

ALLEN COUNTY COUNCIL MEETING MINUTES
MARCH 19, 2015
8:30 AM

The Allen County Council met on Thursday, March 19, 2015 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, Joel M. Benz, William E. Brown, Roy A. Buskirk, Tom A. Harris and Sharon L. Tucker. Larry Brown was absent.

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

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

Tom Harris: Good morning everyone. First on the agenda is the approval of the February 19th meeting minutes. Are there any additions or corrections?

Roy Buskirk: Move to approve the minutes from February 19, 2015.

Bob Armstrong: Second.

Tom Harris: All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (L Brown absent). Next is the financial report with our Auditor Tera Klutz.

Tera Klutz: Good morning, Council. You have the year-to-date through February financial statements for the General Fund and the Major Funds and for any other fund that would happen to be asked for an appropriation. The revenues are tracking right on with 17% of the revenues collected. We won't expect any property tax until May with an advance. If you have any questions, I will be happy to answer them.

Tom Harris: Are there any questions on the Treasurer's report?

Tera Klutz: Or Auditor's.

Tom Harris: Oh, I am sorry that would be better. I will accept a motion.

Roy Buskirk: I will make a motion to approve the Auditor's report.

Joel Benz: Second.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent). Next is the unemployment rate.

Nick Jordan: Good morning, Council. On your agenda you will see November and December. I also have January and I am going to start with that. For Allen County, it is 6.6%. Indiana is 6.7%. Illinois is 6.9%. Michigan is 6.6%. Ohio and National is 6.1%. These are non-seasonally adjusted and so the big jump could be attributed to the Christmas workers that are not working anymore in January. I am not exactly sure but suspect that.

Tom Harris: Those numbers are going to continue to fluctuate as we are going to see some changes even with the one coming out next month. It appears that there is going to be an uptick. Are there any questions?

Roy Buskirk: Yes, I guess this is the appropriate time to bring this up. Currently the EPA is talking about raising the air quality numbers which would have a tremendous impact on this County because we are right on the bubble with our air quality control. We have lost some businesses in the past years because of that. If they would lower that we would be an unattainable County. Especially in any kind of manufacturing jobs, it would definitely have an impact on. I think we should be concerned about that.

Tom Harris: I think the Governor is speaking to that and fighting that as well.

Roy Buskirk: Correct. There are ten States that have signed on opposing it.

Tom Harris: We will have to continue to track that to see how it might impact economic development. Are there other comments? If not, as we move down the agenda, the total appropriations in the General Fund are \$282,598. The first department up is the Sheriff's Department.

Nick Cripe: Good morning, Council. I am Nick Cripe, Finance Director of the Sheriff's Department. You have a request before you to transfer funds in the Federal Asset Seizure Fund. I can explain how this came about if you want me to. Originally, when we drafted the budget last year, we put an amount in for lease vehicles. That is a typical expense that we would have every year for vehicles. After the budget was pretty well through the process and almost finalized, we had actually negotiated a different deal and paid the lease all up front. Rather than having periodic payments every year, we took care of that all in one swipe and with a significant cost savings to us. That is why the funds are available in that line.

Tom Harris: How about that cost savings, what is the approximate cost savings?

Nick Cripe: I think we typically budgeted about \$30,000 a year for lease vehicles and we paid it all up front and it was around \$50,000, I think.

Tom Harris: Questions?

ALLEN COUNTY COUNCIL MEETING MINUTES

Roy Buskirk: Yes. We have quite a few leased vehicles in the Sheriff's Department?

Nick Cripe: We do have some in order to do a rotation. I don't want to get into all of the details of why we do that.

Tom Harris: They are probably unmarked.

Nick Cripe: Yes, they are unmarked.

Roy Buskirk: Okay. This is a transfer within the Federal Asset Seizure Fund?

Nick Cripe: Correct.

Roy Buskirk: There are very restricted items that you can spend the funds on?

Nick Cripe: Yes there is. There is a pretty detailed list of what is acceptable and what isn't.

Roy Buskirk: Are wages one of them?

Nick Cripe: I don't know the answer to that but it is possible that overtime might be but I am not sure. (He turned around and asked someone in the audience.) No.

Tom Harris: The answer is no?

Nick Cripe: The answer is no.

Roy Buskirk: All right, thank you.

Tom Harris: Are there any other questions? If not, I will accept a motion.

Roy Buskirk: I will make a motion to approve the transfer within the Federal Asset Seizure Fund 206 of \$11,500 from Vehicles to Miscellaneous Equipment.

Bob Armstrong: Second.

Tom Harris: **We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent).** Next up is the Building Department.

Dave Fuller: Dave Fuller, Allen County Building Commissioner. We are asking for a capital appropriation for three vehicles. Two are replacement vehicles and one is an additional vehicle for the new Inspector that you approved last month. The two replacement vehicles, one is for a 2007 Malibu that has nearly 150,000 miles on it. It is one of our regular field vehicles. The other one is for an Escape that was totaled in an accident last fall. We did not come back in the fall to ask for replacement because we had

ALLEN COUNTY COUNCIL MEETING MINUTES

a spare vehicle that we use when there are accidents or service work. That will go back as a spare when we get the new vehicles. We typically keep our vehicles in the neighborhood of 120,000 to 150,000 miles. Once we get these, we will be down to one Malibu and one Ford Ranger pickup, which is the spare. Everything else is Escapes. We have quotes from the Purchasing Department for Ford Escapes as well as a new vehicle that is coming out through Chevrolet which is a Trax. It is a small SUV. As we looked at those, the Trax was slightly less expensive but we feel there is an advantage to having the same model vehicle from a maintenance and parts standpoint. We have also had extremely good service out of the Escapes. We have had virtually no problem with those. We are asking for the three Escapes for a total of \$58,884.

Tom Harris: All right, are there any questions from Council?

Roy Buskirk: Dave, do you still have any of the hybrids?

Dave Fuller: We still have four and those were 2010 Escapes. Unfortunately one of them that was totaled was a hybrid. We got a \$14,000 settlement on that one and that went back into the General Fund. Most of the hybrids that we have are in the 100,000 mile range. We feel that we still have a fair amount of service on them. The rest of them have been gas engines. Ford is not making the hybrids anymore. With the Ecotech engine that they have come out with they are getting nearly as good mileage as they were with the hybrids.

Roy Buskirk: Okay.

Tom Harris: A question in terms of these additional vehicles, they are tied to the uptick in or actually one of those is tied to the uptick in demand for business and such?

Dave Fuller: In relation to the new position for the Property Maintenance and Minimum Housing Inspector that was approved last month.

Tom Harris: We had a pretty extensive discussion last month about that but one of the questions that come up sometimes from other departments is why can't we have new vehicles? These are tied to revenue sources. These individuals are going out and helping the community grow and at the same point there are revenues associated with that growth.

Dave Fuller: Yes, we bring in more money than our annual budget through the inspection process and the fees for the building permits.

Tom Harris: Okay, thank you.

Roy Buskirk: On the hybrid cars, that was, for the lack of my vocabulary, a deal on purchasing those. The Federal government participated in the purchasing, if I remember correctly. It was kind of an experiment for the County to use them. I think that by Ford

ALLEN COUNTY COUNCIL MEETING MINUTES

discontinuing those kind of agrees with what the Building Department's experience had been.

Dave Fuller: Yes and the one that was totaled had nearly 140,000 miles on it. We had determined, through evaluation when we got those, we needed 150,000 to break even on the additional cost if we were paying for that. It was a Department of Energy grant that paid the difference between the lesser expensive gas model and the hybrid. The County didn't pay any extra but had they continued to make the hybrid, we would have needed to get into the neighborhood of 150,000 miles to break even. I think we probably would have because they have been extremely reliable.

Tom Harris: Council, are there any more questions? If not, I would entertain a motion.

Bill Brown: I will make a motion in an appropriation reduction in Department 42, County Council in Other Capital in the amount of \$58,884 with an appropriation in County General for Vehicles in the amount of \$58,884.

Bob Armstrong: Second.

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent).

Dave Fuller: Thank you very much.

Tom Harris: The next item is the Commissioners in regards to Contractual.

Roy Buskirk: I will be handling that or Nick and I. As most of you are aware, about three years ago we started a permitting board. There was an interlocal agreement between the City and the County to expedite the permitting process because we had been receiving a lot of complaints from the construction industry. They said it was difficult to obtain permits in Allen County and the City of Fort Wayne. This is the first time in the three years because we had an initial budget of \$1.4 million. We have upgraded software. We have made the City and the County ordinances are very similar. Before, it was different zoning numbers meant the same thing. It was just different because of the County and the City. There were several other issues of that type. Now you can apply electronically for permits and you can also pay for them electronically. You don't have to come downtown to obtain a permit and it really works well on larger industrial and commercial projects. Many times the architect is out of State. They can submit their plans to all of the departments that need their plans with one press of the button. That also makes sure that they all get the same thing. This morning, the Permitting Board of which I am Chairman, is coming before you asking for an additional appropriation of \$200,000. Part of that is in the fact that is the County pays the invoices and then bills the City for their share. The actual expense, in essence, for the \$200,000 will be \$100,000. Jump in Nick, if I am saying...

ALLEN COUNTY COUNCIL MEETING MINUTES

Nick Jordan: I think you are saying it correctly. My opinion of it is that this would potentially be tabled or delayed for the fact of the discussion as to whether this should come out of the General Fund or the CEDIT Fund. There are a lot of moving parts right now going on with the Board and the positions as to whether they should be internal or external and what these funds would actually go to. Prior to the last month, we had contracts signed above and beyond the \$1.4 million and so there was a need for this \$200,000. Since then the Ombudsman has retired and the Service Delivery Analyst has taken a different position. That freed up potentially \$84,000 of the original \$1.4 million. That is available. It is just the fact that if there are contracts to be signed and there needs to be the dollars in there. There is still some uncertainty as to what direction the Board is going to go. From sitting in on the meetings that is what I have taken away.

Roy Buskirk: We do currently have two openings. The CEDIT avenue, both me and our President have discussed this with the Commissioners and that is basically slim and none as to getting any CEDIT money at this time. I agree with you, Nick, this is economic development and that is what CEDIT money is supposed to be for. Currently we have a projected upgrade in the Surveyor's Office of \$25,000. There is also an upgrade in the Department of Planning Services of \$60,000. Redevelopment is for \$5,000. There are contingencies of \$9,000. I mentioned that you can pay online but there is a fee. We are using Star Bank to process those payments and that is \$7,150 a year. It is more than just the two vacant positions.

Tom Harris: Councilman Armstrong.

Bob Armstrong: Does this hold anything up if we don't pass it today? Are we waiting on a Board decision?

Nick Jordan: I think the Board is still discussing the directions that they are going in regards to the positions. Like Roy just mentioned, \$60,000 for DPS, is that for Kim's contracts?

Roy Buskirk: Yes.

Nick Jordan: That money is already built into the \$84,000. The \$60,000 that was mentioned, there is still \$84,000 after that is paid.

Bob Armstrong: So we are not holding anything up if we hold up a decision out of the Board.

Nick Jordan: I would defer to Roy.

Roy Buskirk: For doing long-range planning, it's a little difficult not knowing if you will have the funding available to move forward on. That is the reason that we are asking for the additional funding.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: I will get to your question in a minute. One question that I wanted to find out, Roy, is there a sunset provision in this process for the Permitting Board? We discussed an end in sight where this process stops or is built into our infrastructure. Has that been discussed with the Board at all?

Roy Buskirk: It has been discussed some but as far as the sunset, no. Government can get very difficult sometimes and lo and behold, we recently found out that there was a three-year interlocal agreement. The interlocal agreement that the Mayor and the Commissioners signed says is automatically renews for three additional years. The interlocal agreement that the City Council signed, it terminates after three years. We are going under the premise that we need a new interlocal agreement which has been reviewed and had some changes made. The original Board was six members and we want to increase it to eight and include the County Surveyor because of him or her being an Elected Official. Also, a member of the Governing Board because the Plan Commission is both City and County and there is a Governing Board that oversees the Planning Department, We felt it would be better if we had a member from that Board. We want to increase the Permitting Board to eight members instead of the current six. That is a long answer to your question as far as the sunset. No there is not. You really need an Ombudsman. The Ombudsman has been very beneficial in the development community. There was one bank that definitely threw up their hands and was leaving. The Ombudsman was able to step in and because of that we have two branch banks. A lot of people don't understand that the only way to increase revenue for government is to increase the assessed value or the employment in the County. When I say County, I am talking generic County and City. You attract new industry to come in and then you turn right around and give them a phase-in on their property taxes. You immediately start receiving revenue from the employees' wages through the Local Option Income Tax. For this community to grow and have additional programs, we will need additional revenue even to stay with the cost of living increases. Roads cost more now to build and repair and items of that type. I am a conservative but there is a limit as to how much you can cut. This is the reason I think there will be a continuation but I see it being a lot smaller than what it is currently for the Permitting Board as far as the expenses. Hopefully they will meet quarterly or something of that type. Sometimes our meetings are weekly when an issue comes up. I see it continuing on.

Tom Harris: Okay. Councilwoman Tucker.

Sharon Tucker: I have a couple of questions for you. One you had said you were asking for \$200,000 and the City pays 50% or reimburses 50% for expenses.

Roy Buskirk: Right.

Sharon Tucker: Does that \$100,000 go back into the General Fund?

Roy Buskirk: No, it would go back into the Permitting Board Fund.

ALLEN COUNTY COUNCIL MEETING MINUTES

Nick Jordan: The Permitting Board expenses are paid out of the General Fund and so the revenue would go back into the General Fund.

Roy Buskirk: When it comes back from the City?

Nick Jordan: Yes. It is in the General Fund and everything is operated out of the General Fund for the Permitting Board.

Sharon Tucker: So, we would give 200K upfront and 100K should come back to go into the General Fund.

Nick Jordan: It won't be upfront. As I pay the expense, I turn around and bill the City for their 50%. It may be this year or next year when it is finally spent but as it is spent, I bill the City for their 50%.

Sharon Tucker: Okay. The second question that I had, it sounds like and I could be wrong, but it sounds like it is just kind of shot around and said Boom we need this 200K so give us that amount. We have fully funded marketing and training and all of these services that we are going to use these funds for. My question would be we didn't come up with a budget to actually know what we really need for those funds.

Roy Buskirk: We have an estimated budget, correct. We do not have invoices for that amount.

Joel Benz: So, Roy, what percent would you say is going to marketing?

Roy Buskirk: We are currently in discussions with a marketing company and their bid is \$40,000. Most of that \$40,000 will be used to discuss with current contractors to get a higher participation on the electronic permits. Currently it is about 40% of the contractors use the electronic application for permits and obviously we want to increase that. There will be about ten to fifteen percent of the \$40,000 will be used for public relations to the general public so they know what the Permitting Board is doing and how we have improved our permitting system in this County and working on the economic development growth.

Joel Benz: So, Councilman Buskirk, besides the efficiency, is there any other benefit to using the online version versus coming downtown? Are there some cost savings for the County in that?

Roy Buskirk: No, there might be a little bit but that is not the main reason for doing this. It is to expedite the permitting process to make it more convenient for the general public and contractors to use the permitting process. You can do some of the application work even when the office is closed because you are doing it electronically. That was really the main goal, for the Permitting Board, to make it more convenient for contractors to apply for permits.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: Councilman Armstrong.

Bob Armstrong: On the Permitting Board, how many full-time employees do we have?

Roy Buskirk: On the Permitting Board, zero.

Bob Armstrong: We have no employees. So, I guess my question is, is the Permitting Board a freestanding department or is it a Board? If it is a Board, does it fall under the Building Department?

Roy Buskirk: I am not an attorney but it is an independent Board. It is not a department of the County nor is it a department of the City. It is an interlocal agreement between the County and the City to create this Board to oversee the permitting applications in this County.

Bob Armstrong: So are we paying the two employees or two individuals that left, retired or moved on, they are being paid based on their services? They are not hourly employees?

Nick Jordan: They are independent contractors. They are not employees of the County and were hired...

Bob Armstrong: I was just wondering if you fill those two empty positions and incorporate them into the Building Department as employees but sitting on the Board.

Roy Buskirk: They are not on the Board. They have been hired by the Board. The interlocal agreement gives authorization to the Board to hire and fire individuals.

Bob Armstrong: All right.

Roy Buskirk: The one reason why, especially the Ombudsman, is an independent is because of the fact that we strongly felt we needed an individual that is neither County nor City. That is the reason that they have been able to step in. They have strictly been on an hourly basis and in several of the months it might only be six or eight hours for the whole month.

Bob Armstrong: Right.

Roy Buskirk: It is an as-needed basis. The Case Manager, there have been several other names used for that individual, has to be strong in computer software. As you can see, a lot of our expenses have been because of the computer upgrades.

Bob Armstrong: The IT side of it.

Roy Buskirk: Right.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: Councilman Brown.

Bill Brown: This will more than likely be part of the marketing campaign but I do know, after being involved with the formation of that group, there has been a lot of progress made. I think testimonials, at this point, through the marketing company or even outside of that entities like the AIA, the BCA and the ABC, civil engineers and those types of entities could provide testimonials through their organizations that will illustrate how the effectiveness has increased. In any regulatory environment there are always challenges. There has definitely been improvement. I am not sure how today's request equates to \$200,000. I think it is important to illustrate the progress that has been made. That is the point I wanted to make.

Tom Harris: Councilwoman Tucker.

Sharon Tucker: I insure a lot of contractors and the process that makes it easier for them is always beneficial. I am concerned that one of the things we haven't done, we just made an agreement or are working on an agreement for one marketing company as opposed to putting it out to bid or asking for multiple marketing companies. We always ask our departments, when they come for us to do due diligence to make sure that we are using the tax dollars in the best way. That would be one of my concerns to make sure that we do allow everybody to make sure that they are doing due diligence to make sure we are using the tax dollars the best way.

Tom Harris: Roy, you mentioned that the City Council needs to come back and agree to extend the life of the interlocal agreement. Is there a timeline for that to happen? Has there been any discussion with the City Council for that to happen?

Roy Buskirk: Yes. When I originally formed this committee that is the reason I wanted the participants that we have. We have two City Council members on the Board. We have two County Council members, I and Larry Brown. We have the Deputy Mayor and a Commissioner. That is the current six that makes up the Board. The original agreement was for three years. The Mayor was the last one to sign the agreement and I believe it is May 5th and that is when the City Council agreement would terminate.

Tom Harris: Is it coming before them for a vote?

Roy Buskirk: Then it will come before us to vote on it.

Tom Harris: And that is the May timeline.

Roy Buskirk: Yes.

Tom Harris: Council, are there any other questions? Hearing none, is there a motion?

ALLEN COUNTY COUNCIL MEETING MINUTES

Bill Brown: While I am very much supportive of this initiative, I think it is very appropriate to be clear that if this was to be tabled for a month, does this hold off any action to be taken in the next month, Roy?

Roy Buskirk: Nick informed me this morning that we have additional funds in there and we can go ahead. You are saying it is \$83,000?

Nick Jordan: Yes. To my knowledge, unless there is anything out there, contracts that have been signed that I am not aware of, even if you did the \$40,000 for marketing it would still leave you with \$43,000. If you were to hire someone internally, we are a quarter of the way through the year and potentially they wouldn't need all of the salary that you were expecting. Those are the unknowns and that is why it is kind of hard to pinpoint \$200,000 of need when the Board doesn't even know what direction they are going into for that position. You gave a good description of how a business comes into Allen County, we get a portion of income taxes that would come from that business and it is unfortunate that CEDIT cannot be used for an economic development purpose such as the Permitting Board to deal with contractors, developers and so forth when it has \$16.7 million in it. That is an avenue that I think should be revisited for a small amount, \$200,000 and there is \$16.7 million to potentially fund. Roy didn't allude to, but if that position comes internally, there needs to be a discussion of whose budget it is going to fall under going forward. There are a lot of different moving parts that I think needs to be part of this \$200,000 discussion.

Roy Buskirk: If that position is moved internally, it will still be paid by the Board.

Bob Armstrong: And split?

Roy Buskirk: Right.

Bill Brown: I think there is merit to it being an external position so that it is not looked upon by the greater community as sort of an insider scenario. Isn't that part of the whole reason that the Ombudsman was structured that way?

Roy Buskirk: You are talking about two different positions. One of them is the Ombudsman and I don't think there is ever a chance that it would be brought in. The one thing is, like I said, the last couple of months there hasn't been much activity for the Ombudsman to do. It has been like six or eight hours.

Bill Brown: That is a good sign.

Roy Buskirk: And it should become less as time goes on. It's the same way with the other position on all of the software and stuff because all of the kinks have been worked out.

Tom Harris: I had a chance to speak with one of the three Commissioners and while the Commissioners are in favor of the Permitting Board, they are concerned about the CEDIT

ALLEN COUNTY COUNCIL MEETING MINUTES

funds already being extended and some things that are out there may be of concern that the CEDIT funds have already been spoken for. The opportunity to table this for a month would give us the opportunity to speak to the other two Commissioners and maybe find out further information that would be beneficial for this discussion. I just throw that out.

Roy Buskirk: Okay.

Tom Harris: With that we need a motion to either table this or move on the motion.

Bob Armstrong: I will make the motion to table it until next month.

Joel Benz: Second.

Tom Harris: Is there any further discussion?

Bob Armstrong: The only other thing is I would just like to know what the Board's position is. I mean, where are they going? It sounds like it is pretty loose ended. I am for the Board. It has cleaned up a lot of stuff but it just seems so open-ended. Some of the ends need tied up.

Tom Harris: So along with being tabled, he is asking that maybe further discussion might be the opportunity to come back and talk a little bit about the future and the plans for the Board. That might be covered in the next meeting as well. **We have a motion and a second. All in favor say aye, all opposed same. The motion passes 5-1 (Buskirk)-1 (L Brown absent).** The next item on the agenda is ACJC.

Judge Heath: Judge Heath, Presiding Judge at the Allen County Juvenile Center.

Dave Korus: Dave Korus, Budget Analyst Allen County Juvenile Center.

Steve Doster: Steve Doster, Assistant Chief of Operations for the Allen County Juvenile Probation Department.

Judge Heath: We are here for a vehicle. I emailed last night but also have a copy with me of the mileage chart for our vehicles. I also sent an explanation of what's happened to a number of our vehicles in the last year to year and a half. I have given you some history and the fact that the Le Sabre has been redlined by the garage. The garage people have determined that it would be more expensive to keep repairing it than it is to replace it. We are asking for an Equinox to replace it. I brought Steve with me to be here with you just for this segment in case you had any questions about how our vehicles are used, the mileage on them, why we need this vehicle and any questions you might have. We have been here before, over the last year or so and so many of you know what we are doing.

Roy Buskirk: I think there is a question, at least to me, on the out-of-town trips and the reason for them so the rest of the Council members can understand that.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: And maybe an overview of what that vehicle is needed for and what it will be used for.

Steve Doster: A little history here. We have replaced four vehicles in the last year. There were three new ones and two had to have cages put in them for juvenile transport. One, we picked up used from the Sheriff's Department. This vehicle is primarily going to be used for placements and out-of-town trips for staff and training. It could be CASA or Drug Court. We try to accommodate all of Superior Court.

Roy Buskirk: How far are the trips? Are you going to Columbia City or Indianapolis?

Steve Doster: We are going to Indianapolis and farther. We even have some placements that are in Cincinnati. We have one in Ohio. We go to Goshen and all over.

Roy Buskirk: Okay, I think that is mainly what I wanted to know. Out-of-town trips can be Columbia City or Indianapolis or wherever and that's the reason you are getting the higher mileage is the fact that they are quite a distance. Cincinnati is a considerable amount of mileage.

Tom Harris: Judge, did you have something you wanted to say?

Judge Heath: I was just going to embellish what Steve said. We have certain placement facilities that are geared towards certain things that a given child needs. A child has a special problem in this area and the DCS has determined that along with our Probation Department that this is where the child ought to go. Now, we have to transport that child there and back. It deals with the individual child.

Tom Harris: So there are children that are actually being transported in that vehicle as well.

Judge Heath: Oh, yes. When we say placement that is what is happening. We are taking that child to a placement facility and then we have an annual review of that child or other reviews to see how that child is doing. We get reports monthly from the placement facility about how the child is doing.

Tom Harris: So this is important in the safety of all involved.

Judge Heath: Oh, yes.

Tom Harris: Are there other questions or comments?

Roy Buskirk: I will make a motion for the appropriation reduction from Department 42, Other Capital in the amount of \$23,714 to ACJC Vehicles in the same amount.

Bob Armstrong: Second.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent).

Judge Heath: The next item is certainly interesting. I think I need to explain some things here. Bear with me, if you will, because I don't think I have explained this adequately to the Auditor's Office or our new Council members as well. There is a statute and when I came onboard in April of 2013, I did a fairly careful review of our Probation programs and that is what led me to ask for the JDAI, Juvenile Detention Alternatives Initiative. We were incarcerating a lot of kids who, frankly, end up in our adult system. So, how can we lower those numbers? JDAI comes in and the folks who fund JDAI are great people but they are not here to deal with the root causes of delinquency. They want to lower detention numbers. They will fund the work necessary to get that done. They are not awash in cash. They don't deal with the root causes in delinquency. That concerns me a little bit because you let people out on the street but are they going to go to my colleagues someday in Adult Court? Yes they are. Instead of being so reactionary, which is so expensive, every time that a kid does not get a high school diploma, they cost society about half a million in lost wages and high use of the criminal justice system. They earn less and have less of a life and are more involved in crime. So now you ask the question, what causes crime? You start reading all of that stuff and I read where literacy and education is a big component. I read where family dynamics is a huge component. I have learned that some families need enhanced parenting skills almost after birth, the process begins with them. Not getting highly educated, getting lingual, reading skills and they start kindergarten behind. All of these things happen so I go out and find Check and Connect because we have a humongous truancy problem in this County. We have enough truants in this County that you could fill a high school. We bring in Check and Connect. You ask yourself if Check and Connect is a probation program. Is it a standard, typical probation program? You won't find another Court in the country that has Check and Connect. The Bloomington Chamber of Commerce has Check and Connect because the business community there decided that they would rather save tax dollars by keeping kids out of prison and productively employed. The Chamber down there is running what I am running up here. I checked the statute and it says I can use probation funds for supplementary probation programs. I can supplement the programs done by Probation. There is no further definition in the statute. There are no case notes and there is very little case law that interprets that. There is not a definition section of the statute. If you really look at the language like a lawyer, supplementary probation programs are not purchasing vehicles. That is not a supplementary probation. But you could say that our Probation Department needs vehicles to do their business. Let's give a broad reading to this statute. We have been giving a broad reading of that statute by County Council and the ACJC for decades. If you want to take a very narrow view of that statute, I shouldn't be using Probation User Fees to buy vehicles. It is not a supplementary program. A vehicle is not a program. This Council and the Court, Judge Sims and I participated, and I used Probation User Fees to buy cars last year. We have all taken a broad view. In the meantime, I have worked very carefully with many of you here to brief you on these new programs. Check and Connect, I used to call it Bright Stars and I will brief you on that in a second. What we are doing, instead of being so reactionary and watching money being spent on the deep end in adult criminal behavior and so on, we have taken a paradigm shift. By the

ALLEN COUNTY COUNCIL MEETING MINUTES

way, the State is watching us and some other parts of the Country are watching us as well. Instead, we are going in and preventing. I am using Probation User Fees to do that. I am using Probation User Fees for our Check and Connect program. Let's take a look at that for a second. We got our recent report back and it showed that we lowered suspensions by 65% in those files covered by Check and Connect. We lowered tardiness by 41%. We increased school attendance by ten percent. We increased the use of excused absences by 17% and lowered unexcused absences by 19%. This has had a dramatic impact. I consider it to be a supplementary probation program. I am using research that is telling me who is coming my way. A truant kid is coming my way. A kid who is way behind in reading is coming my way if I don't do something about it. I can sit back and continue to use Probation User Fees in the old traditional programs that react. They have their place. We need to get the kid to placement. He needs to be in placement. We have electronic monitors because we have some dangerous kids that we need to know are in their homes. These programs have their place. How do I get to a point where we don't have so many of them? We have 700 and some odd kids on some form of conditional probation as I sit here today and almost 80 kids in our secure facility. That is over 800 kids in our County. How do we get that shifted so they are not, by the way that is a huge expense, we are a \$9.4 million budget. Think about that. A reactionary \$9.4 million budget so how do we shift that paradigm and keep those kids from coming to us?

Tom Harris: It sounds like we have the right person in that seat to do that.

Judge Heath: Well, I am certainly trying. I will admit that the definition that I am giving to supplementary probation programs is broad. I don't deny that. Am I prohibited from doing what I am doing? I don't believe so. I think if you took me to court and asked a court to define that first of all they would say it is pretty darned ambiguous. They would say that there is not much definition there. Here comes Bright Steps. I call it Bright Steps now and we are getting it trademarked. We have a lawyer pro-bono trademarking this program. Bright Stars ran into a little bit of a trademark problem. Nobody sued us and nobody threatened us. I just noticed when we checked that somebody else is using Bright Stars. I don't want to go there. So now we are calling it Bright Steps. Bethlehem Lutheran Church gave us free classroom space. IPFW, IUPUI Masters in Social Work Program is going to give us, in 2016, free interns. I am taking Probation User Fees and hiring two individuals part-time. The County is not paying any insurance or any kind of pension. We had the salaries rated by Human Resources so that we knew what was proper to pay them. They will need to set up two classrooms. As individuals come through my Title IV-D Court and paternity is established and they have that infant in their lap and two siblings in my courtroom running around, I know that those people are at risk. They are at risk to be in my facility someday. If you look at all of the data, I can bring you a video that shows you what is called The Zip Code Lottery and the video will tell you that if you were born in certain poverty stricken zip codes, you will end up in crime and in juvenile centers. You will get behind in your reading and everything. We are going in there and have a special program, Title IV-D parents come through my court, they will be ushered into the next room after my hearing and they will be presented this program that will help them learn how to take that infant child and properly develop its brain, properly develop its reading habits and we are going to break this cycle where

ALLEN COUNTY COUNCIL MEETING MINUTES

mom wasn't raised with enhanced parenting skills. We are going to help her do that. In the next room is a Title-I teacher of more than a decade's experience who is working part-time and will take the siblings and get them caught up on their reading skills so when they enter kindergarten they are up with the kids that live in suburbia. We are going to run hundreds of kids a year through this program and have an impact in our community. I am using supplementary probation program fees to do that.

Tom Harris: Judge I think we are in agreement, on Council, to continue that approach. I don't know, unless there is something in the future that might be contrary to our Council, believes up to this point we have been supportive of that. We would encourage that to continue. I think before us today you have another item for Group Insurance.

Judge Heath: Here is where that comes in. I am sorry I should have tightened this up.

Tom Harris: That's fine, that's fine.

Judge Heath: We set up the classrooms and we used money to set up those classrooms. We did so on a very tight budget. I think that ultimately we will end up spending less on this. That is the transfer request. We have set up two classrooms at Bethlehem and we want to use this to set them up. Correct me if I am wrong but you might have something.

Tera Klutz: I would love the opportunity to talk. As Auditor, our job is to audit all of the claims and make sure that they fit the statutory purposes of every fund. That is why we have fund accounting. Just yesterday it came up and we had some questions and wanted to make sure that the statute does not say programs. It says Supplemental Probation Services. Our only question was is this Probation Services. I think there has been some misunderstanding about whether this was considered Probation Services by the Juvenile Department. As soon as the Judge says he considers this supplemental probation services, which he hasn't said yet and the statute says, we will absolutely pay this claim. We just want to make sure that they know that we can't let the Council approve something that would not be considered supplemental probation services because we operate under Indiana State law and not County government. I would say that you haven't technically worked with the Auditor's Office very much but I know several people in the audience has and this Council and we have always taken a broad interpretation of all uses of County money. We are very flexible and my comments to David this morning were that you can only use that for probation services. If the answer would have been it is, it would have been a done conversation. As long as we are on the same page...

Judge Heath: I'm not trying to be confrontational, Tera. I am standing off to the side and I hear that conversation and my only opportunity to discuss this was to come to the table today.

Tera Klutz: Mine too. I was out of town yesterday and David's email said that it was already approved by Council and I needed to let him know that's not an okay. It has to be used for the purposes of the fund. We also define things pretty broadly so that we have flexibility to use the County's money wisely.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: With that the question remains, do you see it as supplementary probation services?

Tera Klutz: Supplemental probation services and salaries are the only things that can be used in this fund. It is very broad and I am very comfortable with auditing it in that broad manner as long as the Judge says that on the record.

Judge Heath: Yes, I think we needed to make that record this morning. I agree with Tera. By the way, I had to remember the statute verbatim and she is right. The word is services and not programs. You get what I am getting at.

Tera Klutz: A car would be considered services because you would have to take that probation...

Judge Heath: That is the definition that we have taken.

Tera Klutz: Absolutely we would never question that because we would see that. Sometimes some of these other things being paid, we just want to put it back at you to ask if this is a valid use of the fund.

Judge Heath: Right. I think we needed this conversation though.

Tom Harris: That's fair and Auditor, you are saying that it does fit that requirement?

Tera Klutz: If the Judge feels that this is a probation service...

Tom Harris: And the Judge is saying that it is.

Tera Klutz: ...then we will.

Judge Heath: I am taking that interpretation. If I was challenged, I think we would be applauded and not...

Tom Harris: We have an amount of \$2,950 and would need a motion to move forward.

Roy Buskirk: I do have a question if we are finally getting to this item here. Group insurance, so it is coming out of Group Insurance in the Juvenile Probation Fees Fund?

Tera Klutz: It is being transferred.

Roy Buskirk: Yes, it is being transferred. So it is coming out of that and going to Supplies.

Dave Korus: That is correct. The prior Coordinator for the program elected to participate in a health insurance plan. That Coordinator has been replaced by another Coordinator

ALLEN COUNTY COUNCIL MEETING MINUTES

who is part-time and will not be participating in health care. The funds were budgeted but they will not be needed for that purpose.

Roy Buskirk: Okay. The Group Insurance is what threw me.

Tom Harris: Are there any further questions?

Roy Buskirk: I will make a motion to transfer in the Juvenile Probation Fees Fund 222 from Group Insurance to Supplies in the amount of \$2,950.

Sharon Tucker: Second.

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent).

Judge Heath: Can I make a real quick comment? It really is heartening for me to come here and get that kind of support from you. I will share with you that I have colleagues in another part of the State and they can't get a thing done because the County fiscal body is so opposed to anything new. I understand that there may be some other dynamics like personalities and so on but you folks have been a pleasure to work with. It allows me to bring some new programs to our community and make some changes. I couldn't do it without you.

Tom Harris: Judge, thank you very much but you have three more items on the agenda.

Roy Buskirk: We are trying to get out before the tornado alarm goes off.

Bill Brown: You have provided some great statistics and feedback.

Tom Harris: There are three other items in front of us today.

Tracy Mitchener: Good morning, Tracy Mitchener, Assistant Human Resources Director.

Dawn Kennedy: Dawn Kennedy, Compensation Specialist.

Tracy Mitchener: The first one is a Mental Health Counselor. This is a new position that they are asking for. I think everyone realizes that mental health is an issue that continues to expand.

Roy Buskirk: That is the position that was previously a part-time position and the demand has become so much that it would be better economics to hire somebody full-time.

Tom Harris: The Personnel Committee did have a chance to review this and passed it at 3-0. Are there any thoughts, questions or comments on this first item?

ALLEN COUNTY COUNCIL MEETING MINUTES

Roy Buskirk: I will make a motion for the Mental Health Counselor, PAT 4/2 at an annual salary of \$42,383.

Sharon Tucker: Second.

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent).

Tracy Mitchener: Number six and number seven are reclassifying a Youth Care Worker to Security Officer/Bailiff. These are both POLE 2 and it is more of a paperwork issue to make sure the salary ordinance reflected the correct title.

Roy Buskirk: They are currently being paid the same amount, correct?

Tracy Mitchener: Yes. There are actually people in these jobs serving in this capacity. They just never officially changed the title.

Roy Buskirk: Primarily the reason for the paperwork change is that they are really not Youth Care Workers. They are Security Officers/Bailiffs and that is the reason for it coming before Council. I will make a motion to approve items six and seven changing the Youth Care Workers to Security Officers/Bailiffs. One is POLE 2 Step 5 and the other is POLE 2 Step 7. The appropriate salaries are indicated.

Bob Armstrong: Second.

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent). The last item is for the JDAI Coordinator.

Tracy Mitchener: The last one is the JDAI Coordinator from PAT 4 to PAT 5. This recommendation was not recommended by HR.

Tom Harris: This was discussed and Roy, do you want to talk a little bit from the Personnel Committee discussion?

Roy Buskirk: We didn't spend nearly as much time on this as we did another. I am not sure I recollect the full conversation on this one. I know that you scored it as a PAT 4 and they are asking for a PAT 5. Past recommendations of this Council have been to go along with and stay with the HR Department's recommendations as far as classifications.

Tom Harris: Judge, you had a different approach at the Personnel Committee?

Judge Heath: I think it ultimately passed 3-0 by the committee though.

ALLEN COUNTY COUNCIL MEETING MINUTES

Roy Buskirk: The recommendations and considerations from the Personnel Committee are sometimes using the backdoor approach of bringing it before the full Council for discussion.

Tom Harris: What I was looking for is your arguments that this position should be changed. In essence, what we did in Personnel Committee is to understand your position versus the HR Department.

Judge Heath: Here is the situation. As I mentioned, we have JDAI at our facility and we are going through that process right now. Roy has been a part of this process of JDAI. Our JDAI Coordinator turned out to be a real find. She has her JD and also has a lot of computer analysis background. She is able to look at data and is a statistician, you might say. She can take data and do some pretty remarkable things with it. We have expanded the definition of her work to include this kind of work in our facility so that we can get a better profile of the kids. Keep in mind kids come in and some are there three days. Some are there 90 days. Some are there 120 days. Some are put in placement. Some are put on conditional release probation. The more we learn about them the more we can tailor programs to them. Right now I really don't know if our programs are working or not. There is nobody onboard knowing if this class really works or our Drug and Alcohol Class really works. We would like to find out. She is the person who can get that done over time. That's one. The second is that we want to give her some supervisory work here and that is we are beginning an after-school program called Evening Reporting where a kid will be required to come to our facility to receive educational services. She will be supervising that program. She will be supervising the part-time employees and the programs that are developed for that Evening Reporting. She will be adding to her work. This is not temporary. If she leaves us tomorrow, we would be looking for the same person to do this work. I don't believe you can pile on this work and not compensate someone for their special expertise. We had an old job description that was just JDAI Coordinator. This expands that add to those duties and requires more expertise and we bring this onboard.

Tom Harris: Judge, thank you. Councilwoman Tucker.

Sharon Tucker: I am curious and would like to know why the HR Department feels it should remain a PAT 4/2 as opposed to a PAT 5/2.

Tracy Mitchener: When we scored the position, it continued to maintain the PAT 4. We did not see that there was enough change to make it go to PAT 5.

Sharon Tucker: Okay.

Tom Harris: Councilman Brown.

Bill Brown: That was my question also. And that included the enhancements that you discussed?

ALLEN COUNTY COUNCIL MEETING MINUTES

Tracy Mitchener: Yes.

Bill Brown: When you said you don't know if the probation programs are working or not, that is a pretty big statement.

Judge Heath: I would suggest that no probation department in the Country really knows. We have an idea. We think kids are improving but is anybody keeping firm data on that? Not really, no. Am I embarrassed by that? I have been in the job about a year and nine months and that is one of the things that I want to work on. To say that it is already in the job description from before, I don't think we had somebody that was going to be doing data mining to this degree. If it was in the old job description, it wasn't as clearly set forth as I think it is in the new one. I think we have a disagreement about that.

Tom Harris: Councilman Benz.

Bill Brown: Just to follow up on one thing. Just to be clear, I appreciate the disclosure and continuous improvement which is so important in any operation. I want to make it clear that I appreciate your approach. It would be nice to have the position and duties to the point where it did fit but obviously the Personnel Committee approved it 3-0. You have given a very good description of why you think it is valid and important. It would be nice to have it fit into it.

Judge Heath: If we need to do further refining of that description, I will be happy to but I think the new description I tried to draft it that way. I realize that words are difficult but that is what we intend to do and intend to institutionalize. Most of the JDAI programs around the Country that are mature have what I call a data miner, someone mining the data and looking at it more carefully. We have seen some of that work by the State when they come in and do that. It is remarkable to see and learn more about our kids through that data mining. That has never been done in our facility before. They are going to be moving on someday. JDAI is not going to be with us forever. If we don't have somebody on staff doing that and we are looking at a minor increase, I have the person to do that and I think we will see more and more of those kinds of people come out of our universities as we are already. You have to compensate them to do that or they will move on to business.

Tom Harris: Thank you. Councilman Benz.

Joel Benz: I appreciate what you are doing and I think it is important to follow up to make sure what you are doing is statistically making a difference. My question is did you consider outsourcing that at all? Did you look at the cost associated with that?

Judge Heath: We did but it would be so much more expensive to do. To outsource that kind of data mining would cost you tens of thousands of dollars. If we contracted with somebody to do that you couldn't touch that for what we are doing here. We are looking at a few thousand dollars but if you outsource this it would be \$50,000 to \$100,000. If you did it on an annualized basis, it would be outrageous.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: Councilwoman Tucker.

Sharon Tucker: Judge, just for a point of clarification, this is a new hire or a new position?

Judge Heath: No, this person is here and we are expanding her duties.

Sharon Tucker: Okay.

Judge Heath: And we would expand the duties of anyone else or would be in place for anybody else. Here is what happened to me. We hired two people and Megan Horton is one of them. When I hired her I was looking at her as a JDAI Program Coordinator. The fact that she had a law degree was also pretty neat because if I have an emergency and have to have somebody on the bench, I have it there. What I did not know about her was her data skills. I find that out and want to put it to use for our facility very inexpensively. If she leaves me tomorrow, am I going to be looking for that same skill set? You bet because I have learned what it can do for us. I am talking about you, at this table and me; I've learned what it can do for us. I want to institutionalize that and make it a permanent feature of our facility so that we can do a lot better analysis than what we are doing now. It just makes business sense to me.

Roy Buskirk: What you asked, she is a recent hire. When the JDAI program was started, she was hired to coordinate that program. It has been discovered that she has these other talents that they want to use to be able to keep better data. You can obviously see when you are talking about 800 people and it is the turnover too. It's not that they are there for a year or anything. They might be there for 48 hours, a week or 120 days or whatever. You've got more than 800 people that you are trying to track of and what happens to them after they are back into society.

Judge Heath: I want to bring in programs that deal with family dynamic function a little better than we are. I want to be able to show you that those programs work.

Sharon Tucker: When we hired this individual, she was not responsible and was not interviewed and hired for the data processing?

Judge Heath: No. Only in working with the JDAI Coordinator with just the JDAI purposes, in other words how can we lower incarceration. What I want her to do is expand that role and look at other data mining uses other than just lowering incarceration rates. What other programs can we put into place to deal with our population? That is what she will be tasked with doing. Most of it is grant funding and you are really not paying much.

Tom Harris: Judge, one of the challenges for Council is that everything that the Judge and his department has submitted has been reviewed by HR and they are saying that even

ALLEN COUNTY COUNCIL MEETING MINUTES

though all of those things were considered the position came in lower than what the Judge wanted to set that rate at. Am I saying that correctly?

Tracy Mitchener: Yes.

Tom Harris: The challenge becomes for Council, should you pass this, we are basically allowing an Elected Official or Department Head to say that they still want to pay them more than what our HR Department is submitting. Judge, you mentioned that it might be a possibility to work further with HR to make sure the job is properly assessed at a higher level which means that some additional requirements, specifications, duties and tasks might be considered by HR and could move that position up. Is that something that you would be willing to discuss further with HR?

Judge Heath: No offense against HR but I don't think there is anything that I am going to say or do in my job description that is going to convince them any differently. I think they take a slightly different view of what these people can do for you. I deal in this area every day and they don't and it is hard for them to really appreciate it.

Tom Harris: I understand. The danger for Council is that it sets some precedents that it might open other departments and Elected Officials doing the same thing. I know there is another job that is coming before us in April and this one could be considered at that time as well, correct?

Judge Heath: Yes.

Tom Harris: With that I will throw it open for questions or comments.

Roy Buskirk: I don't see an advantage to tabling it or delaying it. I think we have had a pretty active discussion about it. I would make one other point that we have PAT 4's in other positions throughout the County and you have to be very, very careful when you start changing what are the PAT 4's numbers. If this job description comes out in the PAT 4 numbers, it is a range of a low and a high but you have to follow through with all of the other PAT 4's in the County.

Tom Harris: Councilman Brown.

Bill Brown: I would prefer to see it be tabled and approached next month. That gives another opportunity to take a look at it and how those can be incorporated into it.

Tom Harris: Councilman Brown, is that in the form of a motion?

Bill Brown: I will make a motion to table it.

Joel Benz: Second.

Tom Harris: Is there any further discussion?

ALLEN COUNTY COUNCIL MEETING MINUTES

Sharon Tucker: I am actually in agreement with Councilman Buskirk. We have the measures or programs in place that determines and sets the salary bases and I could only see if her job encompassed, I am assuming it is a she, a greater number or amount of time, I could see a justification that it is going to be there. But if it's part of the duties or doesn't change the description or have a great effect on it, I don't see why we would step outside of what HR sets as a standard.

Tom Harris: Councilman Brown.

Bill Brown: My point is to take and put in the elements, I think you expressed that all of the elements weren't in the description as you discussed.

Judge Heath: The current job description before you that we are asking for this to move to PAT 5 contains the elements that would expand her duties and her oversight. The job description before did not include oversight of an Evening Reporting program. There is nothing in there that says that. It doesn't call for her supervising those people or developing those programs. The job description before, to my knowledge, did not require the kind of data mining that we are talking about here. It might have been relative to JDAI but we are asking for that to be expanded into other areas of our services. If it did, it didn't contemplate the work beyond JDAI. I don't know that there is much new that I can put in there.

Tom Harris: At this point there has been a motion and a second to table. Is there any further discussion?

Tera Klutz: I just wanted to ask is there anybody else in the County that did data mining? I don't know if Superior Court had anybody that runs data or if the Clerk does data mining. If there would be anybody comparable. The challenges of HR are to take all of these descriptions, understand them the best they can and then put them into a grid. At the same time, we have PAT 4's that do night and day different things. It is very challenging to find the right salary comparable in the County because we are so vastly different. I would say that is one of the best indicators if you can find someone doing something analytically very similar that they would have supervisory and data mining. I thought that there were people pulling numbers together but I am probably naïve because I haven't worked outside of the Auditor's Office.

Tom Harris: Thank you. We have a motion and a second. All in favor say aye, all opposed same. The motion is 3 to table (B Brown, Benz and Harris)-3 not to table (Tucker, Armstrong and Buskirk)-1 (L Brown absent). Motion fails.

Bob Armstrong: My question will be does this comes back next month?

Tom Harris: No, we move for a vote for this or not. A motion would need to be made to move this forward.

ALLEN COUNTY COUNCIL MEETING MINUTES

Bob Armstrong: I will make a motion for consideration of a salary ordinance reclassifying the JDAI Coordinator from PAT 4/2, \$45,208 to PAT 5/2, \$49,687.

Tom Harris: A motion has been made, is there a second? Hearing none, the motion dies. At this point, for clarification, we would not move on this item, is that correct?

Tera Klutz: Yes.

Tom Harris: Okay, Judge, thank you. We will move to the next department which is Superior Court.

Judge Pratt: Good morning, Judge Pratt, Allen Superior Court.

John McGauley: John McGauley, Court Executive for Allen Superior Court.

Tracy Mitchener: We have a Judicial Assistant, PAT 3 going to OSS 4. There is no one currently in this position and so it will not negatively impact anyone. The other ones are Court Services Clerks going to Court Services Representatives, OSS 3 to OSS 4. What they are trying to do is, I think they are going in the right direction, making the department cross-trained and more efficient and provide the best customer service. I support this and it does score as OSS 4.

Tom Harris: By the way, all three of these have gone before the Personnel Committee and what was the rating on all three.

Tracy Mitchener: All three passed 3-0.

Tom Harris: Judge, do you want to talk?

Judge Pratt: I will let John talk first.

John McGauley: This actually represents a total of five positions. We have a vacancy that opened up before the end of last year and it gave us an opportunity to take a look at how we do business in the Family Relations Division and get rid of a particular bottleneck that causes attorneys and pro se litigants to wait. It causes business to back up if this one individual is off sick or on vacation. What we are trying to do is to take down the silos in our division and cross-train a total of five positions, actually, to do everything. To do a number of tasks redundantly, we don't have backups and problems that occur when someone is on vacation. What you see us doing is actually asking to bring four positions up a little bit and one down quite a bit. The best part of this is we believe that this is going to impact not only productivity but cause us to have to outsource a certain function less frequently. We are not asking for money. We are offering to absorb this in our existing budget because we believe it has a tremendous amount of potential to impact our cost.

ALLEN COUNTY COUNCIL MEETING MINUTES

Judge Pratt: We have practiced a process in terms of processing pleadings and other paperwork through a Judicial Assistant kind of concept or a Law Clerk kind of concept. One person was responsible for accepting the pleadings, processing the pleadings, to meeting with people with questions regarding the Family Relations Division, legal services and so on. That often would cause a backup. That individual would get behind and we would have to pay overtime or compensatory time in order to complete the task. When John came onboard, he observed that and we started talking about how to be more efficient and better meet the needs of the people that are coming into the Court needing services through our Domestic Relations Court. The idea was, if you can think in terms of an analogy of going to a parts store and there is a long counter and anyone there can approach the customer and has the expertise and ability to respond and meet the needs of that individual. The wait time and service time is dramatically reduced. That is part of the concept and then we have multiple special services like Judge Heath mentioned. We are launching an arbitration program for self-represented individuals. We have a program for pro-se clinics for people that do not have the money to address issues in the Domestic Relations Court. We also have a Mental Health Court and facilitation in our Child in Need of Services. Our idea would be to take these five individuals and they would have a specialty area that they would be the lead person in terms of operations but they would all be equal in accepting and working with the individuals that are coming in. We would be much more efficient and can meet the needs of the people better than we have in the past. It's a new paradigm.

Tom Harris: Council, are there any questions?

Joel Benz: When you were talking with me previously, you said you felt that there would be some additional savings in materials and other things.

Judge Pratt: Right now we use attorneys to do our facilitation process and under our local rule for Child in Need of Services, I can train individuals and they don't need to be attorneys. If I have this opportunity, I can train all of these to be mediators for our CHINS process. Instead of hiring attorneys at \$100 an hour, I can do it internally.

Joel Benz: So this is streamlining and more efficient.

Judge Pratt: Absolutely.

Joel Benz: So it is a win-win.

Judge Pratt: I think we are going to save money out of one fund and spend a little bit more out of this one but we are also going to save overtime. The goal would be instead of one person having the responsibility for a stack of files on a Friday afternoon because it has been a busy week and then coming in on a Saturday morning to get everything done, I can instruct five people now and have the expertise to do it and say at 4:30 I want everybody's desk clean. They can all work together to get it done.

Tom Harris: Council, are there any other questions?

ALLEN COUNTY COUNCIL MEETING MINUTES

Bill Brown: I will make a motion to reclassify the Judicial Assistant, PAT 3/2, \$37,662 to Court Services Representative, OSS 4/2 at \$32,016. Also reclassify the Court Services Clerk, OSS 3/2 \$28,914 to Court Services Representative, OSS 4/2, \$32,016. Reclassify a Court Services Clerk, OSS 3/3, \$30,359 to Court Services Representative, OSS 4/3 at \$33,617.

Roy Buskirk: Second.

Tom Harris: We have a motion and a second. Is there any further discussion?

Sharon Tucker: Just a point of clarification, the one that we are reducing is not going to negatively impact anyone?

Judge Pratt: Correct. That position is vacant. That is why we had the opportunity to realign things.

Tom Harris: All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent). Next up, we have an addendum from the Clerk of Courts. Councilman Benz, are you familiar with that? I know this came from the Auditor's Office.

Lisa Borgmann: Lisa Borgmann, Clerk of the Allen Superior and Circuit Courts. I have two amended salary ordinances. The overall salaries are not changing, just the funding sources. I have had some turnover already this year and have had three positions that opened up. One was early retirement, one went to the City and one went to the private sector. I am just getting the salaries readjusted to where they need to be.

Tom Harris: Council, are there any questions?

Bill Brown: I move for consideration of a salary ordinance amending the source of pay for the Assistant Supervisor-Court Records, OSS 5/3 at \$36,889 to be split between the General Fund and the Clerk of Courts Perpetuation Fund 297. This would be retroactive to March 2, 2015. Also, consideration of a salary ordinance amending the source of pay for the Court Records Deputy IV, OSS 4/3 at \$33,617 to only be paid out of the General Fund. This would be retroactive to March 2, 2015.

Roy Buskirk: Second.

Tom Harris: For further clarification, Tera, this simply was realigning where the funds were coming from to pay these positions.

Tera Klutz: Yes.

Lisa Borgmann: The salaries are not changing.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: We have a motion and a second. All in favor say aye, all opposed same. The motion passes 6-0-1 (L Brown absent). The next item up is an update on the Legislative Session. I think Beth Lock is going to join us.

Beth Lock: Beth Lock with the Allen County Board of Commissioners. I see that I have twelve minutes before the tornado siren goes off. I will try to be as quick as possible. I have a number of bills here that I could talk about but I can just hit some of the priorities. I have a Legislative Priority Update for Allen County and these were some of the top bills and not necessarily all that we are doing. There are a number of other bills moving through the General Assembly. I sent this to our delegation at the second half of session at the very beginning as the House Bills moved to the Senate and the Senate Bills moved to the House. That way the Legislators knew what was happening in the other house prior to the bills being moved over. I will hit a couple of those and then if you have any questions, I will be happy to answer those. Many of these on the priority list are the same initiatives that we talked about in December. There has been one that popped up that Stacey O'Day has been very active in because it would be very devastating not only for our County but for Counties in general. It has to do with assessment practices. The biggest bill this year is the budget initiative. That is where all State funding flows from. Whenever we are asking for money from the State or funding from the State, it is going to be appropriated in House Bill 1001. The three things that I am specifically watching are Criminal Sentencing Reform Funding and I will get to some of the provisions of some of the bills here in a moment. Right now in the House version of the budget, there is \$80 million appropriated in the biennium for Justice Reinvestment Community Development grants. It is \$30 million for this coming year and then it is \$50 million from July 1, 2016 to 2017. I am also looking at the Regional City Initiatives. I know this is something that the Mayors and Commissioners and Councils and the Consortium of Northeast Indiana has worked on. That just has to do with creating potentially a regional development authority in the northeast corner of the State. Initially IACT recommended \$80 million but the House dropped that to \$20 million and again, those are competitive grants. It is interesting that Lake County and the Northwest RDA always gets appropriated money to them. This is something completely different where we are going to be competing. Philosophically that gets kind of interesting when you are talking at the State level. Then the Increased Transportation Funding, I can tell you right now that there is no additional funding in the budget for transportation. I was down there on Tuesday for a Local Government Transportation Funding Day. In talking with different Legislators we hit four of our Legislators. Commissioner Therese Brown went down with me to kind of talk about some of the solutions. I don't know what the solutions are going to be. We have six weeks left of the session and we will see what happens. That is kind of where the budget is at. One of the issues that have risen in this session, to a top priority, is the Dark Box Store Assessment practices. Again, Stacey has really been working on Senate Bill 436. Initially this had a lot of the business and personal property pre-tax language in it and there is still some existing in this bill but with those provisions there is a half million dollar impact to all of the units in Allen County. While we don't like any impact at all, it is much better than the 1.5 that we were looking at initially. The removal of companies or business personal property taxes that had an assessed value on that property of less than \$20,000, this makes acquisition cost or base cost which means the impact to us is a lot

ALLEN COUNTY COUNCIL MEETING MINUTES

less. In addition to that we are trying to fix something that has recently happened. The IBTR, which is the Indiana Board of Tax Review, recently had a Meijer ruling that said an in-use big box store like a Meijer Store that is currently in business can be assessed at the Dark Box Store Assessment. That is basically a vacant warehouse building and the impact is huge. I don't know the specific impact to Allen County but you can see here that it is a \$3.5 billion impact for Countywide and the State assessed value and then they would see a savings of \$120 million in property taxes. If you divide that amongst 92 Counties you can see it is a large amount. I know there have been several lawsuits, not lawsuits but appeals in Allen County with these big box stores. If this isn't resolved during session, it could have a huge impact on what our tax base is and then it shifts the assessed value and property tax burden to homeowners and more people hit the property tax caps. It is just a very interesting dynamic. Again, Stacey is taking the lead and is down there lobbying on this often. Go ahead.

Roy Buskirk: The one thing about it is, and this is what always gets me, it is assessed for less and they say the value is not what they paid for it.

Beth Lock: Yes.

Roy Buskirk: They want the assessed value on it lower than what they paid for it. They say it is not a true market value of what they paid for it. That's what they paid for it, period.

Tom Harris: Where is that at presently?

Beth Lock: That is currently in the House Ways and Means. It did have a hearing and the Legislators know this is an issue for the Counties and I do think it will get resolved this session through the legislation.

Tom Harris: We have to watch that one but you think it will get resolved.

Beth Lock: I do. Stacey is down testifying in all of these committees and having meetings with all of them.

Tom Harris: The next item is the Criminal Sentencing.

Beth Lock: The one good thing with this is there is a pushback of that mandate to keep people local if they are a Felony Level 6. Initially that date was July 1st of 2015 and they have moved it to January 1, 2016 which gives us an extra six months to figure out what we want to do. There are also some other bills moving. You can see House Bill 1292, 464 and 212 and those provisions are pushing back the deadline and also the expansion of Medicaid for not-addictive drug treatment prescriptions. There are also some provisions for forensic diversion. I think there is \$15 million appropriated over the biennium for forensic diversion. There is some money coming into that and I will tell you...

Tom Harris: We are to remain here as this continues.

ALLEN COUNTY COUNCIL MEETING MINUTES

Beth Lock: And it is five minutes early. I should let them know that. I am concerned. I was at a committee hearing yesterday and there is still a lot of work that needs to be done on this. I think everyone supports the bill because there is money involved but conceptually I don't think they realize the mandate they are putting on the locals.

Tom Harris: And the amount of chaos that it has created throughout the State. That one is still a lot of discussion and a lot of things going on. How about INPRS and 911?

Beth Lock: We are waiting on some language on the INPRS discussion. I talked to Representative Carbaugh Tuesday and said hasn't there been any progress in this. I know Tera has talked with Senator Brown. We are like the small little person in this whole mix. IU and Purdue are like the big people that are getting language drafted to help us and I do believe it will be resolved. Again, I don't have that language in front of me. It will likely be in 1466 or 492. Representative Carbaugh told me the other day that they are going to keep these bills alive and it may end up going to conference committee. I am assured that things will be well.

Tom Harris: That is a pretty significant savings to the County should that go through.

Beth Lock: Absolutely.

Tom Harris: The 911 Funding.

Beth Lock: That was heard yesterday and they are going to raise the amounts on prepaid from 50 cents to 75 cents over the next two years and then to a dollar up until 2020 and then all cell phone devices are moving from 90 cents to a dollar between now and 2020. They removed the sunset provision but they put a new sunset provision of 2020 in. That is just to re-examine it and look at changing technology and where we need to be.

Tom Harris: And it is pretty crucial as well. So March 31st is a big day.

Beth Lock: March 31st is Allen County Day at the Statehouse. I would encourage all of you to attend. I have six Legislators that have RSVP'd yes and I am sure there will be more. I think it will be really insightful.

Tom Harris: We should be in touch with you if we are interested in attending? I have signed up for that myself so if any other Council members are interested they should let you know.

Beth Lock: Yes.

Tom Harris: You will be available and provide updates?

ALLEN COUNTY COUNCIL MEETING MINUTES

Beth Lock: Yes, I can provide updates and send an updated Bill Tracking. I have a number of other bills on here that I can send out but I will take it from my notes on my iPad and send it to make it a little more pretty and shoot it out to you.

Tom Harris: Thank you very much. Are there any other items for discussion? Are there any Recent or Upcoming Meetings to be announced?

Tera Klutz: I actually had something for Other Discussion. It is on the Legislative Update on 1475 that she had mentioned for 911 funding. It originally had language that would allow the COIT Council to use up to 100% of the Public Safety LOIT money for the Combined 911 Center. That would have negatively affected our County because the City of Fort Wayne, who alone can act as our COIT Council. If they would have chosen to allocate up to the full budget for the 911 combined operations we would have had significantly less Public LOIT money coming back to us. It has since been amended to basically allow Counties that already have that in place to be grandfathered in. Any new County that would adopt the Public Safety LOIT, their COIT Council could choose to allocate that money for the operation of their 911 system. That is great because it is just another funding source to be used for 911. Fort Wayne supplemented greatly from their General Fund. We give up to a million dollars from our General Fund. The 911 fees are about half of the operating budget. The other half is made up between us and the City. The other bill that I wanted to touch on is 1264 and it is moving through requiring Commissioners to adopt an ordinance and provide training to all County employees on internal controls. We are very supportive of the concept but items that we are concerned with is one, the State Board of Accounts provide the training and if the Commissioners don't adopt the ordinance and provide training the DLGF could withhold approval of our budget. We feel that there are so many unknowns in terms of internal controls have not been defined, what kind of training are we talking about and we want to fine tune anything before they can start disapproving our budget. That is on hold right now. It was up yesterday for a second reading but they know that we want to work on it so they held it out and we are trying to work on getting at least a couple of years in there before they would withhold our budget.

Tom Harris: Thank you. Are there any liaison reports?

Roy Buskirk: Yes, you probably all had in your mailboxes these Local Road Projects provided by the UTAB Committee which I represent the Council on. I hope you reviewed them and didn't just pitch them. It tells you what local projects and street projects and road projects and is covering for the next four years. It also shows total cost and the Federal share and the State share. I want you to be able to tell your constituents on any road work in your area.

Tom Harris: Very good, thank you. Are there any other liaison reports?

Bob Armstrong: Last month I requested to have Bob Bolenbaugh to come to this table about GPS. Due to my situation and not having the time, I pulled that until next month.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: For those that are watching this is a tornado drill. Bob is there anything further?

Bob Armstrong: Also, I discussed about tracking mileage in the Sheriff's Department. I did get ahold of a technical research person at Spillman out of Utah. He is sending me the information. The computer system that the County and the City have, the Spillman system, is capable of tracking vehicle mileage. I am waiting on that report to get here and once it does, I will pass it on for further discussion.

Tom Harris: Thank you, Bob. At this time, are there any other liaison comments? Are there any comments from the public?

Sharon Tucker: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of March 19, 2015.

Bill Brown: Second.

Tom Harris: All in favor please signify by saying aye. The motion passes 6-0-1 (L Brown absent).

Bob Armstrong: Move to adjourn.

Sharon Tucker: Second.

Tom Harris: All in favor please signify by saying aye. Opposed like sign. The motion carries 6-0-1 (L Brown absent). There being no further business the meeting was adjourned at 10:19.