

ALLEN COUNTY COUNCIL MEETING MINUTES
APRIL 18, 2013
8:30 AM

The Allen County Council met on Thursday, April 18, 2013 at 8:30 am in the Discussion Room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Robert A. Armstrong, Larry L. Brown, William E. Brown, Roy A. Buskirk, Tom A. Harris, Kevin M. Howell, and Darren E. Vogt.

Also Attending: Tera Klutz, Auditor; Nick Jordan, Chief Deputy Auditor; Jackie Scheuman, Finance and Budget Director 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: Good morning everyone. First on the agenda is the approval of the March 21st meeting minutes. Are there any additions or corrections?

Roy Buskirk: Move to approve the minutes from March 21, 2013.

Bob Armstrong: Second.

Darren Vogt: All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. Next is Auditor Klutz and the financial report.

Tera Klutz: Good morning, Council members. The financial statements are a little different and I wanted to explain two things that happened. One is that we earmarked money last month and that is included on the General Fund financial statement. We received tax rates and did tax bills for 150,000 taxpayers and we got the best estimate of what the Circuit Breaker amount is going to be. They are a little higher than we had originally projected. In the General Fund, we had projected \$5.5 million and it is \$6.2 million. That is about a \$700,000 swing. Over all of our funds, it is about \$820,000. The bulk of the change is in the General Fund. There was a new law that required that if you had a bond fund or a debt-service fund, it was going to be shielded or protected. They called it protected funds from the effects of the Circuit Breaker. The taxpayer still gets the Circuit Breaker but they put the loss to your other funds. This is the first time that this has happened.

Roy Buskirk: They probably did that so that they can assure the investors that it would be funded.

Darren Vogt: Are there any further questions for the Auditor on the financial report?

ALLEN COUNTY COUNCIL MEETING MINUTES

Tera Klutz: I gave each of you a few of the analysis that we do regarding the Circuit Breakers. These are also available online. This is so you can see the change from year to year on the Circuit Breakers by type and the effect on the tax units in Allen County.

Darren Vogt: As I am reading this and am just now getting it, the total Circuit Breaker loss for Allen County went up about \$5 million, right?

Tera Klutz: Yes, that is correct.

Darren Vogt: Is that a trend that we should continue to see and we would see a decrease in revenue on an annual basis?

Tera Klutz: That is a great question. The first page shows the actual Circuit Breakers awarded to taxpayers in Allen County and it shows that we increased \$5.5 million. We should expect that trend to go up every year because 33% of the homeowners and all of the businesses and the rental properties are already at the cap. They are not going to pay much more unless their values start increasing. Any new growth in government revenue will be seen in the Circuit Breaker column because you are not going to get more. We should go to what we are collecting and how does that compare to prior years to see if we are getting new money or is the revenue decreasing. That is the second page. For 2013, Allen County is set to get about 1.4% more than we did last year. We are estimated to bring in slightly more than last year. We gave you all of the units so that you can see that some units are expected to get less. I will bring up the City of Fort Wayne. They held their levy flat and they are expected to get about 1.6% less than last year. They will be collecting a little less revenue than the prior year.

Roy Buskirk: The reason for that are the ones that have already hit the Circuit Breaker, will hit the Circuit Breaker more because of the taxes going up than those that were under the Circuit Breaker and paying more taxes. That is the reason that the number is not the same.

Tera Klutz: Right because we levy our tax on the unincorporated areas as well as the people in the Cities and Towns. The taxpayers that are out in the County and are not in a City or Town are not at the caps yet. As we increase revenues by 2.8% last year, they are going to pick up that increase and actually pay the increase. That is why we are seeing slightly more revenue. There are letters off to the side and if you flip the page over, you will be able to see an explanation and the reasons why there was a significant fluctuation in the percent of levy change.

Tom Harris: I have a question on the first page. The \$5.5 million increase, is that number going to grow exponentially each year? Next year it could be \$6 million.

Tera Klutz: Next year, it could be \$10 million. It just depends on the values. If our market starts picking up like it looks like it is, the Circuit Breaker will kind of flat line itself out. We can raise new revenue without people hitting those caps. It really depends

ALLEN COUNTY COUNCIL MEETING MINUTES

on the market but I do anticipate it going up. I don't know if the market will go up as much as the other units that are raising taxes.

Tom Harris: Speaking in a very generic term, the thought was that we would go through a few years of turmoil until it levels out. Are you saying that it will not necessarily be the case? We will still stay on this volatile up and down?

Tera Klutz: I am not sure what the future holds is what I am really trying to say. Allen County, as a whole, and several Cities and Towns has not seen their assessed value grow yet. I am hopeful that the pickup in the market will be reflected in the increased assessed values next year. If that happens and it can trend forward and the increases go up every year, this could flat line. This could work as it was intended by the State Legislators when they passed it. I am not sure.

Tom Harris: Are they?

Tera Klutz: Is anybody sure? No.

Roy Buskirk: The one thing on that is the \$5.5 million to me is a little misleading in the fact that some people would think that is how much less revenue than what it was the previous year and that is not what it is saying. You have to take the increase that you have in the unincorporated area and subtract it from the \$5.5 million.

Darren Vogt: Are there any further questions on the financial report? I have lost track. Do we have a motion?

Becky Butler: No.

Darren Vogt: Is there a motion to accept the financial report?

Tom Harris: I will make a motion to accept the financial report.

Larry Brown: Second.

Darren Vogt: **We have a motion and a second. All in favor signify by saying aye, opposed, same sign. The motion passes 7-0.** Nick, do you want to highlight the unemployment?

Nick Jordan: Good morning, Council. On the agenda, you see January and February rates. March will be out tomorrow. For Allen County, we went from 9.1% in January to 8.9% in February. Indiana went from 9.6% in January to 9.3% in February. The National went from 8.5% in January to 8.1% in February.

Darren Vogt: Are there any questions on that? Moving along, the first item on the agenda is the Sheriff's Office. They have some grants to apply for.

ALLEN COUNTY COUNCIL MEETING MINUTES

Dave Gladieux: Dave Gladieux, Chief Deputy for the Sheriff's Department. I have before you, three requests for grants. These are annual grants, the SCAAP grant and the DAC grant and the Bulletproof Vest grant. That last one is a 50% match. They all assist us, especially the SCAAP grant, in running some of the things at the Jail. We can use that money for various reasons such as vehicles and small maintenance issues at the Jail. Also, overtime, training and things like that and programs for prisoners.

Darren Vogt: Can you explain on each one where the dollars come from?

Dave Gladieux: The Prosecutor is here to talk about the DAC grant and that is funds coming from the Misdemeanant Fund. That is our share or our cut for dealing with inmates and the arrest procedures and things and the fines that they receive.

Darren Vogt: The Bulletproof Vest Partnership grant, where does that money come from?

Dave Gladieux: That is a Federal grant. It is a matching 50%. I don't know if you got the front page that breaks down the last few years. It has not been very impressive but we cover the rest. Unfortunately, those funds seem to be drying up as the years go by.

Darren Vogt: Councilman Buskirk.

Roy Buskirk: On that particular one, you are applying for July 1, 2011 to June 30, 2012. As you were saying, the amount on the State Criminal Assistance Program, it keeps going down. In 2011, you got \$25,000 and in 2012, you got \$20,000. What is the County's cost in that program? We are not getting reimbursement for our total cost.

Dave Gladieux: Probably not.

Roy Buskirk: It is worth going after but I just wanted to know if you knew offhand about what the total cost is. This is basically for housing illegals, correct?

Dave Gladieux: Yes. Those numbers fluctuate through the year.

Roy Buskirk: \$20,000 is nowhere near the cost.

Dave Gladieux: But it is \$20,000 more than we have.

Roy Buskirk: Oh, yeah.

Tom Harris: It looks like it works in reverse based on the data that we provide. We don't project.

Dave Gladieux: Right. That would be the crystal ball thing that she was talking about.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: According to this document, it states that they look at data that we provide them and they figure it on some kind of growth or something.

Darren Vogt: Are there any further questions? We need a motion for all three grants if you could read the grant and name into the motion, it would be great.

Tom Harris: I will make a motion for them to apply for grants including the Drug and Alcohol Consortium of \$30,300, the SCAAP grant and permission to apply for the Bulletproof Vest Partnership grant for \$20,615.

Roy Buskirk: Second.

Darren Vogt: We have a motion and a second. All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. The Prosecutor is next.

Mike McAlexander: Mike McAlexander, Chief Deputy Prosecutor. I am here to request approval to apply for a DAC grant. The Drug and Alcohol Consortium will be here in a couple of months for approval of the grants that they are recommending. These fees are from people who have been convicted of OWI. They pay a \$200 fee and \$150 of that comes back to the County and is run through DAC. DAC is mandated, by law, to separate them out to funds for prevention, intervention and law enforcement. What we are asking for on this grant is for video recording equipment in the breath-testing rooms. We have three rooms, at this time. One is at the lockup, one at the State Police Post and one in New Haven. What we are looking for on this one is allegedly the State has purchased new breath-testing machines and they have been sitting in a warehouse for the last couple of years. As you may know, there has been a certain amount of upheaval in the Department of Toxicology but they are hopefully going to roll out the new machines by the end of the year. We have had a request in for some time that when they do this, we get another breath-testing site. In order to do that, we also need to equip it with recording equipment. What we use these for is evidence at the trial to show exactly the demeanor and behavior of the individual that was brought in on suspicion of drunk driving. Particularly, since we have implemented the program where we are getting search warrants for their blood for people who fail to comply or agree to take a breath test. The videotaping has become more important because if they continue to refuse on those, we are filing contempt actions against those individuals. They would be held in contempt for disobeying a court order.

Darren Vogt: Councilman Buskirk.

Roy Buskirk: In the information that you provided to us is that you currently have three and are asking for equipment to set up a fourth one. You mentioned the fact that we are experiencing a stack-up time on being able to give tests.

Mike McAlexander: There are times when, everybody that is arrested eventually has to be brought down here to B-90. It takes about twenty minutes, usually, because the Officer has to observe the individual for twenty minutes and there is some time involved once

ALLEN COUNTY COUNCIL MEETING MINUTES

they get them into the room if they give them performance tests or are calibrating the machine. If we get two or three or four people coming in at the same time, these tend to be between midnight and 5:00 a.m. If we could spread it out over the whole day, we wouldn't have a problem but most of the people that are out there drinking and driving are in the middle of the night.

Roy Buskirk: I guess I was wondering if all three locations, at first I was thinking this was for the blood test because of the recent changes and everything.

Mike McAlexander: It should help us on that because sometimes with the blood test, someone from my office has to come down to lockup, we then consult with the Judge, we fax the search warrant to them and they have to turn around and send it back to us. It is not something that happens in five minutes. That person is going to be tied up for a good 45 minutes or so for us to get in and get the search warrant and get it back.

Roy Buskirk: I remember a couple of years ago that there were some problems with the storage with the DVD's and some equipment updates and everything.

Mike McAlexander: That is part of this as well. We are asking for a new server. I think the first one went in when we switched from VHS tapes to DVD's in 2005 or 2006. We had that server and it is now getting full. I think there is \$1,500 for a new server.

Roy Buskirk: Yep, \$1,515. How long do you store the tapes? Is it after the trial and whatever? Is there a point in time that you can erase?

Mike McAlexander: With mechanical tapes, we used to keep them a minimum of five years because the statute says if you get another conviction within a five-year period, it can be elevated to a felony. We tended to use a rough rule of destruction that way. This is a little bit different. Some of them are downloaded to a DVD for use in court. This system allows us to observe them from our desk and we don't have to go to the trouble of creating another tape or DVD.

Roy Buskirk: I think that was part of the problem too that it was tape and the space that was being taken up...

Mike McAlexander: We have cleaned up a lot of space in the basement by getting rid of VHS tapes.

Roy Buskirk: All right.

Darren Vogt: Councilman Harris.

Tom Harris: This is obviously going to continue to make the Prosecutor's Office more effective and more efficient.

ALLEN COUNTY COUNCIL MEETING MINUTES

Mike McAlexander: We certainly hope so. Obviously the goal of the recording equipment is to make for better statements. When somebody goes to trial, they look a little different than what they did at 3:00 in the morning.

Tom Harris: Do you anticipate job pay to change as a result of this new technology? You are already doing it in certain locations. The incumbents that are working with the machines and technology aren't going to see a pay increase because they are working with a different machine.

Mike McAlexander: No.

Darren Vogt: Are there any further questions? Is there a motion to approve the Prosecutor's Office applying for the Indiana Department of Toxicology grant for OWI Testing Room Equipment in the amount of \$9,386?

Bill Brown: So moved.

Bob Armstrong: Second.

Darren Vogt: All in favor signify by saying aye, opposed, same sign. The motion passes 7-0.

Roy Buskirk: I do have one question, Mike. I noticed on yours and some of these other grants that the deadline for the grant was March 28th and we are past that date.

Mike McAlexander: We kind of got behind in getting over to see you. The one thing about the DAC grants, however, is that you have to ultimately approve them later. I am on the Board of DAC as well and DAC usually makes a presentation in May or June and they will give you the full number of grants that have been asked for. You get, if you will, two bites of the apple on the law enforcement ones. For example, Fort Wayne applied for stuff, New Haven applied for stuff and Excise Police applied for some equipment. Usually the law enforcement side is an equipment grant. The other parts of it, in particular the prevention frequently goes to youth programs and other types of programs that strive to educate or prevent drug abuse in Allen County.

Roy Buskirk: I guess I get a little confused in the fact that we just approved and granted the permission to apply for the grant and you have already done it.

Mike McAlexander: Sometimes we get hit with these things with the grant cycle opening March 7th or so and that doesn't always hit the same cycle that you are on for your meetings.

Roy Buskirk: Okay, thank you.

Darren Vogt: Moving along, the next thing on the agenda is the Assessor's Office with a transfer.

ALLEN COUNTY COUNCIL MEETING MINUTES

Stacey O'Day: Good morning, Council, Stacey O'Day, County Assessor.

Ryan Keuneke: Ryan Keuneke, Chief Deputy Assessor.

Stacey O'Day: We are here to ask if we can move some General Fund line items from some staff that, through attrition, we no longer have. I think that the money would be best served for the taxpayers if we can move it to consulting so that we can spend the money on current appeals which are going to need appraisals for litigation cases.

Darren Vogt: Councilman Buskirk.

Roy Buskirk: This is three positions and they have retired or...

Stacey O'Day: They have retired or moved on, yes, all of the above.

Roy Buskirk: These are positions that you are not going to fill?

Stacey O'Day: No, sir. We have actually, in the last several years, reduced the staff by nine people so far. I think that since the consolidation of the township government, we have been able to streamline the productivity in the office to get to a point where we don't need as many staff members.

Roy Buskirk: Okay. One of the reasons for doing this is additional consulting fees and appraising fees primarily in commercial property?

Stacey O'Day: Correct. We see appraisals quite often on the commercial side and it is just more common to see appraisals on that side. At the IBTR level, we are going to defend our assessments and we really need to match an appraisal with an appraisal.

Tera Klutz: That is the Indiana Board of Tax Review.

Stacey O'Day: Thank you, Tera.

Roy Buskirk: My next question is on Glenbrook. That thing has gone on for a couple of months now, years.

Stacey O'Day: A couple of months or years. We are in negotiations with Glenbrook and hopefully we are near the end of that. That is really all I can say right now during the process of litigation.

Roy Buskirk: Okay. I guess to make fellow Council members aware, at one time there was the possibility of refunding a sizeable amount of money to them.

Stacey O'Day: That is always the case with any kind of appeal.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tera Klutz: Especially one that has been going on for ten years.

Darren Vogt: Are there any further questions? I do have one. With those nine people, I don't have the numbers in front of me, have your overall expenditures decreased?

Stacey O'Day: Yes.

Darren Vogt: Okay. At some point, if you could, we will look at a line item and see how that's done.

Stacey O'Day: Sure.

Darren Vogt: I appreciate the fact that you're taking a look at something and we had the ability to consolidate and that consolidation did save money. Those critics that said consolidation doesn't save money, I would like to say that sometimes it does. It sometimes makes it more efficient and sometimes it saves money. There are two ways of looking at that and this is one where we saved some money. I appreciate that effort.

Stacey O'Day: I would be very happy to provide you with those.

Darren Vogt: Are there any further questions?

Roy Buskirk: Should we eliminate them line items?

Darren Vogt: We can't eliminate them. We will zero them out. We can for the 2014 budget which I am assuming that you will do that.

Stacey O'Day: We have steadily, over the last several budget years, decreased the line items. We plan on doing that again.

Darren Vogt: Okay. We need a motion.

Bob Armstrong: I will make a motion that in the Assessor's Office we will transfer from County General Real Estate I, \$28,707; Residential Appraisal Deputy, \$15,603 and Residential Appraisal Deputy, \$29,490 for a total of \$73,800 to be transferred to the Consulting Services.

Tom Harris: Second.

Darren Vogt: **We have a motion and a second. All in favor signify by saying aye, opposed, same sign. The motion passes 7-0.** Thank you. Council, if you turn the page on the agenda, you will notice that we are at the end of our agenda.

Roy Buskirk: Oh no, no, no, we have discussion.

Darren Vogt: Okay, with that, we have Discussion and Other Business to come before Council. I have one item to discuss. I will make it quick. Councilman Bill Brown is the

ALLEN COUNTY COUNCIL MEETING MINUTES

liaison for Youth Services and their meetings happen to be at a conflicting time and so we need someone to step up and take Youth Services. You don't have to do it at this point in time but if you could get with me for someone to do this, that would be great.

Tom Harris: Are those still at noon?

Bill Brown: Yes they are six times a year.

Tom Harris: I served it the last time but we can discuss it. I have been on it the last two years.

Darren Vogt: Does anybody else have anything for the good of the order? Are there any Recent or Upcoming Meetings? Tonight is the Northwest Area Partnership meeting at 6:30 at that church on Cook Road that I can never remember the name of. Does anybody have anything else? Liaison reports, does anyone have anything? Councilman Harris.

Tom Harris: I was going to mention that the 2012 Allen County Annual Report has been out and for those that have not seen this, it is a tremendous document. It shows a number of initiatives and the success of economic development in Allen County. It is a great overview. I would encourage anyone who wants to understand a little bit more about the variety of initiatives that County government is involved in, this is a great summary. It is available through the Commissioners' Office and is on the website.

Darren Vogt: Are there any other comments from Council? If not, we need a motion.

Bob Armstrong: I'll make a motion to adjourn.

Darren Vogt: Table that motion for one second. Can you make another motion to waive?

Bob Armstrong: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of April 18, 2013.

Roy Buskirk: Second.

Darren Vogt : All in favor please signify by saying aye. The motion passes 7-0.

Bob Armstrong: Move to adjourn.

Tom Harris: Second.

Darren Vogt : All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0. There being no further business the meeting was adjourned at 9:02.