They want to be next to their facility.

**Paul Moss:** I am just trying to understand what is the best gauge to look at?

**Darren Vogt:** Council, are there any more questions?

**Roy Buskirk:** I've got one. The Grand Wayne has pledged \$200,000 a year.

**Bob Lister:** \$250,000.

**Ben Campbell:** \$250,000 for ten years and this was the first year that we made that payment.

**Roy Buskirk:** And it was the full \$250,000?

**Ben Campbell:** Yes.

**Roy Buskirk:** That reduces as the occupancy increases, correct?

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**Ben Campbell:** No, it is a flat commitment for ten years.

**Roy Buskirk:** Okay, thank you.

**Darren Vogt:** Council, are there any further questions? We need a motion to approve the Fort Wayne-Allen County Capital Improvement Board dba Grand Wayne Center budget for 2012.

**Paul Moss:** So moved.

**Bob Armstrong:** Second.

**Darren Vogt:** **We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent).** I would be interested, if you get that report, to give us a copy or come before us.

**Ben Campbell:** We would be happy to share that. I think I would be remiss if I didn't discuss, very briefly, the Capital Improvements Board side of this business. We have the name of Capital Improvements Board but we have the primary oversight of the Grand Wayne Center and we have the additional responsibilities of the Capital Improvements Board. In February, we received approximately \$3.1 million from the Food and Beverage Tax. That money, by legislative statute, is required to be retained in an account for twelve months so as to protect the bond holders. The twelve months will expire March first of 2012 and we will, for the first time, have money to invest in capital projects for economic development. We anticipate receiving a like sum in February and so we should be close to \$6.1 million in our account for capital improvements. We will have a website up and running by the end of February. By statute, we have no staff and so the website will be very important for us to help create the screens by which requests will be initially vetted. We have a process very similar to the Community Foundation where we will have an investment committee take a first look at requests. The investment committee will not be an approving body but a recommending body to the Board for approval. I just wanted to report that to your attention. We have been talking with lots of folks in terms of what we might be able to do in terms of bonding and funding just in case that significant project is brought forward.

**Darren Vogt:** Is each deposit required to be held for twelve months or just the initial one?

**Ben Campbell:** Each deposit.

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**Darren Vogt:** Your investment committee is made up of members other than the Board?

**Ben Campbell:** It is actually both. It has Steve Brody from the Board as the Chair. We have outside committee members of Gregg Sengstack, new CEO of Franklin Electric. We have Steve Doan who is our Chief Investment Officer at Star Financial Bank. We have Yogesh Parikh and Gil Haynie on the Board as well. Those are the five members of the investment committee. It was really formed initially to look at how we might invest the proceeds from the Food and Beverage Tax. The statute is pretty restrictive in terms of what we can do. Essentially it is Treasury and Bank CD's. The Legacy Fund and the reason that I asked for this committee to be formed, the Legacy Committee found that through the use of a trust they could actually invest in the market and that is what really grew that corpus. We don't believe that we have that ability or authority to do that. We are now going to transform this investment committee into the first screen of reviewing opportunities that are presented to us.

**Darren Vogt:** Great. Are there any questions on that? Appreciate it. Keep us updated.

**Ben Campbell:** Thank you.

**Darren Vogt:** With that, we will move to the Visit Fort Wayne Budget for 2012.

**Tory Richardson:** Good morning, my name is Tory Richardson and I have the pleasure of serving as the Chair for the CVB doing business as Visit Fort Wayne. With me this morning is Gary Shearer with Tower Bank. He has been on the Board for several years acting as the Treasurer and he will be presenting some information later on. Of course, a very familiar face, Dan O'Connell, our President and CEO.

**Dan O'Connell:** We presented to you, in our packet, our 2012 marketing plan to bring more visitors to our City as well as some of the results from 2011. Like the Convention Center, we had a very good year in 2011. Our assignment is to bring visitors to the community all over besides to the Convention Center. You may recall that we have had a very successful hosting of the USA National Roller Sports at the Memorial Coliseum. It brought in 4,000 to 5,000 people for three weeks of time. We are very proud of that particular booking. We also had a very successful year in marketing. Just this month we went over one million in our website. That marketing program is working very well for us. With that, we prepared a budget for 2012 which is in the second tab of the book. It demonstrates that we are

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using the resources in the private sector and the public sector to conduct website marketing, sales missions and advertising campaigns. We are looking forward to having the Goldwing Motorcycle Riders Association again returning to the Memorial Coliseum bringing 8,000 to 10,000 people to town. That is one of our bigger events of all time. We are here to answer questions for you.

**Darren Vogt:** Council, we will open it up for any questions. All right, I will start. The event hosting fees in 2011 are significantly less. I am guessing that there were some events that you had to help out with and then this year it is considerably less.

**Gary Shearer:** In 2011, we had the \$75,000 to host the USA Roller Sports. That event is not coming again in 2012.

**Darren Vogt:** So that is not your typical type of fee? The \$40,000 range is more in line with what you normally spend?

**Dan O'Connell:** It was a very unusual circumstance.

**Darren Vogt:** Okay. The other question I have is about research studies and development. You did one study last year that was different and you paid for it but you are not doing it this year? Is that correct?

**Dan O'Connell:** That is correct. We worked with the Community Research Center at IPFW to study the economic impact of the USA Roller Sports. We had engaged a return on investment of \$75,000 and it was all worth it. Through John Stafford and Valerie Richards, they documented that the business was worth upwards of \$4 million to our community. It was a good investment and we got a good return on our investment. We won't be incurring that research next year.

**Darren Vogt:** Did you share that with us? Have we seen that?

**Dan O'Connell:** We were just given that in December and haven't published it yet.

**Darren Vogt:** Okay, great, if you could just get us a copy of that, it would be great information for us. Sometimes you have to spend money to bring money into the community and we get that. Councilman Harris.

**Tom Harris:** On the ROI question, there is a \$1.3 million budget for 2011 and for 2012 it looks like \$1.3 million also. Is that right? Overall, what is the ROI

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for that total amount? You calculate that on the terms of what you bring into the community? How does that reflect in 2011?

**Dan O'Connell:** About \$450 million a year is generated by visitors that come into Allen County.

**Tom Harris:** Is that for 2011?

**Dan O'Connell:** We measure it every three years. It is probably just up four percent or so. It sustains about 6,000 jobs in the community and helps to sustain some of the tax revenue that we get into the community. The people that come into our community not only stay here in hotels but also spend money on food and beverages. It is upwards of \$13 million that was brought in as tax revenue during those expenditures.

**Tom Harris:** As a percentage, how does that work out?

**Dan O'Connell:** We influence some of that business but not all of it. Some of it is normal traffic for when people come to visit family and friends. Every three years we do an economic impact study to see how much visitors spend in our County.

**Tom Harris:** When is the next one?

**Dan O'Connell:** It will be in 2013.

**Darren Vogt:** I think that is why it is so important to see what that \$75,000 did. That is a direct causal expenditure to a specific event that was coming into the community and creating a revenue stream. That will be interesting to see how that works.

**Roy Buskirk:** It is not only \$75,000 but basically \$100,000 because they paid \$25,000 for the research.

**Darren Vogt:** Correct. Council, are there any further questions? Not hearing any, we need a motion to approve the Visit Fort Wayne 2012 budget.

**Bob Armstrong:** So moved.

**Tom Harris:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). With that, we are onto Economic Development. We have a resolution before us and this is the one

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that we have been discussing for several meetings now. Nikki is here to answer any questions.

**Nikki Liter:** Good morning, Nikki Liter, Allen County Economic Development. As Councilman Vogt said, we have a resolution to re-establish the criteria for the review of our tax abatement or what we are now going to call tax phase-in applications. As you recall, back on July 1, 2011, the State enacted 1007 which provides local designating bodies to use an alternative abatement schedule. On November first and November 17<sup>th</sup>, we held some public meetings to discuss recommendations from a joint committee made up of a couple of your fellow Council members and from the Fort Wayne Common Council to discuss using an alternative abatement schedule. If you noticed in the resolution, the alternative schedule that we can use will be as follows: we have a seven-year schedule with years one through five at 100% deduction, year six at a 71% deduction and year seven at 43%. On the ten-year schedule, one through five would be 100% deduction then going down 90%, 80%, 65%, 50% and 40%. We also included changes to our application so a new or existing company can use the occupational employment statistics in Allen County which are provided by the Bureau of Labor Statistics. What we are looking at there is to see if they are paying ten percent or higher on wages for certain job codes. If they are, we will look at the criteria and offer the alternative abatement schedule. On pages five and six of the application, we changed it to state tax phase-in for real property and personal property. There were a couple of other things that we also changed that you had asked for. With that, I would also like to mention that the New Haven City Council has been discussing this alternative abatement schedule. We talked about it again this past Tuesday night and they are looking to staying on the same page as the County. I will be taking a resolution to them at their next meeting before the end of the year.

**Tom Harris:** The same as the ten-year abatement?

**Nikki Liter:** Correct. Their application is just a little bit different because they go through two resolutions. They do the ERA first and then they come back for the confirming resolution.

**Darren Vogt:** That is the way that we used to do it but we saved thirty days by changing it to how we do it now.

**Nikki Liter:** That was back in 2004. With that, are there any questions?

**Darren Vogt:** Do you know where the City is on adopting this?

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**Nikki Liter:** I believe it was introduced this past week and next week they will do a discussion.

**Darren Vogt:** Great, if that is on the agenda, can you let us know? I may want to attend that meeting.

**Nikki Liter:** Sure. I will contact Elissa with the City.

**Darren Vogt:** Council, are there any questions on this? Councilman Moss.

**Paul Moss:** I guess my only concern about this Super Abatement is in terms of looking at a more regional perspective. What conversations have you had with the area leaders and other folks out there so that we are not doing this in a piecemeal fashion?

**Nikki Liter:** I have not been in any discussion with the regional leaders. I know that we had heard that they were going to try to see what Fort Wayne and Allen County were going to do with it.

**Paul Moss:** So it is going to be more of a domino effect, do you think? I guess it is a little unfortunate that we couldn't coordinate somehow and everyone agree to do it or agree not to do it. I think it is a bit unfortunate because it creates a competitive atmosphere in our area.

**Darren Vogt:** Councilman Moss, there was an article in Business Weekly, I may be wrong on that, but there are some leaders that are going to be willing to do 100% for ten years. I don't think there is going to be any way around that. I think what we tried to do is be on the front end and tell them that it doesn't make sense from a government standpoint. Hopefully that will set the tone for them to have their elected officials to look at it the same way that we did in the committee work. This was just a leader and not an elected official. The people leading those organizations may not have the final say. The elected officials will have the final say. I suggest that we ask Nikki to get with those folks in the surrounding area, maybe not so much the leaders but more along the line of the elected officials and the County Councils and the City Councils and tell them that this is what we want to do and we would like to be unison in it and we have done some analysis of the work.

**Paul Moss:** Are you asking for this to be approved today though?

**Darren Vogt:** Yes.

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**Paul Moss:** Aren't we putting the cart before the horse if we approve it? Aren't we setting up a scenario where people are going to feel more compelled to do it whether they analyze it or not?

**Darren Vogt:** I have a feeling that everyone is going to look at it a little differently and so I don't know that we are going to be able to get consensus.

**Paul Moss:** Has the Regional Chamber been involved?

**Nikki Liter:** They were not a part of the joint committee, no.

**Darren Vogt:** The local Chamber supports it and has no problem with it.

**Paul Moss:** I think this is an ideal thing for the Regional Chamber to be involved in and weigh in and facilitate some discussion. I support it but that is my only concern.

**Darren Vogt:** My theory is that we need to get it moving forward and be able to use it. Councilman Buskirk.

**Roy Buskirk:** I was just going to add that the State passed this legislation last year giving the Counties the ability to make it 100% for the whole ten years. Now we are hearing that there is possibility that the State Legislation might change this or even overturn it because of what you are bringing up. Because of the border wars between Counties and everything but I think this gives us the opportunity to be out in front although there are times that it is not good to be out in front. We want to show that we are willing to reward new companies coming in and paying ten percent over the average wage for that particular category or job description. Hopefully some of the surrounding Counties will follow this recommendation.

**Darren Vogt:** Councilman Harris.

**Tom Harris:** I echo the concerns of Councilman Moss that the potential exists that other local leaders may end up deciding to give eight years of 100% versus Allen County only doing five years at 100%. That potential exists and you guys have obviously calculated that risk? What happens if we pass this today and someone else passes a month or two from now a more enhanced package in other areas around us?

**Nikki Liter:** I am not going to speak for Tera but she was at our first meeting and we discussed what the best way was. Going five years could get a little out of control where a company with a ten-year could be moving out after the ten years. It is some of the risk that you have to look at and I think the joint

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committee made a good decision of not going more than a certain amount of time and looking at turnover especially when it is a brand new company that may be coming to town.

**Tom Harris:** Conceptually, from the strategy, this enhanced package provides more tools in the tool box attracting and maintaining growth in a regional idea rather than just a County. Everyone can benefit even with our package being enhanced in Allen County. Surrounding Counties can gain from that as well.

**Darren Vogt:** Councilman Buskirk.

**Roy Buskirk:** I would like to point out that if that does occur, we have the opportunity of changing ours too. This isn't something that can never be changed in the future.

**Nikki Liter:** Yes, this is your policy.

**Darren Vogt:** Keep in mind that the threshold is not easy to meet. They have to be paying ten percent higher in the wage categories that they are hiring for. It is not an easy task. The main thing is to try to look at attracting jobs and businesses that are outside of our community. Our average wage scale right now is below the national average so to attract a business to come here is the potential of what we are trying to do with people that are maybe paying that wage somewhere else but see that our tax base is lower and our taxes are lower. To your point, Councilman Moss, I don't disagree but I don't think we can afford to go too much higher and do a 100%, ten-year. I just don't see the benefits of that. That is the problem of trying to be out in front. We want to make sure that we are shaping that abatement process or tax phase-in and hopefully have those conversations that this doesn't make sense from a community standpoint and basically gave everything away and had nothing coming back in on that investment. Are there any further questions? If not, we will need a motion for approval

**Tom Harris:** I'll make a motion.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). We have one more piece of economic development that I will talk about quickly. The Chamber of Commerce asked me to present a resolution. They are looking for the Right-to-Work Supporters. We sent a letter to the Legislation but they would like us to sign onto their support for Right-to-Work. I will pass the resolution

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around so you can take a look at this. It is really the same kind of scenario that we had and they would like to be able to add Allen County to this list. The Board of Commissioners has already signed it and this is just a formalizing of saying yes. Think through this and I will bring it up at the end of the meeting. With that, we will move to the Consolidated Communications Partnership, the CCP, proposed budget for 2012.

**Pat Roller:** At City Council, we always introduce ourselves. I am Pat Roller and I am in the capacity of the CCP as bookkeeper.

**Tim Lee:** Timothy Lee, Director of Fort Wayne and Allen County 9-1-1.

**Pat Roller:** I thought I would update this Council as I did City Council with what the roadmap was to where we are. As we all know, the CCP Board consists of the Allen County Sheriff, the Deputy Sheriff, the Police Chief and the Fire Chief. The CCP was created with the hire of the Executive Director Tim Lee. The employees for the County were moved to the CCP effective August 14<sup>th</sup>. The CCP budget was passed on August 16<sup>th</sup>. Just to give you a timeline of the activity, believe me that those four short bullet points does not represent the amount of effort that was taken to get to that place. I thought I would go over the 2011 budget that was presented to our City Council and to this Council. The revenues that were received for the 2011 budget were approximately \$2 million coming from the 9-1-1 fees, from the City General Fund of about \$3.7 million and the County General Fund of about \$900,000. The total expenses and the total revenues equaled approximately \$6.6 million. The 2012 budget that was prepared in accordance with the interlocal agreement, the 9-1-1 fees of about \$2.3 million in the General Fund for the City and the County General Fund is \$1.369 million with the \$6.9 million of revenues and expenses. The difference between the 2011 and 2012 budget is \$320,000 which the majority of the increase is due to the group insurance of the County employees joining the City plan. I believe that you received in your packet this spreadsheet which highlighted the 2011 budget combining both City and County. It highlighted the difference between 2011 and 2012. I have not been able to confirm because I think the Sheriff might have prepared his budget differently from the 2011 budget, as I understand it. He didn't quite break out the 9-1-1, as I understand it. The City budget is using the 2010 Communications budget. For the City, the budget hasn't changed for the last two years. The 2010, 2011 and now the 2012 budget has been the baseline for the preparation of this budget. The 2011 County budget was the baseline for the 2012. That again is in accordance with the interlocal agreement. Again, according to the interlocal, budgeted numbers are to be used. No employee was to lose anything. Everyone was to remain in the same and no one was to be harmed with this merger. We believe that all of that was accomplished. This is really a matter of going to the legal document that

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was signed by the Mayor, the Commissioners, the City Council and the people around this table in combining the budget for 2012. Let me continue on with the slides. If you go to slide five, the 2012 funding for the CCP, the City has approved through its budget process approximately \$3.2 million. The County General Fund appropriation of \$579,000, according to the interlocal, apparently needs to be appropriated and the 9-1-1 fees need to. I am not quite sure what the legal term is to get the 9-1-1 fees allocated to the CCP. I don't know what that mechanism is.

**Tera Klutz:** I do. The Commissioners are the sole body that can appropriate in the 9-1-1 fees. We have no say over that.

**Pat Roller:** So it is a little more complicated, on the County side, of trying to pull this together. One of the things is that we were pulling information together and there were some dollars in the Sheriff's budget. For example, there was an \$80,000 tower that was being paid for in the Sheriff's Department. The other half of that was being paid for by the City although it was in the Radio Shop's budget. It wasn't in the Communications budget. For the first time, what you have before you is a complete and consolidated cost of what it takes to run our 9-1-1 Center. There are multiple pockets, if you will, that had some dollars in a variety of places. We have gathered all of those costs and put them into the CCP which I believe was the intent of the agreement.

**Darren Vogt:** So the Radio Shop is in the 9-1-1 budget?

**Pat Roller:** There is the \$80,000 tower that was being paid for by the Radio Shop. The other half is being paid for by the Sheriff's Department. For reasons that predate me, one could have argued that the tower should have been in the Communications Department. Because Mike Reichert is our guy, it was thought that it was best to be in the Radio Shop. That has been put towards the CCP as a cost of 9-1-1 Communications. There is also an analysis that has been done as to the cost that the Radio Shop spends on maintaining the backbone, maintaining the consoles, maintaining the computer consoles that have been incurred by our Radio Shop. There was an analysis done to determine what portion of our Radio Shop is dedicated to 9-1-1. That number ended up being 30% and we included that 30% into the CCP making sure that we capture the total cost of our combined Communications Department.

**Roy Buskirk:** The Radio Repair Shop is combined City and County, right?

**Pat Roller:** It is fully funded by City property taxes. It has been a City and County effort that the City has incurred. It was fine and now that we are

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combining the expenses, it seems appropriate that those costs get included into the combined 9-1-1 department.

**Tera Klutz:** I think I can help add some light as to why, all of a sudden, we are looking at spending \$600,000 more at the County level when the original agreement for the budget was a 70/30 split. Back in 2010 when this agreement was formulated, what happened was eleven months later when we hired a Director we got together and said let's run this department. We needed to figure out how to get the money over to the City Controller as the bookkeeper. We started finding these extra expenses that were not in the original budget that this interlocal agreement was tied to. I think we are missing that here. The agreement says the 70/30 is the entire Communications budget and that just isn't true. When we got through working with it, we needed to add the Radio Shop expenses. We found more County expenses. We originally thought we were contributing \$800,000 but it is \$923,000 when you come with health insurance and other insurance. The City found a lot more expenses to include like the Radio Shop. That is a big expense. The whole budget grew and as a result, formerly what the City was paying for at 100% they now want to allocate 30% of that to the County. That is why the City's portion is reduced and the County portion is increased in the 2012 budget. When I look at the interlocal agreement, it clearly says that the contributions from the City or the County shall not increase in any fiscal year. I am not sure, unless you guys are saying that you are going to mandate an increase in the 9-1-1 charges, we are obligated to increase the County portion.

**Pat Roller:** I guess what I submit is there is no additional cost. They were just in different pockets. We have now moved them into the CCP. These costs have been incurred and so there has been no increase in cost. They just haven't been intuitive and properly identified as 9-1-1 expenditures.

**Tera Klutz:** But unfortunately because they were not identified, the costs that were identified we brought together and thought that we had the whole pot. We said that this equaled 30% that the County is paying for it and 70% City. It says the percentages reflect the current amount budgeted by the City and County as proportioned. If we would have found all of those costs in the beginning, it would have been City 80% and County 20%. The percentages would have been different.

**Pat Roller:** I believe the Communications Department and the Radio Shop were brought together for budget purposes, is that correct? We have always had the Radio Shop and the Communications Department aggregated.

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**Tera Klutz:** At the City Council meeting, you said that the City was paying more than the 70% of the operations. The total budget amount is what was used to come up with the 70/30. I am a little confused.

**Pat Roller:** Well, the fact is the cost today includes all the cost that it takes to run the 9-1-1 Center. That was the intent of this document. We all know that this document probably wasn't perfect but it is the document is what we have to deal with for at least 2012. We want this to maybe be modified for 2013 and I would certainly support that and not have the City Controller be the one to do this. We are at a point where this document is the guiding rule. The other thing that makes it difficult for people like me is that I am unclear as to the County process. I thought that when this was passed during the budget time that it would be discussed at your budget meeting. Apparently it wasn't.

**Tera Klutz:** I first heard about it when we got an email from Val to put this on the agenda last month.

**Pat Roller:** Right. It was passed by the Board and so I thought it would be brought forth by the Board. Right or wrong, that is how we kind of got here. When I went through the budget sessions with our City Council, I brought them up to date as to where we were on the CCP.

**Darren Vogt:** They didn't pass it either until just...

**Pat Roller:** Right but they were aware of it so it was kind of a non-issue. They did appropriate the dollars that were needed. I think there are lots of complicating issues. One being the newness of the combined 9-1-1 Center and that is an effort that has been going on for decades. It was much heralded two years ago in a tribute to all of the elected officials that signed the document. Is it in perfect form? Probably not. Should we be spending some time next year getting it in better form? Yes. I do have to say that I have found, Tim can speak to this better than I can, that prior to bringing Tim on the dispatchers have been in a state of unknown for probably over two years. I think it is important for them to feel a sense that we have gotten this done and we are going to be able to move forward. We have the first year of learning all of the responsibilities that they have been charged to do. I think that to delay anything would be unfortunate to the dispatchers. I can't speak to any questions related to the budget because quite frankly it is the document that drove the budget. That is kind of where we are today.

**Darren Vogt:** Councilman Buskirk and then Howell.

**Roy Buskirk:** Going back to the Radio Shop, how much of the budget for that is in this 9-1-1 budget?

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**Pat Roller:** Thirty percent of the personnel that is incurred by the Radio Shop have been charged to the CCP. The way that breaks down is approximately one percent of the Radio Shop's time is spent solely for the Allen County 9-1-1 consoles or whatever it takes to run those. About nine percent is attributed to making sure that the Fort Wayne 9-1-1 consoles were working. About eight percent is related to the MACP effort. Another twelve percent is the management of all of the towers and all of that magic that happens in that arena.

**Darren Vogt:** That 30% equals what in terms of dollars?

**Pat Roller:** \$192,000 but let me look here. It is on this form for those of you that want to refer to it. It is the last one right above the 5100 series. It is the Radio Shop at \$192,000. The fact is, the Radio Shop has served both the City and the County for many years. They have done so very well and we all have this wonderful respect and we are fortunate to have Mike Reichart at that helm. He has done an excellent job, as we all know. He is on vacation this week or otherwise he would be here.

**Darren Vogt:** I have a couple of questions on some of the slides. I am confused as to what you are saying. If your City General Fund contribution was \$3.7 million and our County General Fund contribution was \$900,000, why are you reducing yours by \$600,000 and increasing ours?

**Pat Roller:** We have had this discussion but I am not sure that I had this discussion with this body but if you combine all of the expenses, the City has been paying about 80% of the cost and the County has been paying 20% of the cost. The City has been receiving approximately \$745,000 of the 9-1-1 fees. I believe the 9-1-1 fees are approximately \$2.2 million. The City receives \$745,000 and that number has been the same for many, many years. The City has had to dip into property taxes to be able to properly fund our Communications Department and the Radio Shop. Now I think what this has done, and with the allocation of the 9-1-1 fees and the 70/30 split which appears to be what the call ranges are, I think the allocation, depending on your view, may be a more equitable allocation of revenues.

**Darren Vogt:** It looks to me like you just said that the County is going to pay more and the City is going to pay less.

**Pat Roller:** The City has paid more for a lot of years.

**Darren Vogt:** But if the agreement was that it is going to be 70/30 and now you are changing the...

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**Pat Roller:** Oh, if you go back to this document, the whole start of the computation started with the \$803,077. That was the original number that might have been appropriated in the original budget. It was a number we received that we thought was going to be possibly appropriated for 2012. That was the start of the 30% that generated and created the rest of the budget. The whole starting point was that the \$803,000 represented the 30%. The 70% was the City portion, the 9-1-1 fees came in as an estimate that we received from the Auditor's Office and so the CCP revenue was \$5 million. The expenses were determined by the CCP Board. Given that starting point of 30%, there was a \$1.9 million shortage. Please note that we took the \$1.8 million and allocated that on a 30/70% basis and so it is based on the split according to the interlocal agreement.

**Roy Buskirk:** The way I understand it, I think the CCP budget needs to be taken out of the Sheriff's budget to start with. That is where we have already put \$800,000 into the CCP budget because it was included in the Sheriff's budget, correct?

**Tera Klutz:** Correct and there is also, as part of health insurance and other liabilities, more that we can add to that and was already approved, maybe \$923,000 which is the same that we gave for 2011.

**Roy Buskirk:** We have already approved to put into their budget?

**Tera Klutz:** You have approved it as part of the General Fund appropriation. In the budget, part of it is health insurance and part of it is Workers Comp liability.

**Roy Buskirk:** Okay.

**Darren Vogt:** In your numbers on this work sheet, I am down to the contributions of the CCP, why did you include the forfeited 9-1-1 fees on the City side but didn't put anything on the County side?

**Pat Roller:** The City did not put the \$745,000 in the City budget. All of the 9-1-1 fees are going to CCP. The City did not receive what it normally would have received to offset communication cost. The only piece that is still in here is what we owe, the \$48,000 that is due to New Haven.

**Darren Vogt:** But why wouldn't you include the County portion of the 9-1-1 fees?

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**Pat Roller:** The 9-1-1 fees that are recorded here is what I understand to be the 9-1-1 fees. In the expenses are the costs that would go to New Haven. We have consolidated all of the 9-1-1 fees into the CCP.

**Darren Vogt:** I am looking under the Contributions to the CCP. Are you saying that the County is not putting any of the 9-1-1 fees into the CCP?

**Pat Roller:** No, if you look at the revenue, third line, the \$2.358 million is the 9-1-1 fees. We used the 2011 estimate in this budget.

**Darren Vogt:** I am on this particular part of your spreadsheet. You are saying contributions and the City forfeited but the County has the 9-1-1 fees as well.

**Tera Klutz:** Is that the spreadsheet that she provided you?

**Darren Vogt:** Yes.

**Tera Klutz:** I think that has been revised. I think you and Roy have different sheets. Look at Roy's. They revised that about a month after it came out.

**Roy Buskirk:** Part of the problem is that many of us Council members just got this a week ago.

**Pat Roller:** I don't know why that took so long.

**Roy Buskirk:** When you look at the schedule, the budget was approved by the Mayor and CCP Board in August.

**Pat Roller:** And I thought it would be discussed at your budget hearings. The goal was to get it passed so that it would be incorporated into the budget sessions and apparently not, for reasons that I am not going to be able to explain.

**Darren Vogt:** Councilman Howell, you had some questions?

**Kevin Howell:** When is your drop-dead date for getting the money from the County?

**Pat Roller:** I am not used to not having anything completely signed off on by the end of the year for the next ensuing year.

**Darren Vogt:** It won't be at this particular point in time. There is no way that Council can appropriate money today. The only thing we can do is approve a budget. What was the vote on the CCP for this budget?

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**Pat Roller:** All four voted in favor.

**Darren Vogt:** Council, are there any further questions on this?

**Roy Buskirk:** We have \$803,000 already approved, correct?

**Pat Roller:** It is my understanding that it was cut to \$790,000.

**Darren Vogt:** That number sounds familiar in the Sheriff's budget under the Contractual line.

**Tera Klutz:** Right now we have the exact funding level as in the 2011 portion, \$923,139. We are ready and prepared to pay that to the City quarterly like the interlocal agreement says. What I am very concerned about is the interlocal agreement says that our contribution shall not increase in any fiscal year. If it does, you have to raise the 9-1-1 fees to the maximum allowed by law.

**Darren Vogt:** So in your opinion, the only way that we can do that is to approve a lower budget or the original budget.

**Tera Klutz:** Yeah, keeps ours as is and we will pay \$923,000. Per this agreement, it shall not be increased in any fiscal year. It doesn't say the combined budget. It says contributions from the City or the County shall not be increased. I understand your point about it might not have been fair going backwards but I think the interlocal agreement was to protect everybody's current portions going forward but not greatly increasing by 30% in one particular year. I think that if we want to try to correct that or pay more from the County side, I think this body has to know what that means. This agreement says that the expense shall be provided for by an increase in the 9-1-1 surcharge.

**Pat Roller:** Who is responsible for that?

**Darren Vogt:** We are.

**Tera Klutz:** County Council needs to know that. Because the first budget was \$6.6 million and now it is \$6.9 million that is an increase. It doesn't say just increases for insurance or...

**Pat Roller:** I think the interlocal speaks to no employee was to be harmed and that there was going to be an increase in the insurance.

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**Darren Vogt:** Let's read that clause because you keep referring to that clause and that is not what that clause says. It says existing employees shall not suffer a reduction in salary or benefits unless placed in a different position or unless the City and County choose a reduced salary of all similarly situated employees. I will ask the question this way. What was done, I have asked this of our Sheriff, to determine the salaries of the employees?

**Tim Lee:** The salaries were based to make it equitable. The County employees were raised to the City's current rate due to the fact that we currently have City employees dispatching County and County employees dispatching City. In looking forward with the 2014 statute, those employees are going to have to be capable of City dispatching County and County dispatching City due to the fact that all of the calls are going to come into one repository. Looking ahead, that is why they were raised because they are doing the same job throughout.

**Darren Vogt:** The job wasn't evaluated on any scale. It was just assumed that the pay was correct for that position.

**Tim Lee:** Yes, sir.

**John Feighner:** John Feighner, I am one of the County attorneys and I also am the attorney for the CCP Board. As Mr. Lee was working through the coordination of the merging of the departments together, the HR people did go through and evaluate the job duties. There were differences for some of the City people versus the County people. They tried to come up with a uniform job description across the line at the different ranks as you go up. When he tells you that he has people that were formerly just doing City dispatching versus County dispatching, they are now doing the same job if they are in the same pay grade. They have the same job description and the same responsibilities. That is one of the principles that drove the decision. As I listened to the discussion at the CCP meetings, it was not to take the City pay down for the people that were there and learning the County dispatching and the County people coming in that had to learn the fire dispatching procedures. It has gone very well operationally. That is a tribute to the people working there. That is how you ended up with the salaries going up for the County people. Also, I think you all know, there is some difference between the County's health insurance benefits versus the City. The City's cost, year to year, has gone up some. That is part of that insurance cost. You couldn't run the department with some of the City benefits being there for former City employees and then have the County people who are CCP still on the County. The enrollment process has gone forward now and will begin January 1, 2012. That's a long answer.

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**Darren Vogt:** I still will respectfully disagree with what you are saying compared to what I am saying. I will make myself clear. You compare the job descriptions to make sure that the duties are the same. My question was whether or not those jobs were evaluated on some sort of grid system. We have a grid system in the County. I don't know what the City uses for pay. Were those evaluated as to what level of pay they were receiving?

**John Feighner:** I don't know the answer.

**Darren Vogt:** The Sheriff has answered no. I understand what you are saying. Since you are up here, I am going to ask you a question since you are an attorney and up here. Can we approve a lower budget today? As our Auditor has mentioned, if we approve a higher budget, it appears that by this interlocal agreement we will have to increase the 9-1-1 fee.

**John Feighner:** When this agreement was drafted and the people involved were in affect the leaders and then it was presented to County Council and City Council, it specifically says that the budget is to be reviewed and approved by City and County Councils as required by applicable statutory procedures. In my opinion, that means that just like the City Council is the fiscal body and County Council is the fiscal body, you have General Fund money from the County and General Fund money from the City. You have the obligation to approve the budget. The budget that you approve is what you approve. If you and the City approve different budgets, then I think that will have to be reconciled. You cannot, in the long run, run this department or any agency with an ambiguous budget. Going into the month of January, I think the Auditor is telling you and Pat Roller is telling you that the money is appropriated already to get you through several months. I think that is a fair statement.

**Tera Klutz:** Right. We've got the contribution that we had in the General Fund in 2011 is already approved for 2012. In the agreement, the section that you were reading said if increases are not allowed, either expenses will be reduced. I believe expenses can be reduced or either party may elect to terminate this agreement. I don't think that anyone wants to terminate the agreement. The fiscal bodies get to decide how much they want to spend for the year.

**John Feighner:** That is correct. There is no change in State law by this agreement.

**Darren Vogt:** Councilman Buskirk.

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**Roy Buskirk:** Since you came to the table, on page five of the agreement is what I think the Auditor is referring to that the contributions from the City or County shall not be increased in any fiscal year except and then it goes on. I think that is possibly referring to the percentage breakdown would not change. It is not necessarily the dollar amount. One or the others percentage cannot increase.

**John Feighner:** I think it speaks to two issues. We are learning as we go through this process. More specificity would probably be good. The contributions could refer to the percentages of 70/30. I think it definitely meant that. The contributions from the City and the County can also refer to the General Fund money which would be a dollar amount. There is ambiguity that comes from the agreement.

**Roy Buskirk:** I think that since we already have approved in our budget that this could be tabled until we have the opportunity to study all of the numbers and everything. We have only had a week or less to look at this.

**Darren Vogt:** Do we want to do that or approve the budget that we have? We could approve a budget that is a dollar amount equal to the amount of our original contribution.

**Roy Buskirk:** I didn't realize that we had to do that. I thought that was already done.

**Darren Vogt:** I don't think so. We haven't approved the budget. This was supposed to have been done by November first and City Council should have done theirs by November first.

**Roy Buskirk:** We approved the Sheriff's budget and that is in the Sheriff's budget.

**Darren Vogt:** The Contractual line item is. This is a separate entity's budget.

**Roy Buskirk:** It should be that way but currently it is in the Sheriff's budget. We already approved the Sheriff's budget so we approved that amount already.

**Tera Klutz:** As an appropriation. What Darren is saying is that the interlocal agreement calls for the City and County Councils to approve the full budget of the CCP and not just your share of the contribution. I believe that is why Controller Roller took it to City Council last Tuesday and is here before you today so we can cross our T's and dot our I's.

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**Paul Moss:** Did they also approve the \$1.3 million?

**Pat Roller:** Yeah.

**Roy Buskirk:** I don't think they approved it. I think they appropriated it, correct?

**Darren Vogt:** Did they approve the budget?

**Pat Roller:** They approved what they could statutorily approve and that is their portion of the appropriation.

**Darren Vogt:** So they did not approve the budget as the agreement says.

**Pat Roller:** They only have authority to approve their portion of the contribution.

**Darren Vogt:** This agreement says that the City Council and County Council shall approve the budget.

**Pat Roller:** Let me put it another way. Everyone had the interlocal in front of them and they did what they needed to do. We keep hearing that this is a late date and I guess I would have liked to have known what we could have done to avoid this. What would the process have been on the County side to get this done in a more timely manner?

**Darren Vogt:** It should have been done during the budget cycle. What you are doing now is asking for an additional appropriation.

**Pat Roller:** The CCP Board is.

**Darren Vogt:** "You" is a general statement.

**Pat Roller:** How can we avoid this next year? It needs to be someone on the County side...

**Tera Klutz:** I would say once the Board prepares the budget that they submit it to the City and County Councils. I wasn't there when they approved this budget.

**Pat Roller:** Is that the Sheriff?

**Darren Vogt:** As Director, it is your responsibility to come before Council just as other entities come before us to approve a budget during the budget cycle.

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**Pat Roller:** So, a lesson learned. Everybody is doing this for the first time.

**Roy Buskirk:** That would be in July.

**Darren Vogt:** July-August timeframe. Whenever you approve it then it comes before us. The concern that I have is that the 9-1-1 fees, the way this agreement is written, would have to be increased if we approve a budget that is over and above what our allocation amount is for 2012. That is the concern that I have. I am not in any position to discuss raising 9-1-1 fees at this particular point in time.

**John Feighner:** There is not a request to do that today.

**Darren Vogt:** We are the ones that would do that. The agreement says that if we don't have the money, any increase in spending comes from the 9-1-1 fees. If we approve a budget over and above that, then we inactively increase the 9-1-1 fees. That was my point to say that we should approve a budget and move this forward with the amount that we already have set aside for 2012. That is enough money for a long time before you would run out of money anyway. If we have to come up with more money later on, we discuss that, fix the interlocal agreement so that it doesn't say that type of language and move on.

**Roy Buskirk:** Where would we come up with half a million dollars in additional revenue so that we would be able to put this into our budget? Would it be out of the Rainy Day Fund?

**Tera Klutz:** That is not an operating fund.

**Roy Buskirk:** I know. We would have to get the money someplace.

**Darren Vogt:** Correct or cut the budget. One of the two would be their options.

**Tera Klutz:** You could take it from another department, I suppose. It is a zero sum gain for the County. The rest of us had to cut but you can take away one allocation and give to another. I think we need to ask Pat because there is an appetite to reduce the level of spending to what the County has already appropriated.

**Pat Roller:** That would not be Pat but Tim and the Board.

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**Tera Klutz:** As the bookkeeper specifically who will operate the budget, they don't want to go to \$6.9 million because that tells them that they have to increase the 9-1-1 fees. If they go back to the \$6.6 million, which is a flat budget and on top of that they would like to make sure that the contribution from the County stays at \$923,000 and how would that work?

**Pat Roller:** The only place where the increase happened was in the fair and equitable treatment of the 9-1-1 dispatchers.

**Tera Klutz:** But the interlocal agreement doesn't differentiate between anything. It could be anything.

**Pat Roller:** I am only telling you and John, we were very careful that no one could be harmed in this transition. \$320,000 increase for a combined 9-1-1 Center that this community has been trying to do for decades, I think is a manageable amount of money. How those dollars are going to be cut, we all know that 85% of it is in personnel. That is how the City budget is and I believe it is similar to what the CCP budget is and it is my guess that it is the County budget as well. If the funding doesn't come through, my recommendation to Tim and the Board is that they are going to have to look at personnel.

**Darren Vogt:** Councilman Howell.

**Kevin Howell:** Once again, I go back to what I asked before. What is the drop dead date?

**Pat Roller:** Legally, I do believe that we have appropriations that we can get through. The concern that I would have is that we have a 9-1-1 dispatch center that is still unsettled. Anything about consolidation and anyone in the private sector knows about mergers and how that culture is going to be. I think it is a credit to Tim's leadership and the 9-1-1 dispatchers that have worked through the issues patiently. This has not been an easy project. To be here today, with everyone combined and happy with where they are, to have the funding short, it is more of the issue of what is good for the center. Statutorily we can operate in the negative but I am not wired to do that. We don't do that in the City and my guess is that nobody does that in the County.

**Kevin Howell:** Once again, respectfully, when is the drop dead date? Do things stop running January first?

**Pat Roller:** No.

**Paul Moss:** Don't let anyone pull that out.

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**Roy Buskirk:** We will appropriate more than half of their budget.

**Pat Roller:** They are going to wonder if they have jobs because of the half million dollars. The sooner that can be closed and resolved is in the best interest of the dispatchers.

**Kevin Howell:** It is obvious that we are not going to be able to close it today.

**Paul Moss:** Philosophically you have made a couple of references to the private sector. I have been through quite a few acquisitions and understand how merging departments and merging companies occur in the private sector. It is interesting to listen to you talk because it is 180 degrees from the reality of what we deal with when we actually have to earn our money.

**Pat Roller:** Having been part of...

**Paul Moss:** Hear me out. I have sat here and listened and you are taking the brunt of this. This is not personal or anything along that line. In listening to you, I think it is interesting because you keep saying no harm to the employees.

**Pat Roller:** I am not...

**Paul Moss:** Referring to that as what is best for the department and I am concerned about what is best for the taxpayers that are paying for this.

**Pat Roller:** I did not write that.

**Paul Moss:** Can I speak and then I will shut up.

**Darren Vogt:** He has the floor, let's let him speak.

**Paul Moss:** Those of us that looked at this with a little more jaundiced view over the years understood and realized that the merger of these two departments would have an impact and increase on the expense side because you have two sets of employees with dramatically different salary structures. Just intuitively, some of us knew that something like this was going to happen. In the private sector, that is not always the way that it is. All boats don't rise up. You look at it objectively and try to understand what the market can bear, what can the business bear and then you set those salaries. I knew all along, it was just a no-brainer that the County employees would get a raise and it would get justified somehow. We heard similar things about the Public Safety Academy. We heard similar things when the ribbon was cut

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here at Citizens Square. We are going to be more efficient and more effective. At some point, the chickens come home to roost. They are coming home to roost right now. I signed the interlocal agreement and so I am partly responsible but I do recall saying just watch. We are going to be at this moment and we are now at this moment. It is very frustrating. It is not your fault. To answer your earlier question of how to avoid this, I think moving the CCP timeline back a little bit in terms of their budget process might help a little bit. Giving us a little more lead time on this would have been helpful.

**Roy Buskirk:** This was done August 16<sup>th</sup> which was too late for us.

**Darren Vogt:** Chief York?

**Rusty York:** Rusty York, Chief of Police. I just wanted to say that I appreciate all of what Pat is doing. She is getting beat up a little bit and I understand. As far as notification, I want to say this this was delivered to the Commissioners after the CCP Board approved it. We requested two meetings with the Commissioners that were not entertained. Maybe that is part of the reason that you didn't get it sooner.

**Darren Vogt:** I know the Commissioners have been working on it with Pat.

**Pat Roller:** I have not heard from the Commissioners. I heard on Tuesday that there might be an alternative budget.

**Darren Vogt:** I don't want to finger point. At the end of the day, we have a combined CCP and we've got to figure out a way to do it. I am going to ask Council if there is an appetite to approve a budget that is going to cause us to increase the 9-1-1 fee.

**Paul Moss:** Not for me but I also want to clarify, real quickly, my comments are not directed at you, Pat.

**Darren Vogt:** Is there anyone here that is willing to do that? Okay, to move this forward, the only thing we can do is to table this until we move forward and I don't think it is the right thing to do. I think we need to approve something. The other is to approve a budget that is equal to the amount of our original contribution. That would allow us to move forward and then deal with the imperfections in the interlocal agreement that need to be dealt with.

**Roy Buskirk:** I think we have a third option and that is to approve the amount that we budgeted through the Sheriff's Department.

**Darren Vogt:** That is the same thing I was saying.

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**Roy Buskirk:** I thought you were saying of what we did last year.

**Tera Klutz:** Same thing.

**Darren Vogt:** Same thing.

**Roy Buskirk:** Okay. The number is \$923,000?

**Paul Moss:** That is my preferred action.

**Darren Vogt:** Which one is that?

**Paul Moss:** The option that you mentioned and he re-mentioned.

**Darren Vogt:** Okay, if that is the preferred method, we will need the number. Tera, do you have that number?

**Roy Buskirk:** She is looking.

**Tera Klutz:** I have a few questions. One is that you guys can vote on a contribution from the General Fund of \$923,139. It has already been appropriated. I do think that the broader question is the full budget of the CCP, is that something that you want to vote on now?

**Roy Buskirk:** No, I don't think so until we take a closer look at it.

**Tera Klutz:** Okay. I don't think you need to vote on anything else because you already have \$923,139, \$790,000 in the Sheriff's budget and the rest in the health fund.

**Paul Moss:** Okay, my question is how does this move forward, in your opinion Pat, because it sounds like you are stuck in the middle here. You need some communication from the Executive Branch of the County. Can we assume that you are going to follow up with them or they will follow up with you?

**Pat Roller:** I think the Executive Director and the Board needs to push this forward. We have made several attempts and I have not been successful in that effort. I am going to have to defer to County people to help navigate through the County system.

**Tera Klutz:** I volunteer to help.

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**Darren Vogt:** I meet with the Commissioners on a weekly basis and I will continue to do that and make that a topic of conversation with them. We will figure out what to do to make sure that is moved forward. With that said, we are not going to approve the budget. Do we want a motion to transfer when applicable?

**Tera Klutz:** No, the interlocal agreement says that she is going to bill us quarterly for the amount that we have budgeted and we will pay that within thirty days.

**Darren Vogt:** Okay and then once we get things ironed out, we will move forward with approving a budget. For your education, we do our budget process starting in July. You may have a short turnaround time on the 2013 budget. In my opinion, we have to change the interlocal agreement. We may not want to change the 9-1-1 fee in order to increase the dollars. We may or may not but to make it a “shall” statement really hinders our ability to fund it other than one spot.

**Roy Buskirk:** To add more to the story, the State Legislation is taking a look at the 9-1-1 fees and so they might change quite a bit.

**Darren Vogt:** Right and it is really not the Commissioners’ budget either. The Commissioners don’t have anything about this. It is your budget and it has to be approved by all four bodies.

**Tera Klutz:** The interlocal agreement says that all of the 9-1-1 money whether wireless or landline shall be only spent by the CCP Board for capital and operating. I think that we need to make sure that the Commissioners are at the table so that the CCP Board has full say over that money.

**Roy Buskirk:** And then that is the reason why it is showing the payment to New Haven.

**Tera Klutz:** Right.

**Roy Buskirk:** That is an agreed amount that they receive from the 9-1-1 fees.

**Darren Vogt:** Okay, we are on to the next agenda item. Thank you very much, Pat. It was not intent to attack you personally but unfortunately you happen to be the messenger of the numbers. We need to transfer, within the General Fund, the Auditor. Tera, do you want to handle that?

**Tera Klutz:** Sure. I am requesting a transfer to move money from Printing and Postage that was saved earlier by putting many of our forms online and

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by paying our vendors by EFT. For the first time in many years, I am not going to encumber any postage or printing money at all. We were able to save a lot of money but I am short in the Plat Book Fund. It is a temporary transfer. These positions will not be funded from the General Fund going forward. I am before you to ask for this transfer.

**Darren Vogt:** Council, are there any questions for the Auditor?

**Roy Buskirk:** Yeah, how are they going to be funded in the future?

**Tera Klutz:** I am looking at different fee scenarios and broadening the user fees in that other fund.

**Roy Buskirk:** I make a motion to approve the transfer in the Auditor's Printing and Postage to GIS Technician in the amount of \$35,960.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). Council, please give your ayes and nays a little louder. I keep track of the votes so I need to be able to hear you. We are onto the Treasurer with a transfer in the General Fund.

**Sue Orth:** Sue Orth, Allen County Treasurer. I am requesting a transfer from Postage for \$4,826 to Office and Computer Equipment to replace a printer. It has not been working very well and now it is done. We have save the money in Postage by doing email billings and by directing different taxpayers to the PATI site to have them print their own tax bills.

**Darren Vogt:** So on that Postage did you reduce that line going forward for 2012 or did you hold it flat?

**Sue Orth:** I think it went up a little bit. We have Postage going up a little bit next year and we never know from year to year how many bills we are going to be mailing or how many corrections the Auditor is going to have to make that requires us to send a new bill. That line item fluctuates so much every year and so it is really hard to say it is going to be exactly this.

**Darren Vogt:** I understand and with e-bills you are trying to get people to use that.

**Sue Orth:** We are trying to get people to do that but we have lost a few that we had on the last time.

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**Roy Buskirk:** Do any of the financial institutions use that source? I mean on sending statements to the banks for collections on the escrow accounts?

**Tera Klutz:** Mortgage companies?

**Sue Orth:** Are you talking about the monthly pay plan or are you talking about billing?

**Roy Buskirk:** Paying their property taxes. I don't care if it is semiannually or annually or monthly.

**Sue Orth:** I don't understand the question.

**Roy Buskirk:** Are you able to use the computer system on sending billings to financial institutions?

**Sue Orth:** Yes.

**Roy Buskirk:** Is the participation in that increasing?

**Sue Orth:** We are getting more and more people using the online services, yes.

**Roy Buskirk:** I was more interested in the financial institutions.

**Tera Klutz:** Mortgage companies have always gotten it electronically.

**Roy Buskirk:** Okay.

**Darren Vogt:** Councilman Harris.

**Tom Harris:** This office equipment was part of your strategic plan?

**Sue Orth:** Yes. It has been on there for two years. We tried to make it last until the very last minute. We are down to getting it serviced every week now.

**Tom Harris:** With that, I make a motion to accept the transfer of \$4,826 from Postage to Office and Computer Equipment.

**Roy Buskirk:** Second.

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**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). With that, we are onto the Surveyor.

**Roy Buskirk:** I don't think that anyone is here from the Surveyor's Office. I told them that I would take care of it.

**Darren Vogt:** Hang on a minute, Roy. These are salary ordinances and so I am going to have HR come on up since they are involved with the salary ordinances and the Personnel Committee.

**Roy Buskirk:** This wasn't on the agenda for the Personnel Committee. It is just a reduction in the Extra Deputy Hire from \$12.50 to \$15 and reducing it to \$10 to \$15.

**Darren Vogt:** So it is just bringing the bottom end down a bit.

**Roy Buskirk:** Yes with the current economy, they are able to hire part-time help at a lower rate than what they had done.

**Darren Vogt:** Great. Council, are there any questions on that? Is there a motion for approval?

**Paul Moss:** Move for approval of the amended salary ordinance, 2011 and 2012, consideration of amending the range in pay in the budget of the Surveyor, 100-0601-419, Extra Deputy Hire, range of pay \$10 to \$15 per hour, effective January 1, 2011.

**Tom Harris:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). We are going to skip over the next one. I don't see the Commissioners here and they are probably going to be here in a minute. We will move to Circuit Court.

**Cathy Serrano:** Good morning Council, Cathy Serrano, Director of Human Resources.

**Tracy Mitchener:** Tracy Mitchener, Allen County Compensation Specialist.

**Cathy Serrano:** I had to call in backup because I am not feeling too well. Tracy actually worked on most of this and she was rudely interrupted by an early arrival of her baby. We had to punt in the middle of this process so we are going to tag-team. She was gracious enough to come in even though she is

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on leave right now. There is one position that is probably going to have some questions. We will go through it the way you have it on the agenda. The first one is consideration of a salary ordinance amending the pay for the Chief Probation Officer and Director of Court Services from UPROB 8 at a current rate of \$72,274, remaining at UPROB 8 because that is State grid. They are requesting a pay change to \$84,475. Tracy went through and scored this by looking at comparable positions across the County. Because we don't have a UPROB grid that works the way our grids do, she took the PAT grid and tried to apply that. She arrived at an amount of \$80,000 that she was capable of supporting on that. With that, I am going to let her answer any questions you might have.

**Darren Vogt:** Tracy, I know the Judge is here and may want to add some comments. We will take all four of those because they are within Circuit Court and discuss them and then we will bring him up.

**Tracy Mitchener:** I think Cathy already basically said I scored the position and looked at comparable jobs within the County, as best as we can because obviously there isn't anyone that does exactly the same thing. Do you have any questions for me, regarding that?

**Tom Harris:** The question that has become a bit of a concern is about the \$84,475 and the \$80,000. Did you have a discussion with the Judge about that? What was the dialogue and discussion that took place?

**Tracy Mitchener:** I think the Judge would have to answer that question. He would have to support why he feels it should be \$84,475.

**Tom Harris:** That is fair and he may be up in a minute to talk about that. One of the things that came to mind for me is that it looks like a promotional increase. The difference between the \$80,000 and the \$84,475 represents an 11% versus a 16% increase. As a promotional increase I didn't necessarily see the 16% increase being entirely out of line however that is a promotional increase versus the rating of a job. What you came back with at the \$80,000 is not necessarily a promotional increase but the position rated at that.

**Tracy Mitchener:** Yes. I was looking at it as a job even if you were going to hire someone off the street. I just look at the job itself and not as promotional.

**Cathy Serrano:** As background, I failed to state that the reason for these changes is that Tim Miller has taken a job outside of the County and so we are losing his services in that department. Rather than hiring a new Tim Miller, they are taking his job duties and responsibilities and dividing them between two existing positions within that department. This is one of those

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who will be taking over more of the executive level type of duties and responsibilities.

**Darren Vogt:** Council, I need to remind you again that as you look at the people at the end of the table, you are looking away from the microphone and Larry is having a hard time picking you up. Please make sure you talk into the microphone. Council, are there any further questions on that particular one? We will move on down to the new position of Law Clerk.

**Bob Armstrong:** Are you grouping these?

**Darren Vogt:** I want to have the discussion first because the Judge is going to come up.

**Cathy Serrano:** I am just doing an overview and then will have them come up. The Law Clerk position is a new position in that department. It is geared around the increasing docket that they are seeing and the management of that. What they want to do is get the position approved. It is a reasonable rate and is less than what you would see a Law Clerk being paid that went into a firm. They are not going to fill this position right away because they want to get into the cycle of recent Law School graduates that Superior Court is in. They would actually hire someone around August when the kids are out of school. It scored out at the same level as the ones in Superior Court.

**Tracy Mitchener:** It basically mirrors the same as what Superior Court has.

**Cathy Serrano:** The third position is consideration of a salary ordinance amending the pay for the Assistant Director of Court Services from PAT 4/7 at \$50,006 to an Executive at \$62,375. This position is receiving the remainder of Tim Miller's responsibilities. It is taking over more of the administrative procedural office flow and that type of duties and responsibilities. The fourth position is the consideration of a salary ordinance amending the pay for a Probation Investigator NCIC from a Special OCC at \$48,341 to POLE 4/2 at \$36,157. This is the one that I actually came to and scored. Looking back historically, we didn't find any documentation on why this was originally a Special OCC. Our belief is that it probably was a way to get this gentleman a raise because he had been working for the County for over thirty-three years. Looking at it objectively and evaluating the position, we looked at it on the PAT scale and the POLE grid and I think it is more of a law enforcement function. It does belong on the POLE grid. To re-evaluate that position and score it, it scored exactly at the \$36,157.

**Darren Vogt:** Judge, if you want to come on up, we will ask some questions.

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**Roy Buskirk:** Is there a difference between Probation Investigator and a Probation Officer?

**Cathy Serrano:** Yes. A Probation Officer is usually someone who can go to homes and have much different job duties. The Investigator is actually an Investigator. A lot of what he does is like a Detective. He does a lot of phone work and investigating with other police agencies. It is more of a desk job. A Probation Officer goes out in the field and in some cases they carry weapons.

**Roy Buskirk:** One part of this reorganization is moving a Receptionist/Scanner/ Imaging Specialist, which is an OSS 3, up to the position of Administrative Assistant/Switchboard which is an OSS 4. My question is, how long has that been open?

**Tim Miller:** What position was that again?

**Roy Buskirk:** The OSS 4 which has a new name of Administrative Assistant. The old name was...

**Tim Miller:** I know what you are talking about. There actually aren't any open. We knew back in September that this individual's spouse was moving out of town. As everything kind of happened at once in Circuit Court over the last eight weeks, we were always scanning the environment to see what opportunities there were to make things better. We looked at that position and at reorganizing the Court, at that time. After that happened, I found out I was going to be taking another position and so that created another opportunity to put us where we are today. There actually haven't been any open positions. We just knew that looking at the opportunities that we had, the person that was doing the Receptionist position was already doing administrative-level work. What we decided to do instead of working on a pay increase was to eliminate that position with the opportunity of my salary and the person that is leaving, create the opportunity to eliminate that position and bring in the Law Clerk because that is something that we were looking at for the last four years. Her last day is tomorrow and we have been interviewing to fill that slot. The person that was in the Receptionist/Scanning slot took a position in Paternity Court because that individual moved to the Prosecutors Office. There has been a lot of shifting going around. There are no open positions and there won't be. It is just a matter of reorganizing the existing positions that we have here. When that Administrative Assistant decided to leave, we knew that we could probably move that Receptionist/Scanner into her position and eliminate that position.

**Roy Buskirk:** So it never was an open position.

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**Tim Miller:** Correct.

**Darren Vogt:** Can you both introduce yourself?

**Tim Miller:** Sure, Tim Miller, Circuit Court Administrator for about four more hours.

**Tom Felts:** Tom Felts, Circuit Court Judge. I am going to respond to one question. I have never met Tracy before.

**Tracy Mitchener:** Hi, it is nice to meet you.

**Tim Miller:** Tracy and Cathy have done a great job of working with me. When I knew that there was the potential that I would be leaving, I was trying to figure out a way of how we could restructure because Judge Felts had talked to me a couple of years ago. He serves on a State Strategic Planning Committee and there is possibility down the road that there is some legislation that might change and it may consolidate the Courts. As he told me a year and a half ago, it could be two years, five years, ten years or not in our lifetime. Keeping that in the back of my mind, how can I help the Judge and the County and make the whole department more efficient. I called Tracy and was looking at the range of my position and some other positions within the Courts. I was under the impression that there was a range. When we did the JAQ's three or four years ago, I recalled a minimum, a midpoint and a maximum. I was under the impression that it was adopted and if we had a new person come to the County, we would evaluate their skillset and be able to place them on that range. That apparently is not the case. That is when Tracy and I started having discussions. I had to go to other resources to try to figure out what to pay the gentleman that would be assuming this position. I looked at the salaries of people within the Courts and what the Chief Probation was responsible for and what duties he would be taking on. He is on the UPROB grid and so that creates another set of challenges. We placed him below the Superior Court Executive but above the Director of Court Services. Tracy and Cathy have done a great job and I know they are working on trying to get some method to the madness that is there. That is just it, a little bit of madness. That is where the \$84,000 number came from. Both the new person and the Chief Executive for Superior Court have been with the County for 20-plus years. Their scope of services is pretty broad and they both have the ultimate responsibility to their respective Judge and Judges. I believe for that individual, who does a great job of being the Chief of Probation and is now assuming more responsibilities, I think it is appropriate.

**Darren Vogt:** Councilman Harris.

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**Tom Harris:** Judge, based on the discussions at the recent Personnel Committee meetings, would this incumbent that is being considered not take the position because it was reduced by \$4,000?

**Tom Felts:** We had that very, very frank discussion yesterday afternoon. He had talked with his spouse and he said that he is not going to mess this up for you over the \$4,000 figure. He is willing to take the position at that salary level. I felt bad because this was put together and the offer was made to him based on what I thought was a fair salary. That was my agreement with him. He has been doing the job since November 7<sup>th</sup>. I may have mentioned at the Personnel Committee meeting that after three or four years of relatively quiet time of personnel activity in Circuit Court, it seems to have exploded the last couple of months. I am going to miss Tim a lot and he knows that. He had to terminate a long-term employee which is never a good thing. We moved a couple of people around to replace the woman that we had to let go. We had 116 applicants in four days and we have gone through that process. He has taken on a lot of responsibilities and at the same time he was maintaining the job across the street in the Probation Office. That was my agreement and I thought it was a fair agreement but to directly answer your question, he said he was not going to mess this up over the \$4,000 figure.

**Tom Harris:** I would just like to add compliments to you, Judge and Tim, for taking a look at this process and as the challenge for everyone in government goes, changes happen and we need to look for efficiencies and ways to continue to become more efficient. I want to say thanks for your leadership and foresight in this process.

**Tom Felts:** I would like to take the opportunity to explain what was handed out just now. It was sent electronically earlier in the week but there have been some questions raised that perhaps the chart before wasn't quite as clear as it could have been. Tim did a good job of reworking this to definitively say that at the figures we have suggested, it would result in a \$37,000 a year annual savings. Since our plan is not to hire the Law Clerk until August, there will be additional savings there. For 2012, there is a savings of \$64,000 but going forward and if nothing else changes, it would still be \$37,000.

**Tim Miller:** I have to double check with the Auditor here but that doesn't include the FICA and PERF. That would be on top of that. It would be an additional fifteen percent.

**Darren Vogt:** Council, are there any further questions? Tracy, I am going to ask a couple. When you evaluated the position, was there any issue at all

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when you scored it or placed it? You had enough information and data to evaluate the job description?

**Tracy Mitchener:** Yes. They provided everything and I asked Tim questions and we had quite the discussion to understand exactly what the position would entail.

**Darren Vogt:** Council, my concern is that if the HR Department was able to evaluate the job at \$80,000 and we start tweaking the salaries of people because we are looking at the incumbent in the job that is not what we have done in the past. We evaluate the job and this is what it is. That is what we would be doing if we approved it at the \$84,000.

**Tim Miller:** If I may interrupt, I don't think we are looking at the incumbent in this position.

**Darren Vogt:** I will agree that you may not be. You think the job is worth \$84,000 and HR thinks that the job is \$80,000. Let's just say it that way. I don't mean to put words in your mouth. That was not my intent at all. If HR was able to go through the process and evaluate the job at \$80,000...

**Bob Armstrong:** I agree with you but the thing that I looked at is that they are not going to fill Tim's job. They are going to take two seasoned people from within and split up his duties. I am not saying anything against the HR Department but Tim and the Judge know what they want and the savings is still going to be with the Law Clerk. When I voted for it in the Personnel Committee that is what I was looking at. To me, you don't want to micromanage all of these departments. Let them run them if they can fund them. He is coming back and giving us a savings from reorganizing. I just think it is a win-win thing for all of us. I will be voting to approve it but that is just my opinion.

**Tom Harris:** I was just going to ask a question in terms of the amended salary ordinance in front of us. Can we change that to reflect the \$80,000 instead of the \$84,475?

**Roy Buskirk:** We just have to read it that way.

**Darren Vogt:** I don't disagree with you that the Courts know their job. The question is do we set the precedent to say that we are looking outside of the range and if HR had some variability or couldn't score because they had some trouble with it, maybe I would be more apt to move forward on this.

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**Bob Armstrong:** I guess some of my opinion is like the position for the Probation Investigator is that it is a Special OCC. This is my third year on Council and personnel stuff just mind-boggles me. It seems that we are doing this one day and doing that another day. We evaluate people one day and I don't understand why we can't streamline and make one system to go with. I understand what you are saying. Here is a job that we are discussing right now. Why is that a Special OCC? I probably wasn't here when that went through.

**Darren Vogt:** None of us were. That is what we have tried to do away with when we evaluated all them.

**Bob Armstrong:** I guess my key point is that I like to see promotions done from within and keep our good seasoned employees then that is what we need to do. I think that is what the Judge and Tim had in mind when they did this.

**Cathy Serrano:** Council if I may, when HR looks at these positions, we have a mandate and a dictate that we don't look who is in that position. We don't look at whether they are seasoned or not. We evaluate simply on paper what the job duties are and what the requirements and responsibilities are. We score them on that basis. There is, I won't say variability but if you are looking at a seasoned professional that they are keeping onboard, they have to factor that in when they are looking at what they want to do. We don't have the ability to do that. We have to look at the paper and what that job says as if there was no one there. It is a little bit of apples and oranges here but we are attempting to be as consistent as we can when we go through and evaluate these so that we get everything more lined up to where it should be.

**Darren Vogt:** Councilman Buskirk.

**Roy Buskirk:** In answering Councilman Armstrong, I think the Judge was looking more as a comparison to the Administrator of Superior Court and what his wages are compared to half the job of an Administrator for Circuit Court. The way I look at it, the main thing is the fact that the Superior Court has eight Judges and Circuit Court has one Judge. I think there would be somewhat of a difference between the wages of the individuals.

**Tom Harris:** With reflection of the incumbent's current wage versus the re-evaluation, it still represents a ten or eleven percent increase from a promotional standpoint. I think it is still adequate and appropriate under the circumstances. I would like to make a motion.

**Darren Vogt:** If you have the salary ordinance, go ahead.

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**Tom Harris:** I make a proposal for the amended salary ordinance for the Chief Probation Officer, UPROB 8 of \$72,274 and would move to \$80,000.

**Paul Moss:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 5-1(Armstrong)-1(Brown absent). We have three others to talk about.

**Tom Harris:** I will make a motion for the salary ordinance for the Law Clerk. That is for a Special OCC at \$40,000.

**Paul Moss:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent).

**Paul Moss:** Move for approval of an amended salary ordinance amending the pay for an employee within the budget of Circuit Court, 100-6101-412, Assistant Director of Court Services, classification from PAT 4/7 to EXEC with a salary from \$50,006 to \$62,375.

**Tom Harris:** Second.

**Darren Vogt:** Is there any discussion?

**Roy Buskirk:** I just wanted to point out that this is a 23% increase in wages but in talking with HR, they should have come before the Personnel Committee or HR before now. The points of her current position, she should have had a pay raise before now. The \$12,000 increase is actually making up for some that was not done earlier.

**Darren Vogt:** Is there any further discussion? All in favor please signify by saying aye. The motion passes 5-1(Buskirk)-1(Brown absent).

**Paul Moss:** Move for approval of an amended salary ordinance for Probation Investigator-NCIC, classification from Special OCC to POLE 4/2, salary from \$48,341 to \$36,157.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. Is there any discussion?

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**Bob Armstrong:** Is this gentleman retiring? You are going to fill this position? Is it going to be filled internally? Do you have any idea?

**Tom Felts:** I don't believe so right now. It is Eric's call.

**Bob Armstrong:** Okay, that is fine.

**Darren Vogt:** All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent).

**Paul Moss:** I would like to say that this is really a labor intensive way of saying that it takes two people to replace Tim.

**Tom Felts:** If I can close the loop, in Personnel Committee Roy asked if he could borrow a pen and we had our judicial conference at the Marriott in Indianapolis last week and I managed to come back with seven pens.

**Tim Miller:** If I may, I would like to take this opportunity to thank my boss, Judge Felts, for the last eight years. All of the folks sitting around the table, I have met some very interesting people. I have had a lot of opportunity for education that I would not have received in any classroom. I appreciate that. There are a lot of good people in the County and they work hard and hopefully we can get to the point where we can recognize them on a more regular basis.

**Darren Vogt:** Thank you and I will take the interesting part as a compliment.

**Roy Buskirk:** One other comment, the Receptionist/Scanner will be removed from your group?

**Tim Miller:** That is correct.

**Cathy Serrano:** We have one more item.

**Darren Vogt:** Yes, the Board of Health.

**Cathy Serrano:** Yes, this is consideration of a salary ordinance for a new position of Executive Administrative Assistant, OSS 5/1 at \$31,832. What they are actually doing is they had an Administrative Assistant position and this is an upgrade. That person basically operated as a Secretary. It was fairly low level, receptionist basically. This new position is going to have a lot more going on. They are going to be writing grants and working more closely with Dr. McMahan and working with some of her community efforts. There will be a lot more responsibility. They talked to the incumbent and she was

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not interested at all in doing these duties. She will be leaving County employment and they will be posting the position.

**Tera Klutz:** I have one clarification. On the agenda, it says OSS 5/1 at \$31,832 however we automatically pass salary ordinances at Step Two. On Paul's sheet it says OSS 5/2 at \$33,106.

**Darren Vogt:** That is because they move up after six months.

**Roy Buskirk:** My one question is OSS 5 has a lower salary than what we just had in the Circuit Court for an OSS 4.

**Tracy Mitchener:** That is because the other person is an internal candidate that is taking that position and they are at a higher step. This is a new position that we haven't posted yet.

**Roy Buskirk:** So how much difference between a four and a five?

**Tera Klutz:** It depends how long you have been here.

**Roy Buskirk:** I understand that.

**Jackie Scheuman:** It is about \$1,500.

**Roy Buskirk:** Each Step?

**Jackie Scheuman:** Not Steps.

**Tracy Mitchener:** \$30,169 for an OSS 4, Step 2 and OSS 5, Step 2 is \$33,106.

**Roy Buskirk:** Okay. I am not a rookie either and I still don't understand this.

**Paul Moss:** Move for approval of a salary ordinance establishing the pay for an employee within the budget of the Department of Health, 285-7301-441, Executive Administrative Assistant, OSS 5/2 with an annual salary of \$33,106.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). The Commissioners are, I am not sure what they are doing but we are going to move back up to the sale of County-owned real estate. We have a gentleman named Michael Archbold from Remax who is the listing agent on it.

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**Michael Archbold:** Michael Archbold, Remax Results in Fort Wayne.

**Darren Vogt:** Can you tell us what is going on with this property?

**Michael Archbold:** It is the Allen County Clinic that has been for sale. I was asked to list it. I understand that there have been some consolidations going on between the City and the County and there are some properties that the County is looking to sell. I have been brought in as the listing agent. My understanding is that there have been changes in State law that now require us to come before you and to have a public hearing which happened a couple of weeks ago. At the public hearing, there were no objections and so the Commissioners pushed it to you. We do have an offer on the property and the sale is contingent on this body approving it.

**Darren Vogt:** How much is that offer?

**Michael Archbold:** The offer was for \$110,000. That is the accepted amount. The list price on the property was \$130,000 and the offer came in at \$100,000. They settled at \$110,000.

**Darren Vogt:** Council, are there any questions on this?

**Roy Buskirk:** What was the property appraised for?

**Michael Archbold:** There was an appraisal done in April when we listed the property. There were two appraisals done at \$121,000 and \$125,000. They are in the process of getting another appraisal done.

**Darren Vogt:** That has been done. I talked to them last night. They had to get that...

**Roy Buskirk:** ...in order to sell it. They can't sell the property for less than the appraised value. If they go to auction, they can.

**Darren Vogt:** Or if they have so many appraisals done, they can. They can sell it based on what they have now.

**Michael Archbold:** I can tell you that I have not been contacted and told that the appraisal came in lower.

**Roy Buskirk:** I will make a motion that we approve the sale at \$110,000 subject to appraisal.

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**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). With that, we are onto Discussion Items. You should see a list of dates for our 2012 Council meetings. We don't necessarily need to adopt them. These are just the dates that are tentatively set. If you know that you have conflicts, we can try to ferret those out and adjust the dates.

**Roy Buskirk:** I think I am going to have a conflict on the February 16<sup>th</sup>.

**Darren Vogt:** Council, we have expiring Board Appointments and we have some names submitted. I have talked to most of you briefly about some of these. I will list the names that we had talked about and see if those are in agreement and we will move on. What I would like to do, the folks that we don't select for a Board Appointment, we send them a thank you for applying letter and that we will keep their information on file if something comes up in the future. What I am showing is Alcohol and Beverage Commission is Ozzie Mitson; Allen County Child Care Facility Board is Roger Brugh; PTABOA Board is Dave Meyers and Judy Macon; Redevelopment Commission is Paula Hughes and me; Regional Sewer District is Aaron Knight and Woodburn Economic Development Commission is Tom Harris. Council, is there any discussion on those?

**Kevin Howell:** The person on the Sewer Board is Don Niemeyer. Did he apply again for this?

**Roy Buskirk:** As I explained to you before the meeting, Kevin, it was discussed and we appreciated the work that he did but we think that sometimes we need new eyes on some of these Boards.

**Darren Vogt:** Most of these people have been serving for five plus years and that is why we decided to do things a little bit differently.

**Roy Buskirk:** Don has served on there as long as I have been on the Council and so that is over nine years.

**Darren Vogt:** There is nothing wrong with his service and I talked to him about it. I talked to each one of the appointments and told them that there was a possibility that they might be replaced.

**Paul Moss:** Do you want these one by one?

**Darren Vogt:** You can group them up. I am okay with that.

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**Paul Moss:** For Alcohol and Beverage Commission, I know Ozzie Mitson is a good choice for that one. For the Allen County Child Care Facility Board it is Roger Brugh. The PTABOA Board is Dave Meyers and Judy Macon. The Redevelopment Commission is Paula Hughes and Darren Vogt. The Regional Sewer District is Aaron Knight and Woodburn Economic Development Commission is Tom Harris.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent).

**Roy Buskirk:** I would make a comment on that PTABOA Board. On those two appointments, one has to be a Democrat and one a Republican and they have to complete their Level Two Assessor Schooling to be able to serve on that. If you know anyone that is interested in possibly serving on that, they would have to start after the first of the year on the schooling and everything so that they could be appointed a year from now.

**Darren Vogt:** Council, I want to jump back to the Chamber of Commerce letter that you have in front of you.

**Tera Klutz:** We have an addendum too. I just wanted to remind you.

**Darren Vogt:** Oh, that's right.

**Tera Klutz:** I will talk about the addendum. I am requesting \$146,022.82 to be approved to be paid out of County Council's Contractual line. It is currently appropriated. This is to cover General Fund expenses that were paid out of a Title IV-D Fund. Title IV-D money can only be spent on child support. This expense was supposed to be out of the General Fund and the State Board is requesting that we correct it this year instead of waiting until next year. You already have money appropriated.

**Bob Armstrong:** So this is just a fix.

**Tera Klutz:** Yes.

**Darren Vogt:** It is a fix and will reduce our rollover. How much do we have in that line?

**Tera Klutz:** You have \$345,000.

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**Darren Vogt:** Okay, are there any questions on that? We need a motion for approval.

**Kevin Howell:** So moved.

**Bob Armstrong:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent).

**Tera Klutz:** Can I bring up one other thing regarding the budget? You had \$520,000 that you earmarked of the current appropriation for Oversight Permitting Board. We are going to encumber that under the vendor, City of Fort Wayne, until we find who gets the bids for those. I don't think you want to re-appropriate those and so we are going to encumber it. The other thing that we are encumbering is the \$1.6 million loan from the Rainy Day Fund because the current bid hasn't technically been awarded and the payment has not been made. With the contracts in place, we felt that we could encumber that money.

**Darren Vogt:** Great, thank you. On the Chamber of Council letter, are there any questions at all?

**Paul Moss:** I don't understand why we wouldn't just do a resolution on our letterhead and go that way. To me, this is more like a letter to an employer.

**Darren Vogt:** What they are trying to do is build a coalition of groups. The Board of Commissioners signed it and it is more to show that not only businesses but government entities are signing onto it as well.

**Roy Buskirk:** I think they thought it would be more of an impact in the fact that it would be all of these groups agree with it and it would be one presentation with all of the groups. That is the way I understood it.

**Darren Vogt:** Chamber members got emails yesterday regarding this to sign up individually for it and receive as much information as possible.

**Tom Harris:** There is a lot to this, without reading through all of it. It states that the States that have not agreed to this or support Right to Work grew at 24% while the States that did agree grew at 40%. Ultimately that is what we are trying to do for the taxpayers in this community, grow economic development. That is what this can help to do.

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**Roy Buskirk:** According to a Chamber survey, about two-thirds favor it and one-third opposes it.

**Paul Moss:** Do you want a motion?

**Darren Vogt:** Yeah, let's have a motion.

**Paul Moss:** Move to approve the resolution that the Chamber drafted in support of the Right to Work legislation.

**Tom Harris:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1 (Brown absent). With that we have Recent and Upcoming Meetings.

**Roy Buskirk:** Tera mentioned about transferring the money for the Permit Committee and we have awarded two of the three RFP's. The one is for the Project Manager who will oversee the entire project. The other firm will be looking at the different ordinances that the City and the County have and trying to incorporate them so that the City and the County will be the same. Tomorrow, we will be meeting in reference to the Ombudsman. We had three apply for it and we have reduced it to two. We want to have interviews with the two companies. We are having an interview with one tomorrow. The other one is currently having some health problems and so we might not be able to interview them for a couple of weeks. We will be discussing how long we will wait or if they can have someone from the staff make the presentation.

**Darren Vogt:** Are there any other upcoming events? I will say that I have been working with the Alliance and the Chamber of Commerce on a work plan for the Alliance. We are almost through that. I think you have seen drafts of John Stafford's version. We are doing some things where we are trying to identify economic development and whose role and responsibility it is within the community. It will be interesting when we get it all said and done and we will share that information. It should be wrapping up here relatively shortly. With that, we need an approval to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of December 15, 2011.

**Roy Buskirk:** So moved.

**Kevin Howell:** Second.

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**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown absent). Our next County Council meeting is January 5<sup>th</sup> in the Chambers. This will be the organizational meeting.

**Roy Buskirk:** One of the Commissioners is here in case there is anything more to say on the sale of the property.

**Darren Vogt:** Come on up, Commissioner Bloom. We did approve the sale of the building.

**Linda Bloom:** Linda Bloom, County Commissioner. The first appraisal came in around \$120,000. We were not getting any offers. We got an offer and reappraised it and because of the economy and everything, this appraisal came in at \$108,000. If it is between the two, it can't be less, we can sell the building. We have a sale for \$110,000 and I hear that you approved the sale. Thank you very much. That is the first of the three buildings to be sold. We have the one on West Berry listed and we will list the one on Wallace Street.

**Darren Vogt:** Great, thank you. Council, see me after the meeting because I have a key code that you will need to get into the official Council office. We did get some chairs ordered.

**Bob Armstrong:** Is this a warm and fuzzy meeting room? Are we going to use this room?

**Darren Vogt:** I have used it to have conversations with Council members. You can use it anytime. It is our room to use for what we see fit.

**Roy Buskirk:** If you are meeting with a constituent that is an option too.

**Darren Vogt:** I do need to have a conversation with the Building Manager. They are talking about taking out the doorway into the other area and that doesn't make any sense to spend money to do that. Is there anything else for the good of the order?

**Bob Armstrong:** Move to adjourn.

**Tom Harris:** Second.

**Darren Vogt:** We have a motion and a second. All in favor please signify by saying aye. The motion passes 6-0-1(Brown).

There being no other business, the meeting adjourned at 11:13 a.m.