

**ALLEN COUNTY COUNCIL MEETING MINUTES**  
**FEBRUARY 26, 2013**  
**8:30 AM**

The Allen County Council met on Tuesday, February 26, 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; Therese Brown, 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:** Good morning everyone. First on the agenda is the approval of the January 17th meeting minutes. Those were sent to you electronically and you should have those. Are there any additions or corrections?

**Roy Buskirk:** Move to approve the minutes from January 17, 2013.

**Bob Armstrong:** Second.

**Darren Vogt:** All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. With that, we need our financial report.

**Tera Klutz:** Good morning, Council. You have the January financial statements in your packet and there are no surprises during the first month of the year.

**Darren Vogt:** Are there any questions?

**Tom Harris:** Yes, Tera, last month we talked about the rollover and it was still tentative and wasn't final. I just wanted to find out what that number was for the rollover for last year.

**Tera Klutz:** The amount of money for appropriation at this time is about \$2.6 million. That is made up of a combination of revenue exceeding estimates and unspent appropriations from departmental budgets. It probably represents about three percent of our total budget.

**Roy Buskirk:** But how much is rollover?

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**Tera Klutz:** Rollover is the amount of cash that you have available. Unspent, I will find for you right now.

**Roy Buskirk:** While she is looking that up, we have the unemployment next. I think there is an order of congratulations to our Deputy Auditor for him and his wife having a son. Congratulations.

**Nick Jordan:** Thank you.

**Tera Klutz:** The unspent in the salary line alone was \$1.3 million. The unspent in services was \$1 million.

**Roy Buskirk:** So about \$2.3 million is what I consider being rolled over from last year's budget into this year's budget. Thank you.

**Tera Klutz:** You're welcome.

**Darren Vogt:** Are there any other questions for the Auditor? Not hearing any, we need a motion to approve the financial report.

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

**Bill 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, could you highlight the unemployment numbers?

**Nick Jordan:** Good morning, Council. On your agenda, you see the November and December unemployment rates. For Allen County, it went from 7.4% to 7.9%. Indiana went from 8% to 8.5%. The national went from 7.4% to 7.6%.

**Darren Vogt:** Thank you. Are there any questions on that?

**Roy Buskirk:** I just want to make the comment that Illinois, Michigan and Ohio had quite a bit of an increase in the unemployment rate.

**Darren Vogt:** Moving right along, we will go to Economic Development. They have several things to discuss.

**Nikki Liter:** Good morning, Council, Nikki Liter with DPS. The first thing on here is the Interlocal Cooperative Agreement for Hometown and Allen County. Basically you are the last stop for signatures today. Back in 2011, Parco was located in the Hometown city limits and they requested abatement on some new equipment. They were in a building that they were leasing and Hometown had approved a three-year abatement on their equipment however, Parco found a building in the last couple of months in Allen County

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and they decided to buy it. They wanted to keep the abatement on their equipment and so what we are doing is an agreement between the County and Huntertown that says Huntertown will carry the last two years of the abatement and then the taxes will rollover into Allen County after that.

**Darren Vogt:** Are there any questions on that, Council? We would need a motion to approve the Interlocal Cooperative Agreement for Huntertown and Allen County.

**Bill Brown:** So moved.

**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. Next is Tax Phase-in.

**Nikki Liter:** I will try to back up towards the beginning here just to give everyone a little bit of history. In 2011, City and County Councils formed a joint committee and they talked about new laws being able to abate something at 100% for more than one year. This past summer in 2012, the City and County joined a committee to talk about tax phase-ins and trying to get the City and County applications systems more aligned. Just so you know, City and County aren't competing against each other when it comes to offering incentives to people that are coming from outside or even trying to keep people from moving within the County. What you have been given is a summary of what the committee came up with. On the point system, to get a ten-year abatement, the threshold was 75 point out of 100 to be awarded the ten-year abatement. We have dropped that threshold down to 70 points. We did not adjust any of the other points. Again, that is also given to you in your packet as far as the red-lined copies. Those copies are showing you the changes that the County made to their points worksheet along with what the City has done with their points worksheet. Their beginning threshold was 24 points and so they have raised theirs too. What we are looking at today is that staff is recommending that Council approve the changes to our worksheet contingent on what the City is going to be talking about and voting on tonight.

**Darren Vogt:** We will open it up for discussion. Larry, do you have any comments? I know that you lead that group and chaired that committee.

**Larry Brown:** Only that several members of City Council gave quality input including Russ Jehl who probably contributed the most information and I truly appreciated that. I think we succeeded in getting the two policies closer to each other which was our goal. By statute or legislation, there are differences that we can't ignore but as close as possible, we are aligned.

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

**Roy Buskirk:** I served on that committee also. I think the one thing that I think there is a lot of misunderstanding about is that we changed the name of it. We changed it from Tax

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Abatement to Tax Phase-in. There is no refund of current taxes being paid on that property. The Tax Phase-in is only on additional equipment or building that they generate after they have acquired the property. I think a lot of people think that we write them a check and give taxes back because we are abating taxes that have been paid or they are forgiven for current property taxes. That is not the case. This is only for additional assessed valuation on the property after they have acquired it. I think it is very important that people understand that.

**Nikki Liter:** In addition to that, we do not abate the land value.

**Roy Buskirk:** Right. There is one exception and I don't even like bringing it up but if the building has been vacant for one year, the owner can get some assessed value relief. I think it is very important that people understand the fact that it is not lowering the assessed value when they buy the property. It is only on additional improvements that they make to the property and that the property taxes are phased-in over a period of time. Also, some of the regulations and requirements as far as being able to ask for information on employment is restricted by different State regulations that the County has to follow.

**Nikki Liter:** Correct.

**Roy Buskirk:** We are limited on the access that we have to the information.

**Nikki Liter:** We did make one change the last time that the committee joined together. With the application, we added that page about the breakdown of jobs by job code. We are getting a better layout and hopefully we will see that change when compliance forms start coming in. We have also talked about sending them the second page of the application so they can give us a breakdown of their employment now since they have received the abatement.

**Darren Vogt:** Just to clarify, temporary employees are not considered when we look at a Tax Phase-in.

**Nikki Liter:** Correct.

**Darren Vogt:** I think there is a rumor out there that temporary employees are considered for Tax Phase-in and they are not.

**Nikki Liter:** They are not. Part-time is only considered with full-time equivalency.

**Darren Vogt:** Councilman Harris.

**Tom Harris:** One of the challenges in this process is to take a look at the balance of weight between creating and helping existing companies grow. Bringing in new companies and creating new jobs. I was looking at the Jobs Creation Benefits, and I want to understand this, you mentioned that the total number of jobs created is double points

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for start-ups. That is not listed in this column, correct? You would double the amount that is listed, correct?

**Nikki Liter:** Correct. If they are bringing in over 100 people and are a brand-new business, they will earn twenty points on this worksheet.

**Tom Harris:** Very good. There is a little bit more weight towards the creation and attracting new companies into the area.

**Nikki Liter:** Correct and with the County, those are more of the types of projects that we see.

**Tom Harris:** Was that a change, in terms of weight, from the previous way?

**Nikki Liter:** No, that is the way it has been set up for a while. According to the red-lined copy, the changes don't come until about page three. Before that, we did change Part C under Job Creation Benefits. We upped the wages by \$5,000. We are looking at higher wages.

**Tom Harris:** Okay, thank you.

**Darren Vogt:** I think that one other thing to note in the red-lined version is making sure that the economic base is 50% or more if they are outside of Allen County. Employee Benefits is one of the things that a lot of labor has been concerned about and making sure that they are quality jobs. It is never going to be a perfect world especially when it comes to the compliance piece. We have to make sure we are business-friendly as well as allowing people to retain their privacy. We think that with the Statement of Benefits and the new form that we are going to send them, the compliance piece will be buttoned up a little bit as far as the jobs they report.

**Larry Brown:** One other thing that I would like to add is that we get around to saying this every time it comes around but I will say it again, economic development incentives is a continuously moving target based on what is happening in neighboring States and that type of thing. Don't be surprised that we would have to review this again in a reasonable period of time. We need to constantly be looking at it to keep our area competitive.

**Roy Buskirk:** Another thing is, to follow up on that Larry, what happens in Indianapolis.

**Larry Brown:** That is very true.

**Roy Buskirk:** Some of the legislation moves.

**Tom Harris:** I just want to say hats off to those that served in the process and thank you for staying on top of that. The fact that we are working on that process helps to keep it fresh to allow us to move quickly if we need to modify that in the future.

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**Darren Vogt:** Is there any further discussion? We would need a motion for the changes in the Allen County Review System for Tax Phase-in.

**Larry Brown:** I will make a motion to approve that along with a little sidebar comment that we fully expect the City to pass this at their meeting tonight. I would recommend that we do pass this and then if something comes up that we want to adjust after tonight's City Council meeting, we can do so next month, if we choose.

**Tom Harris:** Second.

**Roy Buskirk:** I will second that with a comment that with the City's regulations, it is being introduced tonight and it will be voted on...

**Nikki Liter:** No, it was already introduced on the 12<sup>th</sup>.

**Roy Buskirk:** I stand corrected.

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

**Nikki Liter:** Thank you, Council.

**Darren Vogt:** Up next is the Redevelopment Commission.

**Mark Royse:** Mark Royse, Deputy Director, Economic Development. The Redevelopment Commission is comprised of three appointments by the Allen County Commissioners and two appointments by the County Council. The Commission, in the past years, is emphasizing the relationship amongst the County bodies, the Redevelopment Commission, the County Council and the Commissioners. To that end, Rich Beck, the President of the Redevelopment Commission and with concurrence from the rest of the Commission, wanted me to take a few minutes of your time and give you an update of what the Commission's activities are. If you have any questions after I am done, I would be more than happy to answer them. I just want to take a few minutes and note that the emphasis over the past two years has not only been the Land Banking Program but also once we acquire the property we take the steps necessary to take away any hurdles to development. We spend a lot of time with assessments, wetlands delineations, soil borings, title researches, engineering to get road and water and sewer improvements to those properties. Scott Harrold, just yesterday received word that two of the properties are now certified from the Regional Partnership Certification Program. That is where the emphasis has been and will continue to be for the near future. The Land Banking Program is one where it is supposed to be self-sustaining. Once a property is sold, the money is used to acquire other properties and so forth. If you have any particulars on any of the properties that the Commission owns or any other issue, you were provided a copy of the 2012 annual report and it also includes a breakdown of activities in regards to the tax abatement program.

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**Bill Brown:** Mark, in general, how would you say that our Land Banking Program has worked out? It was a new feature that was brought on and are you pleased from a competitive standpoint?

**Mark Royse:** It is early and we are doing what we are supposed to be doing. I think the overall goal is being accomplished. We have only sold one parcel property but it is from the time that you purchase a property to basically going through all of the processes to get it. We are only a little over two years into it but the interest that we have had expressed has put us into a more competitive position.

**Bill Brown:** To piggyback on that a little bit, how competitive are we, do you feel in Allen County with the surrounding areas and other States? We see 6.6% unemployment in Ohio. I know it is a big State to the east but do you feel that you have the tools that you need?

**Mark Royse:** I think we have something of value and that is that collectively, amongst the three bodies, there is a focused effort on economic development and a willingness to do what it takes to be competitive. We worked on another one of our proposed projects on one of our properties and it was a competitive situation and at the end of the day, they located in Ohio. If you look at what Ohio was providing incentive-wise and what the return was from the jobs that were being provided, they were 75 jobs at twelve dollars an hour. You can only do so much.

**Darren Vogt:** Councilman Harris.

**Tom Harris:** A year or so ago, it felt a little bit that we were like an air traffic controller where we were lining them up and just bringing them in. It seems to have eased or slowed down a little bit and the State of Indiana has passed the Right to Work and there are a number of things that are very conducive for economic development right here in Allen County. Are they lined up? Are we taking a look at them? What is going on?

**Mark Royse:** We are seeing the same if not a little more inquiries into the overall community and specifically to the properties that the County owns. They are shown because they are in a more competitive position of being ready to go. Two of the four properties are certified now and that is another selling point. The other two will be going forward for that certification.

**Darren Vogt:** Councilman Buskirk.

**Roy Buskirk:** Mark just mentioned the one company that we lost to Ohio and that the average wages were twelve dollars an hour. That is something that one has to watch. A couple of months ago I checked and a family of four is a little over fourteen dollars an hour that they can make and still qualify for food stamps. You want to watch about giving away the kitchen sink for a company that is going to be paying twelve dollars an hour. Also, Councilman Harris, there are not a lot of companies running up and down the

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interstate looking for new sites or expanding because of the economic conditions that we currently have. Serving on the Economic Development Commission, I think there is quite a bit of activity for the amount of activity that is currently taking place because of the economy.

**Darren Vogt:** Are there any further questions on the Redevelopment Commission? Thank you very much. We appreciate the update. With that, we will move to our appropriations in the General Fund and Other Funds. We have the Prosecutor up for a grant.

**Karen Richards:** Good morning, Karen Richards, Allen County Prosecutor. We are here to hopefully give me permission to apply for the Domestic Violence Coordinator grant. This is the same grant that we have had for many, many years. The application is due in March and the money comes through ICJI, Indiana Criminal Justice Institute. It is a pass-through for Federal funds. The grant that we are asking for is a little bit over \$44,000 and we have a 25% match on that and it comes from our Infraction Deferral Fund. I don't know how much information you want so I will stop there and answer any questions.

**Darren Vogt:** Council, do you have any questions?

**Roy Buskirk:** I will make a motion to approve the grant request for the Domestic Violence Coordinator.

**Bob Armstrong:** 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.

**Roy Buskirk:** Councilman Harris, I think this is the only one you have on the agenda today but I want the public to know about your work on trying to increase fees to assist revenue for our Sheriff's Department. With the Commissioners working with you and approving the registration fee for the Sex Offenders. I realize that every little bit adds up and I think this is between \$25,000 and \$50,000 that this will generate. Thank you.

**Tom Harris:** Thank you. I think the Auditor was involved in pushing the Sheriff and this is part of the monthly meetings that the Auditor is having with the Sheriff to constantly look at ways that we can increase revenues.

**Darren Vogt:** Okay, let's move on to the Commissioners for the appropriation in Public Information Fund 218.

**Chris Cloud:** Chris Cloud, Commissioners' Executive Assistant.

**Dawn Rose:** Dawn Rose, Commissioners' Controller.

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**Chris Cloud:** This item and the appropriation in CEDIT Fund 329 stem from the way that the two percent increase was timed last year. We had already submitted and advertised the Special Funds. The people who have employees that are paid out of the Special Funds now have to come back and appropriate the money. I like to pay my bills and feed my kids. The increase for PIO and CEDIT, we now take Nikki, Scott and Mark's out of CEDIT based on the request that you made last year. This is for the PIO people and the ones we have in CEDIT.

**Darren Vogt:** This is on page one of the agenda for Fund 218 and page two for Fund 329. Are there any questions on those?

**Bill Brown:** Motion to approve.

**Kevin Howell:** Second.

**Darren Vogt:** We have to give the dollar amount. If you could the dollar amount for Fund 218 which is \$2,487 and Fund 329 is \$4,014. Is there a motion for those?

**Bill Brown:** So moved.

**Kevin Howell:** 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.** Chris, are you handling Fund 273?

**Chris Cloud:** Absolutely. Budgets were submitted before we came to you last year to appropriate the money in this fund and so we are coming to just put the money back in the fund.

**Darren Vogt:** Council, you may recall that we asked them to do the COIT Flood Control and they wanted to have funds available without coming to us at monthly meetings if they needed to react to any incentives that were out there. We asked them to put a budget together for those and that is what these dollar amounts equate to. Is there any discussion on this?

**Roy Buskirk:** Make a motion to approve \$1 million into the COIT Flood Control Fund 273 for Economic Development Incentive Pool, Drainage Expense and Contractual.

**Kevin Howell:** 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.**

**Chris Cloud:** Someone else will need to handle the next one because I am not sure.

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**Nick Jordan:** I can handle this. This appropriation in the General Fund is for the Joint Oversight Permitting Board and is the same thing that I brought in January. It is just the reimbursement that we received from the City of Fort Wayne and this time it is in the amount of \$25,963.

**Roy Buskirk:** This is the way that the funding is set up for the Permitting Board and their expenses. If you recall, the total budget is \$1.4 million which the City pays half and the County pays half. Currently the County goes ahead and pays the invoices and submits them to the City for reimbursement. This is the amount of money that the City reimbursed the County for the past month. This will be on agenda each month for quite a while yet. I will make a motion to approve the appropriation for the Joint Oversight Permitting Board in the amount of \$25,963 for Contractual.

**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. Council, you will note in your packet, on page 66, there is a breakdown of those expenses and what has been paid and what is still to be paid. Nick, I appreciate that information. Department 40, Unappropriate in the General Fund.

**Chris Cloud:** As part of the Commissioners' request to transition the Risk Manager back to an Attorney/Risk Manager. The Commissioners offered to make up the difference between the two salary ordinances and that equates to \$5,276. We are requesting that you take that from our piggy bank and put it in HR's.

**Darren Vogt:** Does everyone understand that?

**Tom Harris:** I will make a motion to unappropriate \$5,276 from the Commissioners' Contractual line to Human Resources FICA, PERF and HR Risk Manager/Attorney.

**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. Thank you very much. Information Technology is next to appropriate in Electronic Map Generation Fund 771.

**Ed Steenman:** Good morning, Council. Ed Steenman, IT Director. The County has had a part-time person who goes out and GPS's all of the new address points, street center lines and addresses within, apartment complexes, shopping centers and things like that. In the past, that was paid out of a fund in Planning Services. Last year, we transitioned all of the GIS Support from Planning Services to IT and this is the last piece of that. This appropriation is to continue to pay that part-time person to do that function. The amount of \$6,100 is based on the hours that he has done over the last couple of years. He averages about 400 hours a year.

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**Darren Vogt:** Council, are there any questions? Not hearing any, we will need a motion for Extra Deputy Hire in the amount of \$6,100.

**Roy Buskirk:** So moved.

**Larry Brown:** Second.

**Ed Steenman:** If I may make another comment before you vote, Fund 771, Electronic Map Generation, does not have a revenue stream. It used to bring in subscriptions fees and map printing fees. Subscription fees have gone away and maps, we may sell \$100 worth a year. We are only going to be able to sustain this probably for 2013 and 2014. In 2015, we will have to find some other means to continue to fund this effort. I just wanted to point that out.

**Larry Brown:** I pointed out to Ed that I thought we should begin discussing with the City in trying to find a way to fund this. This has become a necessary tool for every day operation. We need to figure out a way to either find a revenue stream to support it or some way because we need to continue having this.

**Ed Steenman:** His efforts cross jurisdictional lines. He doesn't care if he is working inside the City or outside the City, Huntertown or Leo, it doesn't matter. He goes everywhere in the County.

**Tom Harris:** Help me understand why this would not have been a part of the budget.

**Ed Steenman:** It was just overlooked.

**Tom Harris:** Okay, it was an error.

**Ed Steenman:** Next year, it will be budgeted.

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

**Roy Buskirk:** Refresh me on the subscription fees that were discontinued. Wasn't that on a move by the Commissioners?

**Ed Steenman:** It was a move of the iMAP Board which is a joint City and County Board.

**Roy Buskirk:** The logic and reasoning was what?

**Ed Steenman:** Nobody wanted to pay for subscriptions anymore. With all of the competition, Google, Bing and others out there, the market for what we had and what we were selling wasn't there anymore. We still wanted to make the data available because we were inhibiting engineers, realtors and so forth from doing what they need to do by making them pay for it. We have GIS data that Bing and Google don't have but it is a fine line between what they have and what we have. We were getting a lot of complaints.

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**Tera Klutz:** And it is available for the public with our Open Door laws and things that we have that don't cost us money to create and were creating for ourselves.

**Darren Vogt:** The idea was to get some of the mortgage companies and people that are using the system to not come down here and use staff time by getting the information on their own. The idea was to lessen the burden on County staff. The revenue was dwindling down to where it was no point to continue.

**Ed Steenman:** It wasn't big money.

**Tera Klutz:** We have been very fortunate, financially, from the GIS side. Right now the City and the County contribute \$120,000 a year and that was so that we can stay current with our photography. However, the State has offered significant discounts and so we have operating money for the system. I know that he said the \$6,100 would go away in two years but we do have other funding sources to maintain GIS.

**Darren Vogt:** We have a motion and a second. All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. Thanks, Ed. With that, we have an appropriation in the General Fund for \$19,500 for Soil and Water.

**Greg Lake:** Good morning, Council, Greg Lake, Executive Director with the Soil and Water Conservation District. I would also like to note that I have Dave Voors, Chairman, and Board Member Dan Wire with me. We are here to ask for an appropriation of \$19,500 to replenish funding to the Soil and Water Conservation District administrative support budget. In years past, this funding was provided through the Commissioners and in preparation for the 2013 budget they elected to not fund the \$19,500. We are asking Council to restore that.

**Roy Buskirk:** I think we pretty well discussed this last month. Unless there are questions, I will go ahead and make a motion. I move to approve the appropriation in the General Fund for Miscellaneous Services for the Soil and Water Conservation District in the amount of \$19,500.

**Bill Brown:** Second.

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

**Larry Brown:** I have a concern that the \$19,500 does not represent any cuts. All departments cut. You can correct me, if I am wrong, but I believe the \$19,500 is not representative of any cuts.

**Roy Buskirk:** There is a couple of hundred dollars cut.

**Greg Lake:** Last year's request was for \$19,907 and it is \$19,500 this year.

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**Darren Vogt:** That is roughly two percent.

**Roy Buskirk:** It is pretty hard to cut that budget much more.

**Darren Vogt:** I would argue that we have asked other departments to make cuts and I understand what Councilman Brown is trying to say on that.

**Roy Buskirk:** I do too.

**Darren Vogt:** Councilman Harris.

**Tom Harris:** Why did the Commissioners choose not to fund that?

**Greg Lake:** To my understanding, it was to help in balancing their request to get in line for what their needs were.

**Roy Buskirk:** Basically, I talked to the Commissioners concerning that and it was that they needed to cut and so they cut.

**Tom Harris:** So, they prioritized all of the different expenditures that they have and they determined that this one was not one of those priorities.

**Roy Buskirk:** Correct.

**Darren Vogt:** Correct.

**Bill Brown:** I think part of it is that they have no authority over Soil and Water.

**Darren Vogt:** Right and we set them up as a stand-alone budget. Going forward, there will be, if we require cuts, they will act as a department and be required to do whatever is required.

**Roy Buskirk:** I think that part of the problem with the Commissioners is the fact that they don't understand what the Soil and Water District does. Actually, there is supposed to be a Commissioner attending their monthly meetings. Since I have been on this Council, I have been the Council liaison to Soil and Water and I have never seen a Commissioner at a meeting yet. That is about ten years.

**Bill Brown:** I will have to say that I attended. It wasn't every meeting but I tried.

**Roy Buskirk:** Bill made the annual meetings.

**Bill Brown:** I learned a lot about the initiatives and the effects that Soil and Water Conservation creates from sediment reduction. The rivers are such a huge component of what we have in the Midwest and in our area and the Tri-State Watershed being a feeder to the Great Lakes. I think we all agree that it is a very important component.

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**Roy Buskirk:** If you read what was provided to you for this meeting and the different projects that they are involved with, one of them was not emphasized quite enough. That is the Clean Water Act which is a Federal mandate. The City of Fort Wayne belongs to it and is based on population and geographic. New Haven also belongs to it and the County belongs to it. There is also Leo-Cedarville and Hometown. They all have to work together and that is one of the programs that Soil and Water handles. District stands for County. It is not for multiple Counties. They also are required to inspect our County landfills. They have a lot of different things that they are required to do that people never hear about. They also work with the City on any kind of erosion or run-off during construction. This is not only during commercial building but also during road construction. When you see the black Silt fence put up, that is part of it. There are a lot of things and programs that if they don't have the funding, we will be in a lot of trouble with the State and Federal regulations. Part of the \$19,500, as explained in the information provided, is used as matching funds multiple times for grants that they obtain. It is about four-and-a-half to one return through the grant money.

**Darren Vogt:** Tera, what percent did we ask departments to cut last year?

**Tera Klutz:** Two point three.

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

**Larry Brown:** Yes. I want to make it clear that I will not vote for this and it is because I don't see a reduction like we asked all other departments for.

**Roy Buskirk:** There is a reduction.

**Larry Brown:** It's only a couple of hundred bucks.

**Nick Jordan:** If it was \$19,907 prior to the \$19,500 and that is 2.044%. It is a little bit less than the 2.3%. If you factor in the seven percent two years ago, then it would be less than the \$19,500.

**Tera Klutz:** I can do the math real quick.

**Darren Vogt:** It would be another \$800 to \$900, right?

**Roy Buskirk:** The motion on the floor is for the \$19,500.

**Bill Brown:** We should probably keep it specific to this year, shouldn't we?

**Darren Vogt:** Yes.

**Tom Harris:** I don't think we should go back two years.

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**Tera Klutz:** They were at \$19,907 in 2010, \$19,907 in 2011 and \$19,907 in 2012.

**Darren Vogt:** I think that may be a request that we have going forward. Now that they are a department, it will iron itself out. In the meantime, I appreciate that there is somewhat of a reduction. I don't know if that was arbitrary or it just happened that way but at least it is less.

**Larry Brown:** I appreciate that too and was in the process of digging out my calculator to see what it was.

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

**Bill Brown:** Mr. President, can I make one comment?

**Darren Vogt:** Sure, go ahead.

**Bill Brown:** Now that you are a department under County Council, what I would like to see at some point in the future is that I believe the silt fence regulation, I know it is Federal, State and IDEM, but when you watch a new facility being built on 69 where there is 140 acres and silt fencing is bean field to bean field, it is not serving the intended purpose. I understand keeping silt out of streams, storm sewers and things like that. Also, the same thing on 69 when you see the top of a hill because it is a property line, there is silt fence running that whole distance. That is the private sector but you have the public paying for these things at three or four bucks a foot. That is an example of an area where I think we can push back. It is pretty easy to understand that typically water runs downhill.

**Greg Lake:** Yes.

**Bill Brown:** Bean field to bean field, the erosion element. What I am asking, if Council pleases, this would be an interesting conversation to have as to why that has to take place.

**Greg Lake:** I appreciate your comment very much. It is very fair and valid.

**Roy Buskirk:** From my road experience, they don't have anything to do with the design or with the location of the filter. Their responsibility is to see that it is done according to how the design was done. Don't expect them to change the location of the filters.

**Bill Brown:** To be clear, this is an example from an economic development standpoint, of the public and private sector spending money for something that is not necessary. When you have a visual like that, it is very evident that people don't understand. I think that is kind of a gateway towards probably a lot of other areas that are wasting money because of this layer of regulation that has been put upon the public and private sector by

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the Feds, the States and down to the local level. I am not faulting you but it would be nice to have some of your expertise on that.

**Darren Vogt:** What might be helpful is what regulation that is. Is it EPA or Federal legislation or does it need to be a mandate kind of scenario?

**Greg Lake:** It is an EPA mandate and is part of the Clean Water Act and comes down and is serviced in Indiana by the Department of Environmental Management and the Soil and Water Conservation Districts are written into that law to provide assistance.

**Darren Vogt:** So the breakdown would be how to break that down to which area of the Federal or State government that we need to set legislative priority, if possible, to get some of those types of things changed.

**Greg Lake:** To be honest with you, I think it is more of an educational effort that is needed. Councilman Buskirk pointed out a very good thing. Oftentimes, when we receive the plan for review, the architectural design will show the silt fence put completely around the property. We will comment on our response back that it is totally unnecessary and that there are only certain areas where that would be deemed to be used. Oftentimes, if that little hash line stays on the map when it is handed to the contractor, he will install the silt fence where the hash lines are. We love to work with developers and contractors to help minimize their cost. I appreciate the comments and look forward to working on that this year.

**Darren Vogt:** Great.

**Bill Brown:** Just to be clear. I believe in the whole notion to controlling run-off. It is very, very important. It's just, don't do it where it is totally wasted.

**Darren Vogt:** Exactly. Thank you. With that, we need to move to Highway and Fund 250 for the Bass Road Project.

**Kim Yagodinski:** Good morning, Council, Kim Yagodinski, Controller for the Highway Department.

**Bill Hartman:** Bill Hartman, Director of the Allen County Highway Department. We have a request for \$1.6 million for the Bass Road Project. I think we sent out an explanation of where this money has come from. Last year, we had a mild winter and we had carryover money in Salt, Fuel and Salary Payroll Taxes. This is the windfall that we are going to need for the Bass Road Project.

**Darren Vogt:** Can you give us an update of what the overall project is?

**Bill Hartman:** We are going to reconstruct Bass Road from Hillegas Road out to Scott Road. We will have a roundabout at Hadley Road, Flaugh Road, possibly at Kroemer Road and Thomas Road. It will be three lanes through most of the project because we

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anticipate future development along that corridor. There are utilities already there and some development has already taken place. We are also going to widen the bridge over I69 to accommodate trails into Buckner Park.

**Larry Brown:** So the County is remodeling or expanding that bridge over I69?

**Bill Hartman:** Yes.

**Roy Buskirk:** The County just basically, on any bridge projects, expands them for trails.

**Larry Brown:** I understand that part. I was hoping that the State would pick up the cost.

**Bill Hartman:** The City of Fort Wayne has a contract on the Covington Road Bridge over I69 for widening for trails as well. There is another bridge out at Yohne Road that was widened for trails. INDOT took care of that one.

**Darren Vogt:** Union Chapel is not going to have a trail on it?

**Bill Hartman:** Oh, yeah. That is just not the one that I was trying to think of.

**Roy Buskirk:** Just so you know that is not just Allen County. It's Statewide. It really, really has to be a rural bridge before it is not including a jogging trail. Even if they are not putting in a jogging trail at the time, the bridge has to have it because of the lifetime of the bridges.

**Darren Vogt:** Any further discussion? Councilman Brown.

**Bill Brown:** Regarding the future annexation of Fort Wayne, I know that there was an agreement in place to try to work out something with the City of Fort Wayne as these newly remodeled roads are put into place. Did that ever get traction?

**Bill Hartman:** Yes that was put in place. If the City of Fort Wayne would annex any part of this project, they would agree to go ahead and take it over until completion.

**Roy Buskirk:** Even after the project is completed, isn't there a number of years such as if they annex it within five years or something, isn't there a percentage of reimbursement?

**Bill Hartman:** I believe it is just during the process.

**Roy Buskirk:** I know that Coldwater and some of them, before the construction was done, it was already annexed.

**Darren Vogt:** Give us a timeframe on this project, just for the record.

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**Bill Hartman:** Bass-Hadley is supposed to bid in 2014. Bass-Flaugh is 2015. Bass-Kroemer is 2016 and Bass to Thomas Road is 2017 to 2018. Scott Road Phase is 2019 to 2020.

**Darren Vogt:** This is a very big project in reality as far as roads.

**Bill Hartman:** It is in the \$35 million range.

**Darren Vogt:** It will be a nice road and nice economic development, from a residential standpoint.

**Roy Buskirk:** Maplecrest is probably the only one that has been bigger.

**Bill Hartman:** Yes because that was one big project all by itself and Bass is five phases.

**Darren Vogt:** Are there any further questions?

**Kevin Howell:** Where does it end?

**Bill Hartman:** Scott Road.

**Darren Vogt:** We need a motion for the request for appropriation in Highway Fund 250, Bass Road, in the amount of \$1.6 million.

**Roy Buskirk:** So moved.

**Bob Armstrong:** 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.** I am sorry, I didn't turn the page. There is an additional appropriation from CEDIT for Bass Road in the amount of \$202,150.

**Roy Buskirk:** So moved.

**Bob Armstrong:** 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.**

**Tom Harris:** A quick question on the Time and Attendance project. How is that going?

**Bill Hartman:** I will let Kim comment on that.

**Kim Yagodinski:** We had our initial kickoff meeting a week ago Monday. We have our scanners ordered. There is going to be a scanner at our North and South facilities and here downtown. We are waiting for the equipment to be delivered. Yesterday they came

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and pulled the data lines for those so that we have the data available and the power source. As soon as the scanners are in place, we are going to implement the system. We have had some training with Jackie and we are ready to go.

**Darren Vogt:** Thank you very much. With that, we will move to our discussion items. For today, we have the CCP phone project and relocation discussion.

**Tim Lee:** Good morning, Council, Tim Lee, Executive Director of the Consolidated Communication Partnership. I wanted to take the opportunity to update you on the progress. Obviously we have multiple smaller projects in place that contribute to the ultimate move of the Dispatch Center. I want to start with the phone project. I have met with pretty much each of the Council members and it has been a two-year evolution from the original projected price that was \$1.4 million when I first came into my position. Over a two-year process of working with regional collaboration with other Counties as well as the Commissioners' Office and the City of Fort Wayne, I am happy to report that we are just waiting for Board approval for the purchase price in the first year of monitoring at \$600,000 for that project. With that being said, putting the numbers together, looking at an annual savings, it is a little over \$100,000 a year once this project is put into place. That would be roughly three-quarters of a million over six years. That would be the savings with the new system in place. Are there any questions on the phone project?

**Tom Harris:** What was the original price?

**Tim Lee:** \$1.4 million. The collaboration with the multiple Counties, over time I have built a wonderful relationship with the local vendors, the vendors that presented the project. Through the negotiation phases, there were additional incentives offered to the point that we are actually going to host one of their servers and create revenue on behalf of the CCP and we will have 100% redundancy at that point. There will be no point of failure because we will have the bulk of their equipment in our facility and they will pay us to house it.

**Darren Vogt:** Can you talk a little bit about the regional approach and the fact of sharing the system with other Counties and if we do some regional approach, the systems are on in the same?

**Tim Lee:** This project started about two years ago and what I have done is reached out to the other Counties. One big thing, it is no different than the Mayors' and Commissioners' Consortiums but we have used purchasing power. What we have done is brought a consortium of Counties so that we have started on the grand scheme of things that when we buy a product, we buy it as a region. As we move forward and the regionalization comes to fruition, then it is just plug-and-play of the equipment. Seven out of nine Counties have already purchased that equipment. We are the tenth. There is only one northern County that chose not to hop onboard with the project. The inter-operability within the Counties, if a tornado would go through Huntington County, they could come into my center and log into my computer and see immediately the same thing they would

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have had in their own facility. It gives us the ability to transition if Whitley County would need a Dispatcher for a day, we would have the ability to go to their facility and login and have immediate access and it would mirror our system. It creates inter-operability and redundancy regardless of where we are within northeast Indiana.

**Darren Vogt:** Great, thank you. Councilman Howell and then Buskirk.

**Kevin Howell:** Name the Counties that are participating.

**Tim Lee:** Whitley, Wells, Noble, Steuben, Dekalb, ourselves, Lagrange. The only County that didn't participate is Huntington County.

**Tera Klutz:** How about Adams?

**Tim Lee:** Adams is in the process of purchasing their equipment now.

**Chris Cloud:** It basically mirrors the Northeast Indiana Regional Partnership.

**Roy Buskirk:** Is Wabash in that?

**Tim Lee:** They have the equipment but they are not part of the purchasing program.

**Roy Buskirk:** Tim, at one time, you were talking about having regional work even closer together than what you have been discussing here. There was talk of some equipment being eliminated by surrounding Counties so that they could merge with our equipment because our equipment has the capacity to take on additional Counties.

**Tim Lee:** Correct. With the networking background that I have, I worked with the vendors and looked at a solution that was not only redundant but robust. Currently in Indiana, there are only two servers so in the event of a failure the whole load would set on the other one in Indianapolis. What we have done is provided Fort Wayne and Allen County as another hub so that the other Counties will have connectivity to Fort Wayne's hub. That will create a more robust redundant solution. With us housing that within Fort Wayne and Allen County and our call volume, other Counties didn't have to purchase that piece of equipment. That will cause a monetary savings across the region.

**Roy Buskirk:** Maybe I misunderstood when this originally came up for discussion but it was possibly that some of the other Counties would close down their 911 system and it would all be handled through this County's 911 Center.

**Chris Cloud:** I think that relates back to the radio backbone project. This is the money for turning our analog phone system to digital for incoming calls. Our CAD system and our dispatch consoles can have more information and be able to transfer that information.

**Roy Buskirk:** I am not talking about this appropriation this morning. I am talking about looking into the future for additional savings. It was on the table, one time, of other

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Counties closing down their 911 Centers and paying us a fee and we would handle their 911 calls.

**Tim Lee:** Yes, sir, and some of those discussions are taking place. There have been some things put into place that reaches that goal in the next couple of years. Last month I started to chair solution that we are going to try to get through legislation that there is a minimum requirement for a Dispatch facility. We are utilizing the template for Fort Wayne and Allen County as part of the five-step process to get the aspect of regionalization. Last month, we had the State Director of the 911 Board here in Fort Wayne and Allen County as I started this solution project and he spoke on the basis of regionalization in the future. We are taking the positive and proactive steps to be prepared when that happens. The aspect of our move puts us in a prime position for the smaller Counties to be able to move in and us not need to build or expand. We would already have the facility in place.

**Roy Buskirk:** So, is this in your relocation from your current facilities? Is this being considered?

**Tim Lee:** Yes. Most of our surrounding Counties are two and three-seat positions. To absorb them within, we would have more than ample room to do that as well as we have already started conversations with local entities with the potential to bring them onboard as well.

**Darren Vogt:** Councilman Harris and then Brown.

**Tom Harris:** I have shared this view in the past but it concerns me a little bit about the concept of regional being better. The whole concept that if you get down to the Indy area, they don't necessarily like the fact that Indy controls all of the rest of the State and I can't help but think that the same sentiment might become that happens in the north part of the State. Here comes Fort Wayne and here comes Allen County and they are taking over our phone emergency system. On one hand, Roy's comment, I too thought that some of these places were going to eliminate their infrastructure in order to come onboard with ours. If they don't eliminate their infrastructure, they leave this regional partnership and we are left with infrastructure that has a lot more people and a lot more equipment. Help me understand.

**Tim Lee:** I think part of it is that one thing I have promoted is open lines of communication. I am not only speaking before this Council but also for the Mayors' and Commissioners' Caucus.

**Tom Harris:** Hats off to you and congratulations. I think that has a lot to do with your talent and ability to communicate. What happens with the next Director or a change in the people that you are speaking to? They are no longer in place and someone else takes over and says, "why are we doing this regional thing". We should be taking care of our particular County.

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**Tim Lee:** One thing that you are going to see is that it is going to be an incentive for these smaller Counties that are not financially making it to go to a regionalized philosophy to maintain those funds to offset. Adams County and Wells County, for them to get 911 funding they will have to take the next step to regionalization.

**Tom Harris:** So it is a mandatory thing coming from the Federal?

**Tim Lee:** Yes.

**Tom Harris:** That is coming but it is not in place yet? We are anticipating it.

**Tim Lee:** We are anticipating it. In the line of communication, that is the path that is being driven. I can't communicate the expectations of the next Director. I can't make the assumption. I am hoping and my belief is that I am going to put that wheel of change in place and they will continue to move forward if I am here or not here. That is the only thing I can hope for.

**Chris Cloud:** As Tim moves forward with this in the Mayors' and Commissioners' Caucus, what is nice about what has been done with the new backbone of this telephone is that when we leverage those and scale up to do other Counties' dispatching, it is people and not stuff. We already have the stuff. He needs the stuff now and we can leverage the technology that we have to add those small amount of calls compared to ours into the system. It is really more scaling of personnel. If Steuben County or Lagrange County says I am out of this, the reduction in staff is what would take place. It is kind of being left with a manufacturing line and we have nothing to manufacture. We still have use for the equipment and it is just the people that would be the unfortunate bearer of reduction. We do a lot of interlocals with a lot of other Counties and they usually spell out terms especially if you opt out and what happens. We will be very sure that our legal language makes sure we aren't left holding the bag on a lot of money if they decide to opt out of this.

**Darren Vogt:** Councilman Brown.

**Bill Brown:** I was just curious on the redundancy component. With Allen County being the hub, will there be opportunities for redundancy should something happen to say Dekalb? What is the plan there?

**Tim Lee:** The way it is in place now is, as Directors we have an inter-operability clause. June 29<sup>th</sup> is a prime example. Dekalb had a point of failure and because of their point of failure, their calls rolled into us and Steuben. I think we took 90% of the calls and Steuben took 10%. With this project, what it does in layman's terms is open to the shortest point on the network. If their calls can't transfer to their point, it sends it to the most accessible point to distribute those calls. With technology where it is today and the mapping capabilities, if I take a call from Dekalb, we actually took a call from Dekalb on a fire and one of our Dispatchers, through latitude and longitude, drove the Huntertown fire truck to the front door of that fire. Technology presents the availability for us to

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expand. The redundancy with the phone system, we will still make sure that those calls are being answered.

**Bill Brown:** So it is fair to say that the advancements in technology creates redundancy that makes it very compelling for entities to be involved with this system whether it is coming into Allen County as a central source or with these other Counties having their separate systems, this whole system is something where it all works together.

**Tim Lee:** Correct. On the backside of it, this region is on the in-digital backbone. There is \$112 million through legislation that is going to be distributed here in the near future. It will be distributed through the States. What that funding is going to be utilized for is enhancing the existing 911 infrastructure to create a better redundancy in the network. We are just going to continue to see more and more improvements with that network.

**Bill Brown:** You have made great strides.

**Tim Lee:** Thank you.

**Darren Vogt:** Councilman Buskirk, is there anything you want to add?

**Roy Buskirk:** I think that on some of the concerns of Councilman Harris, the driving force behind the combining of the different 911 Centers is the economy in the fact that the funding for the 911 system is on each County standing alone. It doesn't cover it, to be honest with you.

**Tim Lee:** You are absolutely correct.

**Roy Buskirk:** I think that is the driving force with these other Counties being willing to give up some of their individual authority to have a regional system involved. The other thing is that a lot of the equipment that we are purchasing for our size and everything, correct me if I am wrong, has additional capacity already built in and we are not utilizing just for this County.

**Tim Lee:** You are exactly right. To champion Councilman Harris' position, I am making strides in the effort to communicate with these communities so that it is not the big brother theory. It is the ability as to how we can work best to accomplish a common goal. Each of the other Counties have promoted that they are welcoming the line of communication that we have now and look for it in the future. I am hoping that it is an earmark of what is to come.

**Darren Vogt:** Council, let's switch the discussion from the system and how it operates to where they are going to operate and that is the sixth floor. Tim, can you talk a little bit about that?

**Tim Lee:** I will start real quick on the Hanson Engineering. I have to commend the Commissioners' Office and its fiscal acumen. Originally the quote came in at \$114,000.

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Everybody was well aware that it was outside of the scope financially in where we wanted to work from as well as come to Council for. Through many communications, Hanson came back with the \$59,983 number. That includes everything from the infrastructure of how the Dispatch Center will be laid out to the electrical engineering, the conduit and how the floor is going to be laid. They are basically a contractor that does everything from top to bottom on Dispatch facilities and how they should be set up. I have had two Council members that came to the Dispatch Center and we have had communication. There is a concrete vault right in the middle of the Communications Center floor. As part of the project, that is something that is going to have to be removed. It is not something that we can utilize and it uses up 400 square feet of the floor. As part of the projected plan, we are looking to have that removed and with that being removed, there is a three foot gap around that vault that will have to be retreated and scraped for the asbestos abatement and sealant. A Communication Center, for access and the ability to run our cabling, we elected to go with a six inch floor versus a twelve inch raised floor. One is that it is more stable as well as it prevents us from needing to get into the ceiling. Those numbers are in front of you. Design Collaborative, to do the HVAC and engineering, the floor is on its own HVAC as well as redundancy for power. The hardware for the audio and visual build-out and conference room and the Dispatch Center, the \$5,000 is just a rough number. It is more of an estimate. Ceiling grid replacement is the quote given by County Maintenance. There is re-insulation of the smoke-heads because they were basically screwed to the columns and ceilings and need to be re-allocated. We have two unknowns. Labor cost on the City and County Maintenance for the installation and the cost of supplies needed by County Maintenance. We will not have those accurate costs until Hanson brings back a study of what the actual build-out is going to be. As far as the progress with Hanson, it went back and forth because we had some attorney litigation on the verbiage. Since then, the CCP Board approved the verbiage on that contract and the President of the Board signed that and we are looking for Hanson to put their final signature on it on Wednesday. I will bring that to the Auditor's Office to start the paperwork for the appropriation. With that being said, the savings of the phone project, the allocation that we are looking at \$203,000 is going to put us close to the number of savings. Today, I would like to ask that out of the old 911 funds for an additional \$150,000. That will put us real close to the cost of supplies needed by County Maintenance.

**Darren Vogt:** Questions, Council?

**Roy Buskirk:** You are asking for appropriations today?

**Chris Cloud:** Yes and no. It is more permission than appropriation. When the State law changed to consolidate the old wireless and wired 911 funds into one big fund, it put old money into the pot. I believe that the budget, this year, actually appropriates all of the revenue in that fund plus what was in there. The Auditor has to put it all in there. We know that there is about \$2.6 million of what Feighner calls "old money". After Tim's telephone project and a buffer for what might happen if the State revenue fluctuates a little, there is plenty of money in there to do what Tim needs to do for the build-out. He is more asking for permission to use upwards of \$150,000 beyond money that you allocated

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for the telephone project. In essence, it will be about \$300,000 to \$350,000 because we don't have all of the final numbers. We are confident that the only outstanding numbers are going to be supplies and a labor charge and we think we can do it for that.

**Roy Buskirk:** Okay.

**Tera Klutz:** \$600,000 is for the phone project and \$350,000 for the total relocation cost.

**Chris Cloud:** Correct. Council had said that \$800,000 was okay for a placeholder and so that is the \$150,000.

**Darren Vogt:** Can you talk about how the sixth floor is available and why the sixth floor?

**Chris Cloud:** Initially we were looking outside of the building for the 911 Center. The Commissioners came along side of them to help them weed through some prospects. At the end of the day, none of them worked. We don't want to pay rent long-term and forever. Chief Biggs, from the CCP, asked if there was anything else in the building that we could do that was creative, even splitting floors to anything at all. We took a real hard look at what was available. We knew that the sixth floor could be available if the Police rearranged some of their own staff. Through their cooperation, they are rearranging City Departments that are on six to get them out of the way for Tim to be able to move in. That was at their expense. The Commissioners said they would work with them but it was going to have to be at the City's expense. Metro is going to move out to a different building. Victims Assistance is going to relocate to five. Part of the consideration that the Commissioners gave in allowing them to grow in square footage is that they have made a commitment to the Commissioners that they will do everything in their power to get Regional 911 to happen. We know it is a long run but the Commissioners said that if you are going to have the space, we need that commitment from the CCP and they have given that commitment. The Commissioners are confident that the extra space will be utilized in the future for bringing a regionalized approach to bear.

**Darren Vogt:** I just wanted to point out that the teamwork, I know the City and the County always gets grief for not working together but this is a prime example of the City and the County working together to make it all work and to make it a better product so that we don't have to have rent long-term.

**Chris Cloud:** It's really the best long-term solution for the 911 Center.

**Larry Brown:** I think a big thank you also goes to the CCP Board, chaired by Amy Biggs, and Tim for their efforts in trying to bring this all together and encouraging everyone to work together.

**Darren Vogt:** Councilman Harris.

**Tom Harris:** Are there any plans for the existing 911 facility?

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**Chris Cloud:** We know that when we built out the basement for Police storage, we really put the squeeze to our County Maintenance Department. We basically took all of their storage away. We know that part of the 6,000 square feet needs to go back to them for that. Our hope is that nothing happens to it because we have no more storage left in the building. With Tim's move to six and the Victims Assistance move to five, we are left with about 4,000 square feet of usable space from the first floor up. That's it. We know that preserving that basement space for needed storage is a must. Tera is always going to create paperwork and files that she has to keep and so is the Treasurer and the Recorder. We know that we are going to need storage space and eventually the Police are going to need more storage space. When there is a murder, they have to keep that for life. We are hoping that not much of that gets used for office space and that we can use it for storage down the road. They won't be out of it until later in the current year anyway.

**Tom Harris:** What is that timeline?

**Tim Lee:** We are looking, if the radio project stays on path, a September timeframe. One evening we will work third shift in the existing structure and then we will flip the switch for day shift on the sixth floor.

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

**Larry Brown:** A little bit unrelated but yet so we now, big picture-wise, what is on the eighth floor?

**Chris Cloud:** Adult Probation. I think they are moving in about two or three weeks from now.

**Larry Brown:** Did that allow a building to be vacated?

**Chris Cloud:** Half of that building is now vacated. There is still Small Claims Court which comprises the basement and the first floor of what we call the Annex. The eventual goal is to get them all out. We are working on it.

**Larry Brown:** Then we can put the building on the tax rolls.

**Chris Cloud:** Absolutely. We have had initial discussions on how to market that building once it is empty. We haven't had any interest yet. This is like Phase Four of our co-location project. We are working on emptying that building and Small Claims is our next victim.

**Roy Buskirk:** So where is Small Claims going?

**Tom Harris:** To the 911 location in the basement?

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**Chris Cloud:** I encourage you, with Lisa's permission, to visit the records that Small Claims has.

**Darren Vogt:** We have been there and done that.

**Chris Cloud:** They have about 4,000 square feet of just records and they have to be located with Superior Court. In total, we are looking at 1 West Superior as a much better layout for them especially security-wise. I don't know if you have ever been to Small Claims but it gets backed up in trying to get everyone through. It is not a good logistic layout for them. Our hope is to get everyone out of that building. We already have Adult Probation on the way out and we have Four-D and Small Claims. Once we get all of them out, we can sell the building.

**Larry Brown:** Chris, isn't that the department that has what is called an abnormal weight per square foot for storage?

**Chris Cloud:** Yes, we have to be very cautious in where the records go. If they were to go on an upper floor, it would be a problem. The City-County Building was not made to house that much records on one floor. It has to be in a basement and so that limits where we can move them. The way that their process works, it is also protective orders, evictions and Small Claims stuff, is that when you want to start your process, you have to go to the basement. That isn't really customer-friendly to go the basement and come back upstairs. The Clerk has requested, if at all possible, that the initial staff is on the first floor. Trying to accommodate the workflow for them, they have increased double on their caseloads since they moved into that building in 2001. People keep suing people and they are not going to stop. Their caseload keeps increasing and there are more files to keep which means more courtroom space. They need a bigger space and a better layout. West Superior makes the most sense for them.

**Darren Vogt:** It has good parking access.

**Chris Cloud:** It has good parking and there are advantages to that.

**Roy Buskirk:** Is that the old Highway Building?

**Tera Klutz:** Now it is the Election Board and Voter Registration. It is tough because you want that on the first floor too. Hat's off to you guys finding a great solution.

**Chris Cloud:** We aren't making a lot of friends but we are trying to do right by everyone. Everyone wants first floor and we just don't have enough. We are trying to do the best we can so that the public is best served.

**Roy Buskirk:** One thing that a lot of people don't realize is that there are elevators in that building.

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**Chris Cloud:** Every building that we have should be ADA compliant. We should be okay there. It is just trying to figure out the best layout.

**Tera Klutz:** It's where do you want the long lines to be?

**Chris Cloud:** Yeah. Everyone is going to have a time of year where they have people out the door. It is not good to have that on West Berry. It is not a good location for the amount of things that they do to have a long line out the door.

**Darren Vogt:** Council, I will circle back to the two projects that Mr. Lee has brought before us. Are there any questions on that? I guess we don't need to take a formal vote, do we?

**Tera Klutz:** I would like it so that I can sign the claims.

**Darren Vogt:** Okay.

**Roy Buskirk:** So what would that be coming out of?

**Tera Klutz:** It is already appropriated.

**Roy Buskirk:** So we just need to approve the expenditures.

**Tera Klutz:** Yes, that would be great.

**Roy Buskirk:** I will make a motion to approve the expenditure of \$950,000.

**Bob Armstrong:** Second.

**Darren Vogt:** **We have a motion and a second. Is there any further discussion? All in favor signify by saying aye, opposed, same sign. The motion passes 7-0.** Thank you. Next we have a legislative update.

**Beth Lock:** Good morning, Beth Lock, Director of Government Affairs for Allen County. Thanks for giving me the opportunity to be here today. I was talking with Councilman Vogt a few weeks ago and asked if he thought it would be helpful for me to come in and talk to Council and give an update. He said absolutely and it is very fitting that today is the day that I give the update because we are at the first half of the session deadlines. The House had their deadline yesterday where they had to pass all of their third-reading bills out of the House. Today, the Senate is working on their calendar to pass all of the bills out of the Senate. What happens at this halfway point is that all of the Senate bills will go to the House and all of the House bills will go to the Senate and the madness starts all over again. It has been a very fast paced session. A lot of bills have moved through committee and a lot of bills have gotten out of committee. It is sometimes hard to keep up with everything that encompasses County government. The one thing that I try to do is always look at a fiscal impact of what it is going to do to the County and

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departments. If I am not sure, I try to reach out to the departments and ask if this is going to cause any undue burden in your process or administration or in your budgets. I am also looking at any flexibility in home rule. With that, I wanted to update you on a couple of our major initiatives that we talked about in December when we met with our Legislators and to give you a few other bills that are moving through. One of the things that we talked about was transportation and funding. There were over thirteen different bills that we filed that linked directly to transportation funding. The thing that seems to be moving through is giving COIT Boards the option to adopt a wheel tax and surtax. For Allen County that is a little bit concerning because the COIT Board is controlled by the City Council. As these bills were running through, the first thing I said was what happens to our existing wheel tax and surtax. I can tell you that everything will remain the same. The adopting body, if that is the COIT Board or the County Council, remains the adopting body. Since we have already implemented the wheel tax and surtax, you still have control over those funds. I know there were a couple of questions on that but Allen County is protected. The reason that it has become so important is that there are County Councils across the State that haven't taken the initiative that you guys have done. They refuse to adopt the wheel tax and surtax because if we adopt it, we will take on all of the heat. Actually, the Cities are getting more of the revenue. The Cities are saying that they need that revenue and what can we do and that is the reason that the COIT Boards would give the City Councils a weigh-in. The other thing that we talked about was removing the MVH money from the State Police and Motor Vehicles' budgets. House Bill 1001, which is the budget, did two things. It allocated all of the money that previously went to the State Police to Local Road Funding. It will open up about \$80 million to \$90 million to INDOT with pass-down to the Cities, Towns and Counties. It will also provide an additional \$25 million to \$28 million to Counties. That is distributed based on the same formula that is currently used. There is additional funding there. The other thing that they did was they took 1.5% of the sales tax on gasoline and usually goes to the State General Fund and put it back towards the Local. That will generate between \$57 million and \$59 million in the next two years to local units. I say all of that because there were thirteen bills that were filed but it looks like all of the transportation funding is in the budget. That does not take into account two things. The Governor's Office is asking for a ten percent income reduction. Currently that is not in the budget. The funds are going to have to come from somewhere. There is concern that the additional money that has gone into Transportation and Education could potentially be wiped out, not wiped out but could be affected if they put in the ten percent that the Governor is asking for. Additionally, everyone is looking for the April forecast. They want to know how much money is coming in. Is it less than projected? We are really not going to know what happens with Transportation funding until April. Then we will know how the General Assembly will address concerns from the Governor's Office. It is a lot of information. If you have any questions, feel free to interrupt me at any time.

**Roy Buskirk:** I do.

**Beth Lock:** Yes.

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**Roy Buskirk:** I know that they have been talking about removing the State Police funding but how are they going to replace that funding?

**Beth Lock:** I don't know, off the top of my head, but I will double check that and get back to you. I know that they have talked about different fees but I don't know if that is actually in the budget so let me double check that for you.

**Roy Buskirk:** Thank you.

**Darren Vogt:** Councilman Brown has a question.

**Beth Lock:** Yes.

**Bill Brown:** Regarding the wheel tax surtax, I think that originally had a sunset didn't it?

**Beth Lock:** Yes and I believe it is 2018 and that was for the increase that we had with interlocal agreements that we had back in 2009.

**Tera Klutz:** But it will all go away. This Council needs to be aware that if it does go away, the COIT Board can enact it.

**Roy Buskirk:** I thought it was the increase that went away but you are saying the whole thing goes away.

**Tera Klutz:** Yes, the whole wheel tax because you adopted an increase rate but the rate is a rate and you rescinded the tax.

**Roy Buskirk:** Okay.

**Beth Lock:** I wanted to talk a little bit on Public Safety. I know there have been some questions and also some emails that have been out there. I know that comes up quite a bit in your budget discussions. The biggest thing we have looked at for the past two years is House Bill 1006 which is basically the Criminal Sentencing Reform Bill. It is moving A through D felonies to Levels One through Six. That has been a major concern for us. I have the fiscal in front of me and it is twelve pages and half a page is dedicated to what the fiscal impact is on the locals. The biggest thing that I saw in there says "there will be penalty reductions for marijuana possession and certain theft crimes that will become misdemeanors." It says that an average number could be over a thousand that could be sent back to local jails and correction programs. This is a huge concern. Counties have continued to raise the issue that, in Allen County specifically, we are at maximum capacity in our jail and in our programs. What is going to happen there? About two weeks ago I was told that the bill was in trouble and wasn't going to move but it is moving. It is going to be really interesting to see what else happens and we are really, in this half-way point, kicking it up a notch to get the message out there that this is a huge funding concern for us.

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**Darren Vogt:** Let me just digest this a minute. That thousand number is the number of Allen County or State-wide?

**Beth Lock:** That is what they project State-wide to go back.

**Darren Vogt:** Okay, so if you look at the percentage of population and all of that, you can figure out a number that would apply to us. We could have 300 of those or something along those lines.

**Beth Lock:** Yes. It may be good to look at when we pulled the numbers a couple of years ago I think we sent close to 500 offenders to the State. It may be good to update those numbers and see how many were Class D felonies that would be under the Levels Five and Six. We could then see what our average is that could potentially come back.

**Darren Vogt:** We are going to need to work with the Courts to figure out what their plan is. Is there plan to hold them in a local facility and if it is, are we going to be mandated to the size of our jail? It has major impacts long-term and short-term. Are they going to have committee hearings on that?

**Beth Lock:** Yes, they will because it will move over to the Senate. I don't know if it has been assigned to a committee yet because the House just finished up yesterday. They don't start assigning these to other committees until they have wrapped up the first half of the session.

**Darren Vogt:** If you can get that information, I would be willing to go down and testify so that we can have a real idea of the impact to us.

**Beth Lock:** I will probably know in the next week where that is going to go. It will also have to go before Appropriations or those committees that look at finances.

**Tom Harris:** Does money go with those individuals? If they are sending people back to jails, do they send money with them?

**Beth Lock:** That is where it is really interesting. They three hearings on this in Ways and Means because there is a potential increase to the Department of Corrections as well and there is no clear fiscal on this bill. That is something that was even discussed on the House floor. We are passing something and there is no clear fiscal. It has been very hard to say that you are giving us this much money but we need this much money. I will double check because I think if they go back to Community Corrections the current setup is that Community Corrections gets a certain per diem amount from DOC.

**Roy Buskirk:** You can pretty well guarantee that we will come up short.

**Beth Lock:** I wouldn't disagree with that. They talk about grant funding for local programs like problem solving courts and things like that but I don't know how much money they are pouring in. Some Counties don't even have those programs. That is

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probably the biggest bill that we are watching right now. There have been a couple of other bills that I wanted to address. There is not a lot of money in our County Extradition Fund and I talked to our Auditor about that. They passed a bill through the Senate that would provide for more flexibility in the fund to allow for training and equipping Officers. They are opening up the flexibility within that account for other costs. That is something that we support, flexibility. Senate Bill 233 died in committee 2-9 and I know that Councilman Vogt went down to testify in support of it that would have provided that you would have had Probation Funds come before Council for appropriation. Right now you kind of subsidize them and this would have required them to come before you. The Jail Commissary Fund would have required them to come before you as well. Again, that bill died in committee but it could come up in an amendment in the second half.

**Tom Harris:** There were no bills for the fees?

**Beth Lock:** No and I do have a couple of things on that. Councilman Harris brought to my attention in September or October about fees when delivering notices and warrants. That legislation was put in place in 2004, 2007 and 2008. I did get a letter from the Sheriff's Office that asked us to look into those. I called and they said that the individual that sent me the letter should not have sent me the letter. They didn't have the authority to do so and they asked me to send the letter back and hold off on that. That was the communication that I got from that office.

**Tom Harris:** Was that State or local?

**Beth Lock:** It was local. We also talked a lot about pre-existing medical conditions in the 2009 bill that went through. The term pre-existing medical conditions does not exist in statute. It is my look at the bill is what changed is the definition of lawful detention. That means upon arrest. As soon as you arrest or take someone into custody, you are responsible for taking care of them. I think that is where the pre-existing medical condition comes in. I wanted to clarify that before Council today. There is no bill to repeal pre-existing medical condition because that term does not exist in statute. I think it is looking at lawful detention that we need to look at. I wanted to address that here today. I won't keep you much longer. I sent all of you an email a few weeks ago...

**Tom Harris:** Just backing up for that pre-existing piece, where are we with that?

**Beth Lock:** I have done nothing with that. It is all back to the 2009 Bill and I have looked through that multiple times and I don't see the pre-existing conditions. I told the Auditor a couple of weeks ago that I would look at it again and it is the lawful detention that is the issue. It is upon arrest where before I think it was once they were convicted or had the charges brought against them.

**Tera Klutz:** Now, we are going to get together and with our Sheriff meetings, we agreed to have Beth come to one of those meetings to see how we should approach this. We definitely care for human beings, period. Does it make sense to try to lobby to change the

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definition or is there another avenue that we can pay for it? We are just going to be exploring.

**Beth Lock:** Can I also say this? The Bill that moved in 2009 did have the support of the Sheriff's Association. The majority of the Sheriffs in Indiana had supported the Bill because it provided cost savings for them. It just had the opposite effect in Allen County. I want to caution that it is not just a matter of every County having this issue. It is an issue for us. There may be a few urban Counties that have the issue.

**Darren Vogt:** There are two different dichotomies within the Bill. There is unlawful detention and Four-D Medicaid. We don't necessarily want to change that portion but the detention piece. If we decided to go that route, when would we choose to pay for those medical expenses?

**Tom Harris:** Another piece, and I am sure there is an answer on this one already, is the National Healthcare Bill. The last time we talked it wasn't final but now it is. Now, every citizen is going to be challenged to have their own insurance. Whether that is the State thing or a National thing or whatever, somebody has got to be it. With that, if they are incarcerated, do they still go through their own insurance? I think that is a valid consideration if everybody is required to have it, period that is the new standard then make sure they pay for it themselves.

**Roy Buskirk:** The other thing is, how are they going to pay for it?

**Tom Harris:** That is the National Healthcare Bill. Everybody is trying to figure that out.

**Roy Buskirk:** I mean, how is the individual going to pay for his insurance if he is incarcerated?

**Beth Lock:** You bring up an interesting subject with the Federal law. There is the potential for Medicaid expansion for some of those inmate medical costs will be picked up. There is a Bill moving through the Senate, Bill 551 that addresses concerns in Indiana with regards to the Affordable Healthcare Act. Nothing in that Bill addresses that that concern. I have to be careful how I word this but there is a Bill in the House and a Bill in the Senate and I know the Governor supports the Bill in the Senate even though there are concerns that it might not be a viable option in dealing with the Affordable Healthcare Act. I am watching that very closely and am getting a lot of legal interpretation from people that are more aware of what is going on with the Affordable Healthcare Act and how it moves through the Senate to see if there is something there that could potentially help Allen County.

**Tom Harris:** In fact, under PPACA, there is now a new fee for every person that is on your insurance. It is an amount that is staggering for large employers like Allen County. That is a new fee that we are going to start paying next year that is coming at us. I don't know if you have figured out what that number is but it is a staggering number. It is something like \$5.63 or \$5.94 per month per head on the insurance. That is not just

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employees but also dependents. When you count all of the people that are covered on Allen County insurance, it is a new fee unless there is an exemption or something for government and I don't think that there is but it is a new fee that someone has to pay and it would be the taxpayers paying it.

**Beth Lock:** Duly noted. Again, we will be watching that. I sent all of you an email a couple of weeks ago regarding Senate Bill 475. Senate Bill 475 is an interesting piece of legislation. We all know that seven or eight years have gone by for the Single County Executive. Senate Bill 475 again was the exact same bill that was authored last year. It did not make it through the Senate. It is now Allen County specific. Senator Holdman had come to me and said that he was thinking about making this Allen County specific and asked me what I thought. I said that our platform has always been local option and a referendum. That is what we have agreed on for the past six, seven or eight years. They made this Allen County specific.

**Tera Klutz:** Can you just say what it is?

**Beth Lock:** Absolutely. It is the Single County Executive. What it does is allow Allen County Commissioners the option to put towards a vote in a referendum whether or not the Executive Branch should be reorganized and the legislative duties be transferred to County Council. The Commissioners have the local control to trigger the referendum.

**Larry Brown:** Brief interruption, does that still require a three-to-zero vote?

**Beth Lock:** It requires a majority, two-to-one.

**Larry Brown:** Originally, it was three.

**Beth Lock:** There have been multiple versions. The Bill that passed out of committee last year and I think the last couple of years have been a majority vote versus unanimous vote. Then it goes to a referendum and the question is actually "Shall the County government of Allen County be reorganized to place all of the Executive powers in a Single County Executive and to place all legislative and fiscal powers in the County Council?" If our Commissioners adopted that ordinance that question would be placed on the ballot in the next General Election. If the voters approved that, it would take two General Elections before the Single County Executive would be voted on. The reason is that when this goes on the ballot, you have Commissioners that are running for four years. They are elected for four years. You wait until the next General Election and that Executive that is up would be running for a two-year slot and then all of them would expire at the same time. If we adopted this in Allen County this year, the soonest that you would see a Single County Executive would be 2018. The question that I brought to you guys was how did you want to handle the Districts? The author of the Bill did concede that if the County Council wants it to remain the way that it is, it will remain the way that it is. In the Bill there are currently four Districts and three At-Large.

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**Roy Buskirk:** Before you go any further, going back to the Commissioners and 2014 being elected to four years, there are two of them running, and that would make it 2018. The one that would be up for election in two years would be running for two years and therefore all three of them will be expired. You would vote on the referendum in 2014?

**Beth Lock:** Yeah if the Commissioners adopted an ordinance that says we are going to put it to a referendum.

**Roy Buskirk:** Okay, I was getting confused in the fact that all three would expire in 2018 and what if the referendum had not passed. The only way that would occur is if the referendum passes. Your question concerning the Districts, which I emailed back to you, I said that because of the additional workload that the Council would have, I think the number on the Council should be increased to nine. I think the Districts should be increased from four to six. That would give better representation throughout the whole County and that it still should remain with three At-Large.

**Beth Lock:** Yes and I did bring that up. That is the way it is set up in St. Joe County. I didn't get a lot of buy-in. There were a few that emailed me back on that and you were one of them and so that was the other option. I think the resounding thing that I got was they didn't want to do just seven single Districts. I told them we could keep it status quo or move it to nine members with six Districts and three At-Large. It ended up staying status quo. If the Council wants to change that, it is moving over to the House and there is always the ability for an amendment. I am open for any suggestion from County Council because it affects you directly.

**Roy Buskirk:** What kind of a pay raise are they talking about for the Councilmen at that time?

**Beth Lock:** I think you get to vote on your own pay raise.

**Roy Buskirk:** Because of the additional workload and taking on the legislation, we would have a lot more meetings than one per month. The Auditor staff is going to have to be involved in more than one meeting per month to handle the additional legislation load.

**Beth Lock:** Again, I will say that this is a local option. If this, fiscally, you don't think would work for Allen County, it is a local option.

**Tom Harris:** The chances of this Bill passing, do you see a pretty good chance that some form or some version will?

**Beth Lock:** We had an Allen County Executive that was filed, I believe in 2009 or 2010. It was Bill 1515 in the House. I think there are those Legislators that feel very strongly about Allen County. I will clarify that we did not say that we are advocating for a Single County Executive. We did not ask for this special legislation. Just given our platform and the fact that we always supported Home Rule and Referendum for seven or eight years, it is very difficult to say that we are backtracking from our platform and agenda. Especially

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since there were several Legislators that thought this was needed in Allen County. Again, that local option piece is in there.

**Tera Klutz:** Do the Commissioners support it?

**Beth Lock:** The Commissioners support local option and Home Rule and the referendum piece. That is what I testified in committee yesterday. Based on those two provisions only, we support the Bill.

**Darren Vogt:** They have been on record saying they will support putting it for a referendum and a vote. Two of the three current Commissioners have been.

**Roy Buskirk:** Wasn't the Bill introduced this year by a Legislator that is not part of Allen County? Who introduced the Bill?

**Beth Lock:** Senator Holdman introduced a State-wide Bill. It was his Bill that amended it to being Allen County specific.

**Roy Buskirk:** Who amended it?

**Beth Lock:** Senator Holdman.

**Roy Buskirk:** Okay and he does not represent any of Allen County.

**Beth Lock:** He does not.

**Darren Vogt:** I support it 100%. I will support it either way with however the Council Districts line up because I believe it is needed in Allen County. We can debate the fiscal impact of it. If there is much if any, realistically, we can hopefully find some efficiencies. Where do our current State Legislators in the Senate and the House stand on this Bill?

**Beth Lock:** I can tell you that the co-sponsors in the House are Representative Carbaugh and Representative GiaQuinta.

**Darren Vogt:** If you could have that conversation, I would hope that they would be an advocate for us because this Council still feels that a Single County Executive put to the voters is the way to go. I don't know how you could not. The ultimate of Home Rule, put it on the ballot and let the voters decide. If we have Legislators that are against it, we need to have the conversation with them to find out what their drawbacks are and concerns are.

**Beth Lock:** I think you have some Legislators and I am not going to name them, which will oppose it regardless of it being Allen County specific because they support the current structure of the local units. They have always said that even when we said we support Home Rule or local option or referendum. They have always said that they like it the way it is. I do expect a few votes from our delegation to vote against it.

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**Larry Brown:** Beth, tell me again what the Bill number is.

**Beth Lock:** Senate Bill 475.

**Larry Brown:** One follow-up, does it address anything at all about the Trustees in this Bill?

**Beth Lock:** No.

**Larry Brown:** Is there one?

**Beth Lock:** No.

**Bill Brown:** Beth is there any option for reconfiguration for Council (inaudible).

**Beth Lock:** Not in the current Bill. Again, I am open to any suggestions that you guys want to bring forward.

**Bill Brown:** I believe City Council has the ability to rearrange and restructure.

**Darren Vogt:** I do too.

**Beth Lock:** Okay.

**Bill Brown:** If we are moving towards an easier to understand similarity type system that may be something to look at.

**Roy Buskirk:** City Council?

**Darren Vogt:** Yes, I am pretty sure. It is their City and they have a lot of different options than we do.

**Roy Buskirk:** They are looking at rearranging?

**Darren Vogt:** Not necessarily that they are but they have control.

**Roy Buskirk:** Oh, I see.

**Bill Brown:** If this goes through, the model that we would be similar to the City.

**Roy Buskirk:** I know that Indianapolis or Marion County has...

**Beth Lock:** Twenty-seven.

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**Roy Buskirk:** Twenty-seven County Council members but what is the norm with the rest of the Counties?

**Beth Lock:** The only two Counties that have legislative authority are Lake and St. Joe. St. Joe has nine, six Districts and three At-Large. Lake has seven single Districts. Every other County Council in the State is set up with seven members, four Districts and three At-Large. There are a couple of other things. I mentioned these briefly back in December at our legislative meeting. House Bill 1159 deals with drainage statutes. Our Drainage Board brought this before us. They had voted to represent the statutory easement on the plats. For 28 years we have done easements at fourteen feet. Statutorily they are thirty feet. There is the occasion where there may be a structure built on the statutory easement and that provides the Drainage Board to be able to go in and say that this is on our easement and we can tear down your house. That is not what we want to do and so this Bill gives Home Rule to local surveyors to recommend to the Drainage Board to reduce the feet from thirty to fourteen feet. That would help as properties are being sold in the future and those lines are being represented on the plat that the statutory easement would be at fourteen feet. There is also Senate Bill 159 that is a result of a lot of the Board of Health coming before you about a lot of issues particularly legal fees in regards to building codes applying to septic ordinances. Some people tend to say that this building code for structures applies to septic, applies to zoning, applies to land use et cetera. Senate Bill 159 addresses that and makes it very clear in statute that the building codes do not apply to septic standards. That way, we don't have septic systems being built in the unincorporated area that aren't functioning properly and are not inspected by the Health Department and taken to court with some exorbitant fees. I think some of you have probably followed that in the newspapers. That is another Bill that is moving through.

**Roy Buskirk:** Beth, before you move on, that is one thing that the Permitting Board has gotten involved with on the fact that they were issuing building permits before the Board of Health issued a permit for a septic system. Here you have a brand new home built and they can't put a septic system to it. That was one of the things that we were trying to get straightened out by getting that changed. Going back just a little bit with the drainage easement at fourteen feet, it was brought to the attention when the private citizen was put on the Drainage Board.

**Beth Lock:** M. J. Klinker.

**Roy Buskirk:** He brought that out and there were a couple of other things. Number one is that the drainage easement was not being shown on the plats at all. That should have never been okay because when you file a subdivision plat, you need to have all of the easements and everything on there. When you have sell-offs to have the property owners know that when they buy that there is an easement there and they are limited on what they can do in that easement area. That has been a great move in the right direction. The reduction from thirty feet to fourteen feet, there is no problem with that from contractors that install the pipe and everything for the drainage purposes.

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**Beth Lock:** I don't know how much more you want me to go into. I have a few more Bills here. The Judges and I know the Clerk supports JTAC. That Bill is moving through. That is House Bill 1393. House Bill 1432 is the elimination of cable franchise fees. We opposed the Bill and it did not move in committee. It is dead but they will be offering a summer study committee and that is something we need to be watching for. It provides quite a bit of revenue to the Commissioners' Office. There has been discussion on personal property taxes. House Bill 1544 was the only one that made it to the House floor. It was allowing the County Council to allow the elimination of up to 100% of AV on personal property taxes. That failed yesterday for the lack of a constitutional majority. It was a 47 to 48 vote but they didn't have a majority. That is currently not moving. The Treasurer had some concerns with Senate Bill 275 which would have mandated Counties on monthly tax installments but it would have totally put us backwards in our current system with regards to software et cetera. That was amended to accommodate the concerns of the Counties that already have that implemented. There have been a couple of bills on public notices but unfortunately neither one of them made it out of committee due to the fact that many of them still think that newspaper is the best way to publish some of our advertisements. Those are just a few of the things that I am watching. There are two Bills, one in the Senate and one in the House that made it through before our IT Director brought it to my attention. It is redacting the names of law enforcement officers in the property tax search. A lot of Counties don't have what we have where you can look up properties by parcel number or names or addresses et cetera. Ed was sitting with me in the audience today and he said he got an estimate from Atos for \$100,000 to accommodate the wishes of this Bill. That is something that we will be working very strongly on during the second half to make sure that all of our needs are met and/or it is not passed.

**Tera Klutz:** I would like to add that it is not that we are insensitive to that. It's that you can type in anybody's name and address right now and Google Earth will come up with a picture of the home. There are so many other avenues that one database online of a local government seems to not be meeting the intent of the Bill but costing taxpayers a lot of money.

**Beth Lock:** As the halfway point moves around, I will update you. My current Bill Track is 79 pages long but I can tell you that all of the pink you see in here are dead Bills. Hopefully this will shrink to about 25 pages.

**Roy Buskirk:** Part of the problem is that they are dead Bills but they can...

**Beth Lock:** Have amendments. I am glad that you brought that up. Amendments are something that you always watch for especially in second readings.

**Darren Vogt:** We may need you back for the March meeting so that we can have some similar discussions.

**Beth Lock:** No problem.

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**Darren Vogt:** Council, is there anything else for Beth?

**Roy Buskirk:** I really appreciate what you brought today. I think it is a lot easier for you to discuss it with all of us rather than one at a time.

**Bill Brown:** One quick question on the statutory easement. I think once it was 75 feet and the Drainage Board allowed it down to 30. This is going back in time. I know there were some underlying issues on sales. Will there be a grandfather provision on the fourteen feet?

**Beth Lock:** Yes. Essentially we have already approved the fourteen feet. Urban law, back in 1984, is what changed it from the 75 to the 30 feet.

**Roy Buskirk:** This is going through subdivisions and tile.

**Beth Lock:** Yes.

**Bill Brown:** Thanks for the clarification.

**Darren Vogt:** Thanks, Beth, we appreciate it. There are a couple of other things on our agenda. Bill has Parks and Rec Board appointments.

**Bill Brown:** We have two appointees. One is Mitch Sheppard who currently the Director of the Botanical Gardens. The other is Stephanie Veit who works at Three Rivers Federal Credit Union and is very interested in the process. I have bios on both of them.

**Darren Vogt:** When do they meet next? Do we need to approve these today?

**Jeff Baxter:** March 14<sup>th</sup>.

**Roy Buskirk:** We need to. Why don't you get those bios sent out to us?

**Darren Vogt:** We need a motion. We have done this in the past where we have gone on a recommendation from Council. We have two people that are willing to serve and we trust that they vetted them well. We need a motion for Mitch Sheppard and Stephanie Veit.

**Roy Buskirk:** To serve on the Parks Board, I make the motion.

**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. Council, are there any recent or upcoming events or meetings or liaison reports? I will just mention that the City Council is meeting tonight to discuss the Tax Phase-in. I know that I will be there. Does anybody else have any upcoming meetings or liaison reports? I will say that you need to have contact with your liaison departments. If they get to you with questions, we have got to be timely in

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our responses to them. If you need to get other Council members involved, we will work together so that departments are not sitting out there wondering what is going on.

**Roy Buskirk:** I was just going to say on the Permitting Board, we are moving forward and we have a lot of room to go yet. We are getting more and more things available for electronically submitting plans, permits and everything. People don't even have to leave their office to come downtown.

**Larry Brown:** Commercial is not addressed yet. Residential is but not commercial.

**Tom Harris:** Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of February 26, 2013.

**Larry Brown:** Second.

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

**Roy Buskirk:** 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 10:43.