

ALLEN COUNTY COUNCIL MEETING MINUTES
AUGUST 16, 2018
8:30 AM

The Allen County Council met on Thursday, August 18, 2018 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, Larry L. Brown, Justin T. Busch, Tom A. Harris, Eric M. Tippmann and Sharon L. Tucker.

Also Attending: Nick Jordan, Auditor and Jackie Scheuman, Finance and Budget Director.

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

Joel Benz: Also notice the absence of Becky Butler from the Auditor's Office. She usually keeps us on track and so I guess we will have to figure out how to do things without her. First on the agenda is the approval of the July 19, 2018 meeting minutes. Are there any additions or corrections?

Tom Harris: Move to approve the minutes.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. Nick said he needed five minutes and he has the financial report so we will move on and do the next few things. This morning, requests in the General Fund are \$187,943 and in Other Funds is \$291,309. At this point I will open the floor for public comment on anything that we have on the agenda this morning.

Rob Young: My name is Rob Young and I serve as Vice President of Business Development for the Hagerman Group and I appreciate the opportunity to share some brief comments this morning. Specifically I am here to speak in favor of the Building Department request that is coming later in the agenda. I can say for years that Hagerman has enjoyed a very good working relationship with the Allen County Building Department. That positive relationship has continued to thrive under the leadership of the Building Commissioner John Caywood and his team. We have taken the time to meet with John and go through the department's space. I understand what is being proposed as an allocation from the General Fund but we believe it is worthy of your further consideration this morning. As you all know better than we, the Building Department is on pace to process over a billion dollars in building permits and our understanding is that results in full coverage of the department's expenses. That will also result in over

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\$300,000 return to the County's General Fund. It is also our further understanding that it has been the case, in terms of six figures of give-backs to the General Fund since 2012. We believe that is an impressive record. The renovation, furniture and upgrades will start at the public entrance and does include logical changes to enhance team working space for Inspectors, Code Enforcement Officials and other departmental employees. A particular interest to our organization are planned improvements to the training and conference areas designed to further enhance communication and collaboration within County government and developers, contractors and homeowners and others who have reason to do business with the department. Most recently, to provide you with specific examples, Hagerman projects in K12 education, healthcare and in our shell buildings have benefitted greatly from this interaction and we think that interaction is going to be enhanced with the improvements planned for the allocation. Simply put, we do feel that the \$340,000 allocation will be money well spent and we do strongly encourage your approval of the request. I would be happy to answer any questions you may have.

Joel Benz: Council, is there anything? Thank you for coming this morning. I appreciate your thoughts.

John Brelje: I am John Brelje and I am the President of the Board of Directors for the Building Department. I am here to voice my support for this endeavor of Commissioner Caywood and his request for funding for improvements and cars. I think it is a definite plus to improve the department and is an ideal time with the increased revenue over the recent years. The surplus has been pretty substantial and I believe it is a good use of the surplus funds through permits and licensing fees. I am just here to voice my support for his request.

Joel Benz: Thank you for your time.

Matt Momper: I am Matt Momper and I am on the Board of Directors for the Building Department. I also support John's request. I have been on the Board for over twenty years and I have seen four Commissioners and I am very proud to serve on that Board and proud of the Commissioners. They are becoming more and more fiscally responsible. They utilize the resources that they get expertly and they continue to have an entrepreneur spirit where they educate and with the technology, do more with less people in the field or in the office. It is one department that you can be very proud of and I speak of twenty years of excellent work. I thank you for your time.

Joel Benz: Thank you for coming to talk to us.

Jim Bushey: I am Jim Bushey and I also serve on John's Board and I am a contractor. I deal with many Building Departments throughout the State in different Counties. I would say, bar none, we have the best run department in the State. Anything we can do to support John and his efforts to make the office run more smoothly and the constituents to get permits, I support that and think he has done a wonderful job and it is a worthy cause that he is asking for this morning. Thank you.

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Zach Kessie: Zach Kessie, Vice President of Business Development for Mike Kinder and Sons. As a Design Builder in Northeast Indiana, we have the privilege like some of the other contractors of working through various regions and different permitting departments on various things and I will echo everybody's comments. A department that continues to differentiate itself and keep up with the times, that entrepreneurship and mindset is the key as we work with our private clients as they move forward and bring projects to this community. I am in support and our entire company is in support of the request that comes before you today.

Eric Westgerdes: Eric Westgerdes, Wiegand Construction Senior Project Manager. I agree with everything that has been said so far about the improvements that they are requesting. There is a lot of work going on in everything that we can do and to maximize efficiency, we are in favor of that.

Joel Benz: Thank you for coming in this morning.

Heather Krebs: Heather Krebs with Fort Wayne Community Schools. I believe all of you received an email yesterday afternoon from Mr. Darren Hess, our Director of Facilities. I am here with contractors and other departments to support Mr. Caywood's request. I would say that honestly that without the full cooperation of Mr. Caywood and his department, we would not have students in some of our schools right now. They have really risen to some of these complex multiphase projects. They help us out by getting out there and doing the inspections right away. They meet with us and the contractors to figure out how to most effectively run our projects and get our students back in the door. We fully support these upgrades and these changes to the department.

Jerry Korte: I am Jerry Korte, Founder of Korte Does it All. I just have to back what everybody else said here. We are a small contractor and I checked last night before I left and we have pulled 600 plus permits this year and this is what these people have to take care of us on. I think they have done a great job and we are here to support them.

Joel Benz: Is there anyone else? Thank you all for voicing your thoughts this morning. I will close the public comment portion of our meeting this morning. Economic Development, let's go ahead and have you come forward.

Rachel Black: Today we have on the agenda consideration of a resolution approving a Statement of Benefits for Master Spas, LLC and Lincoln Parkway, LLC. As you probably already know, Master Spas manufacture swim spas and hot tubs. They were before you in 2015 asking for a tax phase-in on over \$6 million on real and personal property improvements. At that time they were approved for a seven-year tax phase-in and they promised to create 60 jobs. During compliance this year, they had hired 101 and that was way over and beyond what they had promised. For this project, they are requesting approval of the Statement of Benefits at 510 Sumpter Drive which was Fort Wayne Plastics. They plan to renovate the current building for an expansion of their business which includes building out the swim spa production line as well as the Research and Development Department. This involves insulating the building as well as painting the exterior of the building and remodeling the office space. They can get into more detail, if

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you would like. The proposed project involves an investment of over \$7.8 million in real estate improvements and \$7.4 million in personal property. Construction is expected to be completed in December of 2022. For this new expansion, they plan to create 97 new jobs with salaries of about \$3 million. The majority of those jobs will start at \$15.17 per hour. Based on the point system, they are eligible for a ten-year tax phase-in on both real and personal property. They will save over \$800,000 in property taxes over the ten-year deduction.

Terry Valmassoi: Terry Valmassoi, President of Master Spas.

Andy Boxberger: Andy Boxberger, Attorney for Carson LP, attorney for Master Spas.

Joel Benz: Councilman Tippmann has some questions but before he starts, do you have anything you would like to add to what Rachel has said?

Terry Valmassoi: Just a brief statement of where we are at now. In the last four years, we have had double digit growth. In 2017, we projected 15% growth and we grew over 24%. Last year we started looking at what our five-year plan would be. We were out of space for manufacturing, out of parking space which was a struggle for our employees and out of warehouse space and office space. We were really looking at what our long term plan was and knew we needed a standalone factory for our swim spa line. There wasn't a lot of space available and we were looking at a lot of areas to see where we could expand this operation. We are very, very fortunate that we can stay in Allen County and have a space right next to our existing space. The patience we had really helped us out and now we are very excited about the opportunity here. After 24% growth last year, we are looking at over 20% this year. We are shipping product throughout the U.S., Canada and Europe.

Eric Tippmann: Good morning, Terry.

Terry Valmassoi: Good morning.

Eric Tippmann: You have smashed your expectations and some people that come before us can't meet them and say that they can't hire people. Do you have any lessons? What are you doing right in finding these people in the same market that they are dealing with and in the same industry?

Terry Valmassoi: It is tough. Rachel mentioned 97 employees and our employees are 107 through 2022 and we will smash that too. We believe we will get over 100 this first year. In March we had 466 employees and we have 535 right now and trying to hire 35 more. A little over a year ago we knew the competition and getting employees is the hardest thing but retaining them is the key. A lot of people will come in and apply, get the job and be gone in a day or two. We took our HR staff which was two people and is now five people. We have to make sure that the employees know exactly what is expected of them and train them well so they stay with us. Every 60 days we have a Meet the President meeting where I will gather all of the new employees and I will talk about the

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history of the company and where we are going to try to answer questions. If we can keep employees for thirty, sixty and then ninety days, they will be with us a long time. All of the office jobs and the professional jobs, we keep those people. They stay with us long term. It is the manufacturing jobs that are tough. After we spent three months analyzing this, we raised our wages thirty percent. The wages are part of it. We went from a ten-dollar-an-hour beginning wage to thirteen and throughout the rest of the factory there was a twenty to thirty percent increase. It helped. We are competing with everyone else in the area and it is the same way across the country. There is no real perfect answer but we decided we wanted to be an employer of choice in this community and it is continuing to get better and better in communicating with employees, making sure the work environment is safe and a place they want to come to. We have a picnic coming up in a week and will have the whole management team serve lunch to all of the employees. Being in the factory ourselves, being executives talking to employees is endless to what you can do to improve that. There is no perfect secret. Retention is a lot better than it was a year ago but it is still a very big challenge.

Justin Busch: So it is not that everyone who works there gets a free hot tub.

Terry Valmassoi: Discounts. Does that answer your question?

Eric Tippmann: Above and beyond. This is not directed at you. This is for the Council that you are doing it and have set a new bar. We are happy to support you and maybe we should adjust our voted on metrics for other companies because if you can do it, they can do it. Some of them aren't getting close but they are getting the same benefits that you are.

Terry Valmassoi: I will tell you one more thing. Our two biggest competitors are out of California. We are the third largest in the world. These two companies moved their factories to Mexico in the past three to five years. They pay \$3.50 an hour and those are the companies that we compete against. China has gotten very strong in our industry and 50% of all of the products sold in Europe now is manufactured in China. It is quality, taking care of the dealers and giving the support that we need. The growth, we know we can get there. Fortunately China can't compete in the U.S. because the size of the product to ship to the U.S. is costly. We are not worried about that. We are glad to be in the U.S. and be made in the USA and be the largest manufacturer of hot tubs right here in Fort Wayne and Allen County.

Joel Benz: Councilman Harris.

Tom Harris: I guess I was going to ask in terms of you still growing, is the market still growing both nationally and internationally. Are more people with discretionary incomes able to buy?

Terry Valmassoi: We depend on consumer confidence and are not like the housing market because we are not a product going into a brand new home. It is not construction but really is consumer confidence. Consumer confidence is very high in the U.S. right now. We are growing more than double the industry which might be growing at six to ten

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percent and we are taking market share. Hard work, good quality product and continue to innovate and spending the funds on marketing. We have the Michael Phelps brand and making sure that we get the word out there. We have picked up some large dealers in Europe that are helping us grow. Eighty percent of our product goes in the U.S., ten percent in Canada and ten percent in Europe. All of those markets are growing for us.

Tom Harris: Is it tied closely to the housing market?

Terry Valmassoi: Not tied. It is really consumer confidence. At the Indiana State Fair, you would be amazed we are going to sell over 100 spas there. We did it last year. People come out and want to spend their money.

Tom Harris: I will move for approval of consideration of Resolution 2018-08-16-06 approving a Statement of Benefits for Lincoln Parkway LLC/Master Spas LLC.

Eric Tippmann: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Glad you made it back, we about sent out a search party for you Auditor Jordan. If you would, go ahead with the financial report.

Nick Jordan: At this point I will answer any questions, if you have them. I will go in greater detail at the end of the meeting we are required, by law, the DLGF provides estimates and you guys are required to go over them. You see the financials through July and there are no significant deviations from the very, very positive economic climate and revenues that we are seeing. I can take any questions if you have any now or at the end of the meeting.

Eric Tippmann: I have one. Last week you brought an analysis. I don't suppose you have the total recall.

Nick Jordan: Give me a second and I can pull it up.

Eric Tippmann: You can double check my math here but, pick a timeline, over the past ten years our budget has increased by ten percent and the population of the area has increased only two percent. Have you looked at anything like that in your analysis?

Nick Jordan: Yeah, if you think that the majority of our expenditures, 70% are the judicial systems. Whether that correlates with the growth in the population of the area or any specific piece of it, the biggest thing to consider is you can keep the population stagnant if we had bad economic times, you can correlate and say there are less people employed and possibly getting into other troubles or we have good economic times now, the opioid problems are going on and potentially people are still getting arrested whether it be that or any other kinds of drugs. As you have heard from the Sheriff and the Courts, they are constantly packed or overfull. The Court system is constantly behind because they have so many people going through it. Part of our revenues is reimbursed and 70%

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of our budget is that. While we do spend 70% we don't get back dollar-for-dollar but we do get a chunk of it back in reimbursement. I don't know if you can directly tie the increase in budget to the population as well as you have to factor in those special funds like Highway. You could argue that we are doing new roads or resurfacing existing ones are relevant to what the population has changed but it hasn't been that drastic. You can't say that we lost two percent of people and so we are not going to fix this road. You can make the argument but that is not the methodology they take. Just like the Building Department, their expenses have increased and their revenues have increased and are directly tied to the economic climate and/or the population.

Joel Benz: Is there anything else, Councilman Tippmann? Councilman Brown.

Larry Brown: I think part of the answer to your question is related to House Bill 1006. We are seeing expenses we had no clue, in the beginning, what they were going to be. They still continue to climb and climb and climb. I think as we continue to go through budget preparation and this year's budget and following year's budgets, we need to keep that in mind. There are going to be brick and mortar needs as a result of House Bill 1006. To me, in my ten years on Council, it is the most underfunded piece of legislation that has been jammed back on the local County and all 92 Counties. The State has given us an allowance that doesn't even come close to covering the cost.

Nick Jordan: On that note, the Sheriff's Department was successful in getting the Federal reimbursement of prisoners increased almost 50% a few years back and the State hasn't moved for at least a decade. Not only are we getting more people back but they haven't changed their reimbursement rate in quite a while potentially saving them money but increasing our costs. You can make an argument, Eric, at least since I have been here that we always pass a balanced budget. If our budget increased ten percent, five percent or whatever it may be, if you look at our current fund balances they have gotten to the extent they are because of minimal increase in the budget or very conservative revenue estimates and then actual revenues came back above and beyond what we anticipated they would. That has allowed that fund balance to increase. While the growth may not have the direct correlation, we have done a decent job, compared to some other governmental units, in managing our expenses in line with our revenues.

Tom Harris: Case in point is Miscellaneous Revenue this last month is at 64% while we are only at 58% of the budget season.

Nick Jordan: One of the biggest ones is the care of Federal and State prisoners. If you go to that line, it is 115% of what we had estimated. They are having record numbers and have for the last couple of years. We can keep increasing it but we are missing the mark. The Building Department, we get a little bit closer but again, in a ten-year if you extrapolated and looked at a twenty-year window somewhere in the early to mid-2000's the Building Department revenues were pretty high because that was the economic climate here. It is almost the exact same scenario ten years later. We have very, very high revenues. The care of prisoners isn't one that we want to be high. We would love to say there aren't people sitting in the jail but that is not the fact. As population grows, we

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don't live in a crystal ball, more and more people are going to be sitting in that jail or work release or wherever they are. We get the reimbursement but we would love to see it higher.

Eric Tippmann: My concern is thinking locally and just being better fiscal stewards because I worry a lot about the Federal debt. At some point, only healthy communities that can match Federal funds to get those because they won't have money to give and will go to a matching concept and it will be on your own. That is just my concern.

Nick Jordan: I would argue that Allen County taxing units, aside from maybe Townships on the lower level, we are one of the healthiest, large governmental units. Some people argue that we are too healthy but it is a matter of strategically planning what those funds are for whether it is roads or jails.

Eric Tippmann: Tax relief.

Nick Jordan: Tax relief. Those are the discussions that need to be happening. We are definitely in a very, very positive position.

Tom Harris: With that I will move for approval of the financial report.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.

Nick Jordan: The Library is here, Greta the Director and Dave the Financial Officer.

Nick Jordan: This is part of the end of the meeting. We are required by law and they can come, as the Library has, or you can call upon other Taxing Units to come. Historically the Library is the only one of the units to come. Wayne Township has come a couple of times. They are here to give their budget overview. They don't anticipate exceeding the growth quotient and that means that you don't have to formally adopt their budget. This is just a question and answer thing.

Greta Southard: Greta Southard and I am the Director and I have Dave Sedestrom who is our Chief Financial Officer. We are going to do a little tag team approach this morning. Dave will talk about next year's proposed budget and then I will share a little bit about the information of what we did last year.

Dave Sedestrom: I promise I will keep my comments short because listening to accounting from me before 9:00 in the morning is probably punishment. Our budget is pretty straightforward. Again, we are not anticipating going over the 3.4% growth quotient. As usual there will be the official budget that get published in the paper which is about \$31.3 million but then the tax cap amounts will come off that. We are really looking at an operating budget of about \$28.5 million. We are anticipating about \$3.8

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million in tax caps. At least that is what the State is projecting at this point. Things are staying very stable with the Library. We still have about 65% of our budget for personnel related costs, salaries and benefits. A very small amount of two percent is for supplies. We keep increasing the capital side because, as I said at the meeting before, while we had that expansion program, it is hard to imagine that those buildings are now fifteen years old. They are starting to get the roofs and HVAC systems that need to be repaired. We continue to dedicate about \$1.8 to \$2 million for capital repairs and maintenance. The materials budget will continue to go up. We continue to see a shift, and Greta will talk about this, to the electronic resources from the hard copy. That is just a thumbnail sketch of our budget. We will be meeting with the Department of Local Government Finance on the 30th and at that point we will publish our budget on the Gateway system and proceed with a planned September adoption. I would be glad to answer any number of questions but I know Greta has some stuff to talk about.

Eric Tippmann: Do you track individual usage at individual branches?

Greta Southard: When you say that do you mean by individual card holders or do you mean the amount of use at specific branches?

Eric Tippmann: The amount of use.

Greta Southard: Yes we do.

Eric Tippmann: How do you do that?

Greta Southard: We track that through our circulation system so we can track the amount of circulation that occurs at a location. We also pay attention to door counts in all of our locations.

Eric Tippmann: What is a door count?

Greta Southard: The number of people coming in and out of the building.

Eric Tippmann: How do you do that?

Greta Southard: We have counters on our doors. It is an automated process. I think our door count is slightly underrepresented because there have been times when the counters have had a malfunction at a particular location and we haven't realized it for a week or so. I would suppose that our actual door count is slightly higher than the numbers are represented. We also track the number of people who come to programs. We have not yet moved into pre-signing up for programs but we hope to move into that next year so that we can be in position to send people electronic reminders about a program that they have signed up for. To give you some context of the numbers here, these numbers are from the annual report that we file with the State. It is about a forty-page document. I have distilled and pulled out the highlights that I thought you might be interested in. Stop me if you have questions.

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Eric Tippmann: Are there any branches that are posting a negative year over year door count?

Greta Southard: Door count tends to fluctuate and part of that has to do with the weather or the programming that is going on in that location. If you are really asking me if there are branches that are underperforming, some are certainly busier than others. Our busiest branches would be Aboite, Dupont, Georgetown and surprisingly, Grabill. Grabill is the location that is functioning more like a suburban branch than what one might consider a rural branch. The rural branches tend to have slightly lower circulation as well as door count. I would attribute some of that in a rural community because by and large you might have to drive to get there as opposed to being within walkable distance to a significant body of population. There is slightly less population in the rural areas to begin with. Do I feel that any of the branches are drastically underperforming? No.

Eric Tippmann: What would you do if one of them were drastically underperforming?

Greta Southard: We would take a look and try to figure out why. What is the issue? Is it staffing? Is it training? Do we not have the right materials in that location that the community is interested in reading? Do we need to rebalance the collection? Do we need to do more outreach in that community to make people aware of the services of the Library? Do we need to do a better job of connecting with local agencies or after school and after school programs? We would try to take a holistic look and figure out what are the issues here and how can we address them. Does that help with the context?

Eric Tippmann: Sure. Will closing a branch ever be possible?

Greta Southard: That is something that libraries never want to do but it would be something that we would have to look at.

Eric Tippmann: Let's change that and not close it but consolidating.

Greta Southard: Consolidating is interesting in the sense of where our branches are located. I think, as a system, we have done a good job in terms of putting them where the populations are. I can think, in the City, we have three branches within two miles of one, two miles of another and two miles of another. Is there an opportunity there to consolidate? Possibly but we would have to look at what the impact would be on those local constituents because we don't want to put anymore barriers to use than people might already have. If we take away a branch that is currently on a bus line, it impacts people's ability to access our services. Consolidating branches is not something that we are actively looking at.

Sharon Tucker: I think it is important to note too, Greta, the visitation ebbs and flows so much that there is no one branch that has gone down completely more than ten percent. Where one may have had a huge increase in visits, another one may have seen a decrease and continue ebbing and flowing. They are pretty consistent when you take the overall numbers. That is information that I learned by being on the Board.

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Greta Southard: We are subscribing to a new tool called Analytics on Demand. It will help us analyze our circulation statistics against demographics statistics. We can do a better job of figuring out what is the target population in this service area that we are not connecting our services to? We can look at and figure out who is using the library and also who is not using the library. We can try to figure out what barriers there are to use. Sometimes it is that people have fines and fees and so they stop using the library. We are trying to dig in and really analyze the area much more thoroughly. I am not going to go through this whole thing but the library system is open 52 weeks a year. We provide over 41,000 hours of service to the community. In terms of cardholders, this is last year's numbers and was a snapshot in time based on December 31st. We had 274,202 cardholders in our community and we also had some non-resident cardholders and those people pay a fee to have a library card and to be able to use our system. We have some plaque cardholders and that is a State-wide program. Those people also pay a fee. In terms of our collection expenditures, we spend 13.5% of our budget on the collection. That equated to over \$3.4 million. The State average is eight percent of the budget is spent on collection. We are proud that we exceed that. In terms of staffing, we have 84 Librarians that have a Master's Degree in Library Science. We have a total of 398 paid staff. That is in terms of headcount but it is 300 FTE positions. We do have a lot of part-time staff positions. In terms of how the community uses the library in other ways that might not be as traditional as one might think, in terms of meeting rooms bookings we had over 20,000 meeting rooms booked last year. We had over 124,000 people attend events in those meeting rooms. In terms of door count, we had 2,372,740 people come through the doors. In terms of collection use, the circulation there is broken down because we pay attention to the circulation of our physical items. We pay attention to the use of our electronic materials and we have a significant amount of electronic materials. In addition to electronic books and audio books, we also have an amazing genealogy collection that is available electronically. In terms of the circulation of the children's material, there is just under 600,000 items circulated. In terms of use of the in-house materials is also slightly under 600,000. What that means is somebody accessed material in the library but they didn't check it out. They looked at something, they read something or they referred a publication, didn't check it out but used it internally. You say, how do we know that? Because we count that in terms of the materials that we collect and re-shelve. We pay attention to that sort of thing. Questions?

Joel Benz: Councilman Brown.

Larry Brown: I am kind of glad you skipped over this but I want to go back to it because I wanted to make some comments on it. The information provided to us about the internet computers usage and whatnot. I have to admit that I grew up when the library consisted of books, magazines and newspapers. There was a card file that was beyond imagined. As time has evolved and the library has adapted to electronic media systems, I think it is important to note that our Allen County Public Library has 506 computers for the public to use. That usage on those 506 has been 509,939 and that is approximately 1,007 on each of those 506. Everybody at this table has a Smart Phone. You all know that everything is going electronic. There is a significant segment of our population that does

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not have a Smart Phone or a computer. It is important to realize and understand that the library has stepped up to the plate and provides that. Another number in your information here that blew my mind was the meetings in your meeting rooms. Astronomical figures here. Of 20,376 bookings, with 124,217 attendees is another service that the library is providing that never happened when I was a kid. The important thing is the library has adapted to, over the years, they have stepped up to the plate and done their job well.

Greta Southard: Thank you, thank you.

Tom Harris: The \$1.8 to 2 million toward capital, you have fourteen facilities. You don't see fifteen coming anytime soon? The thought is do you continue to add bricks and mortar or do you say fourteen is right and we have to work on materials more?

Greta Southard: I think we've got the right number of buildings but do we have them in the right location? That not so much because we know that we have got some buildings that are undersized for the amount of use they get. For example, Aboite, Dupont and Georgetown and surprisingly enough I think eventually we will have to enlarge Grabill based on the amount of use that branch gets. When we look at the physical conditions of those buildings, whether or not we are landlocked, whether they can be expanded or moved someplace else...

Tom Harris: Aboite would be an example. From the library standpoint, you may be forced to do something different.

Greta Southard: Correct.

Justin Busch: That is probably another reason that it is the oldest one to not be renovated because we are probably looking at moving that location.

Greta Southard: Correct. That location would have to be moved because there is no way to expand where it is at. We abut a ravine. One thing that I wanted to point out is that we have been talking about what we did last year but in terms of things that we just wrapped up, we have just finished our summer learning program which I am just getting the numbers on that. We had 47,000 people participate in the summer learning program. That program is only an eight week program. It is amazing in that span of time. There were 45,000 books logged. We had 425,000 people visit the library because during that summer reading program we also run an enhanced and expanded program of activities. We had all kinds of programs going on throughout the system. Slightly below nine million minutes were read by those summer reading participants. That program helps bridge from one school year to another.

Tom Harris: I have one more on that same note. The \$1.8 million is out of the budget. What is the amount of your capital?

Dave Sedestrom: No that is out of the General Fund budget. There is still the Library Reserve Fund which is about \$3.6 million. We are maintaining about \$2 million in the

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Rainy Day Fund. Those are going to be for specific capital projects in case we had to do something with Aboite or things like that. The \$1.8 to \$2 million is just in the General Fund.

Greta Southard: One last thing I wanted to let you know is that next week, in conjunction with the Grand Wayne Center, we will be hosting 1,000 genealogists for a four day conference.

Joel Benz: Councilman Armstrong, did you have something?

Bob Armstrong: On the meeting room usage, is there a fee for that?

Greta Southard: The meeting rooms at the branches, there is no fee attached to those. Those can be used by non-profit and community groups. The meeting rooms at the main library have a fee attached to those. Depending on who you are such as a non-profit, there is no fee. For a corporate entity that wanted to have a sales meeting, they would pay a booking fee.

Bob Armstrong: Thanks.

Joel Benz: Nick, we don't have anything to pass this morning.

Nick Jordan: You can make a blanket statement but what we have to do is provide the minutes from the meeting for all of the Tax Units.

Joel Benz: Thank you for coming this morning and sharing. We are moving on to the Recorder.

Nick Jordan: I am actually handling that for Anita. Under law, she is allowed to fund her budget as noted in the ordinance with the affidavit that she has provided from her Perpetuation Fund. In some years she has funded one salary from the General Fund but as of recent she has had enough money in that fund to run her whole office. We definitely thank her for that. She is not here to toot her own horn but I told her I would do it for her.

Joel Benz: She usually stays pretty low key. Does anyone have any questions?

Eric Tippmann: I will make a motion for Ordinance 2019-08-16-01 approving the Recorder's request concerning the Perpetuation Fund.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. We are moving onto the Sheriff's Department this morning.

Charlie Edwards: Charlie Edwards, Chief Deputy of the Allen County Sheriff's Office.

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Vance Hernandez: Vance Hernandez, Buildings and Grounds.

Charlie Edwards: We have dishpan hands and need a new dishwasher. The dishwasher at the jail has been failing continuously. It is approximately 20 years old and is being constantly repaired. We are being cited by the Health Department for not hot enough water and so it is a continual problem. I think we put it in our capital for 2019 but it didn't make it.

Joel Benz: I know that thing is about the size of a small room.

Charlie Edwards: It is bigger than this table.

Joel Benz: How much have you put into in repairs over the last year or so?

Vance Hernandez: We went back and took a look and it has just been more nickel and dime and constantly getting called on it. Just about every day and on the weekends I have to bring someone in on it to keep it running. We had Klossen come in and asked what we needed to do to get it up and running and they said we basically needed a new one. They gave me a quote and I got it late last night and it was \$66,000 in parts and with labor it is \$73,000 dollars. We would get a ninety day warranty if they were to build this from the ground up. That is what they would be doing with this thing.

Tom Harris: How about a new one?

Vance Hernandez: The new one is a three year warranty.

Larry Brown: Can't we switch to paper plates?

Charlie Edwards: We go to Styrofoam quite a bit. That cost us \$1,500 to \$2,000 a week.

Tom Harris: What is the expectation of how many years for this?

Vance Hernandez: This one has been trucking along for twenty.

Tom Harris: So this has to be there for a long time.

Sharon Tucker: I will make a motion to approve the request for the jail to purchase a dishwashing machine from the Council Capital line.

Nick Jordan: Just a note, Council, because of the time of when this broke we weren't able to get the advertisement into the Sheriff's Department budget you guys have Council Capital budget already appropriated. As Sharon just said, you guys can approve almost \$160,000 out of your Capital line. Perfect timing, we would have had an appropriation in the Sheriff's Department and a reduction in the Council Capital line.

Justin Busch: I second that motion.

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Larry Brown: I have a question. Are we going to do a reimbursement next month?

Nick Jordan: You never get reimbursed. It is similar to the Building Department's request. You guys budget from the General Fund throughout the year and they come and ask for it when they need it.

Tom Harris: We would expect for your Capital request for next year to come down.

Charlie Edwards: About \$157,000.

Joel Benz: Considering that paper plates are about \$80,000 a year, I do feel that this is a wise investment.

Charlie Edwards: And it is safer. With paper plates you have to find them when you pass them and then find the stuff.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** The Building Department is next.

John Caywood: I am John Caywood with the Allen County Building Department. This request is actually part of my capital appropriation for 2018. I had put it in the capital portion of my budget last year. It consists of about six cars and a remodel of my department.

Joel Benz: John, why don't you walk us through what you, I know we have kind of discussed individually but for the public's knowledge what you are hoping to accomplish here with this remodel.

John Caywood: Sure. The Building Department was one of the departments, when we moved to this building that was never touched as far as modifications. We brought our old furnishings over from 1 Superior Street. In 2011 we did business much differently than we do today. In 2012 we were at about 12.9% with online permits and now we are now between 49% and 51%. The way we process permits has changed significantly. We would like to do some changes up front to help reflect that. We discovered that by having people behind the scenes doing online permitting that they are not forward facing to the public and they are able to do a larger volume of permits than when they are there greeting everybody like we would traditionally do. This remodel will allow us to have an appropriate number of people up front but semiprivate so they can continue to process these permits. It is flexible if we get a larger volume of applicants into our office we can open those stations up and take care of them in a timely manner. When I took over about two years ago, I was committed to changing the culture of the Building Department and part of that is we have individuals that we have pigeon holed trades, kind of like silos, into individual offices. If you look at the plans, I want to open that up somewhat like parking control has right now. It is kind of like a bullpen where all eighteen Inspectors are in one room. It makes it easier for me to not say things five times by making five trips

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to individual offices but have everybody together and on the same page. It really corresponds with what I want to do with multiple inspections. We are training everybody to do several types of inspections long with their main trade. Having them in there is like we are all in this together. With the hearing room/training room, we have a Code Adoption where we are going to go from a 2003 code to a 2018 code if the State Legislature passes it. With that will come some significant training challenges to bring contractors and inspectors and the public up to speed on where that is at. We haven't done much training for a while of the public or journeymen masters on what we are going to do. I really would like to get back to that where we are helping prep people to take tests and doing training and other specialty things. That room is going to be important. As you heard from Rob Young with Hagerman and Fort Wayne Community Schools, we really did double duty on our hearing room area which isn't really suited for the best to do pre-construction conferences. That saves a lot of money, time and headache. When we don't phase out a big project like a school that is multiyear, we end up making extra trips that are unnecessary to look at things we did not plan for. That is extra time for us and extra time for the office to amend permits and is just a real time waster. When we do that on the front end, we know what to expect. For example, this week several of the schools needed their cafeterias first and let a couple of science rooms sit because they didn't need them for the first week of class. By working with Fort Wayne Community Schools, by preplanning make sure that the labs were on a separate permit. Allen County Community Development Corporation, you will see that we are moving a wall and changing some things around in there. We have doubled our volume in sales. We had eight sales already this week of individual lots that are getting back on the tax rolls. Because of the large volume and the aggressive marketing, we are really getting these back there quickly. I think there are 1,179 on the tax sale for this year. I don't know if it is higher or lower. **Nick Jordan:** It goes down each week. It is lower if there is a bad economy.

John Caywood: It is interesting because even in a bad economy, typically ACCDC would have lower sales but because we are marketing, we have increased sales and that helps fund the tax sale. Finally, there is a conference area that we are going to carve out of ACCDC to help accommodate the preconstruction meetings we hope to continue to have. All of the vehicles that I submitted are high in miles and kind of rickety. They really do need replaced. I think this is an appropriate time when our revenues are high and I am not coming when the Dow is at 15,000 instead of 25,000. You typically go with Ford Escapes but I did request one Tahoe. I am not trying to be selfish on it. The overtime right now, I am using a borrowed 2005 Tahoe from Bernie Beier in Homeland Security. I have my boots when I respond to fires, real estate signs from ACCDC, ladder when I do inspections and with that I have increased the number of trips we make. South Bend, Brownsville and Indianapolis, which is for legislative things, but the rest is training where grants are provided by the State for continuing education units for my inspectors. It is nice to have one vehicle that is wide and they can be a little more comfortable on the ride. It would be open for whoever needs to go do County business through the day.

Joel Benz: John, when I think you talk about changing the culture of a department, it is a good thing. I do think that your remodel project is a part of that. I do have some questions

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here now. You have about \$7,100 in audio visual equipment. Can you talk about what those are going to be used for?

John Caywood: Sure, let me get to the page here. The 27-inch monitors are for the front area and offices. Those monitors are slightly larger because when we use the Accela system, it is on a 16 by 9 spread. We also have to look at plans digitally and so I prefer to get them. To be able to bring up plans and clear them before they need to go on further, it is nice to have a bigger monitor. The 65-inch monitor and I just sent some of my staff to a weeklong seminar to certify plan review and where I am going on plan review is that I have a new remodel process and commercial permit process. Talk about changing culture, when I took over it seemed that I had to be there or Roger, my assistant, had to be there. That was because the culture was that only the Building Commissioner or Assistant could approve plans. Some plans are complex but probably 80% of them are pretty boilerplate. I saw it as more of a control issue than a necessity for the Building Commissioner to actually review them. Part of it is looking at plans in detail and now they have the qualifications. I would like to have that size in their area. The second break area is just a breakroom but the ACCDC conference room is where we would meet for preconstruction conferences. The projector mount, our projector is currently broken and so we borrow from County IT every time we needed one.

Joel Benz: Councilman Brown.

Larry Brown: John, two questions. Someone has expressed concern to me yesterday that since you are a tenant in your current space, do you anticipate being there long term?

John Caywood: I hope so. I have not heard anything to the contrary. I don't see where we would go. It seems to make sense to have us here. We are with Planning, the Health Department and I think we have tried to establish a one-stop shop. Unless someone tells me we will be gone...

Tom Harris: Who would do that?

John Caywood: I would imagine it would be the Commissioners.

Larry Brown: What about growth? Do you have room for growth?

John Caywood: We have some room for growth. There is going to be one open office spot and Property Maintenance Code Enforcement is moving into one area which is combining two offices into one. I would like to think when we are at a billion dollars in permit value and it is really hard to get more journeymen and workers that we are kind of at the red line right now. We are at full capacity in this area for construction. I think we are seeing the top of it. I think when we need to compress, we are okay there too.

Larry Brown: That leads me to my next question. Your 2018 budget, anticipated revenue of \$1.8 million for the year, do you know where you are now?

John Caywood: I think it is \$1.8043. I checked it two days ago.

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Joel Benz: I wanted you to talk about the big chunk at \$89,000 in new office furniture. I have not been able to get over and look at what you currently have. I know you brought a lot of that in when you moved in 2011. Talk about the state of the stuff you have now.

John Caywood: My standing joke is our conference room looks like an ihop from the 1970's. It is pumpkin orange chairs. I sat in a chair the other day when we had our permit leadership team and I could feel the frame underneath me. The tables are starting to bubble and all of the furniture is kind of like the pressed board things. Drawers are not opening like they should. We went through Purchasing for this. I think Seely gave us that quote. That is someone the County uses for their quotes. It will have everything uniform and get us situated for the next 20 years.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: I want to talk about the vehicles. I am missing the inspection reports. Did you have that done by the shop?

John Caywood: Yes and I believe I sent that out to you in the first that I sent yesterday. There are five new and one request...

Sharon Tucker: I think I got stopped on the first page.

John Caywood: All of the vehicles I requested for replacement met the criteria established by Purchasing on the point system.

Joel Benz: Will you retain the Tahoe that you are borrowing?

John Caywood: I am hoping I can. It has 138,000 and is close to being up for that but I would put that into property maintenance so they could continue to take all of the materials they need for responding to after-hours calls.

Joel Benz: Councilman Armstrong.

Bob Armstrong: Of the six vehicles that you are retiring, are they coming out of the fleet? You are retiring them because they are over their points and I wonder if we are going to take them to auction or to County pool cars.

John Caywood: I don't know if that is my decision on what happens to them. I would plan on retaining one of them as a loaner car.

Bob Armstrong: I guess my question is if you are retiring it from one department, we should be getting rid of it.

Tom Harris: Secondly, if those are going to be auctioned off, what is the approximate value of those six vehicles?

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Dawn Rose: Dawn Rose, Purchasing. Of those five vehicles, I believe at least three of them have to go to auction. There are two Hybrids that we were possibly going to talk to the Sheriff to see if they would like to use them for Civil Warrants Division. We have to keep in mind too that some of these, I didn't bring the value of these with me. A couple of them might have a little bit of value when they go to the auction. All five may go to auction but I know three for sure.

Tom Harris: And based on your scoring, the recommendation is that those be replaced.

Dawn Rose: Yes. The Commissioners agreed and based on what John's department does, I would say that this would be a good start.

Joel Benz: Thank you, Dawn. I will add that Councilman Brown something brought up earlier and I talked to the Commissioners earlier and they don't have any plans to move you and that they feel you are in a good spot. Of course the City plays a part in that. That was one of my thoughts too.

Tom Harris: I do have a couple of questions. It is good to hear from constituents and people in the community about their views. What about the Commissioners on this?

John Caywood: I spoke to them in our monthly meetings and they are in support of this.

Tom Harris: Of the cars as well as the renovations?

John Caywood: Actually there is a spot where they need to sign off to approve before it even comes to you. One thing that came up and I don't think I addressed also is that working with Purchasing with the renovations, Dawn had a great suggestion that we use County Building Maintenance who are licensed contractors to do the labor part of this. The \$36,500 is actually materials and the labor is going to be supplied by County Building Maintenance. We are going to get on their schedule and agenda. We are not paying any of the people that came and spoke on behalf of us. They will not see financial benefits by doing any of the repairs or renovations. It will all be through Vance Hernandez's crew just like they renovated the Courthouse Room 107. They have excellent cabinet makers and excellent contractors that do great jobs.

Eric Tippmann: With the online permitting, do you expect that trend to increase?

John Caywood: I think it is going to increase about ten percent. Originally I wanted to increase it to 75% but polling people I actually find it is probably going to go up ten percent and that's about it. So many people say that they enjoy coming down to the Building Department and interacting with the staff. I don't think we are going to stop that trend. They want to come in. They like the face to face interaction and I think that adds to the need for the pre-conference room.

Eric Tippmann: Does it decrease foot traffic, online permitting?

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John Caywood: It does decrease some foot traffic. With the trend right now with everybody moving around, everyone wants to make the man cave better, make that kitchen better and we are seeing a lot of homeowners that come in and want to pull permits to do minor repairs in their house. Master Spas talked about confidence level and we see that too. This is the year to put in the three-season porch or upgrade whatever. We are seeing a little more of that kind of foot traffic.

Eric Tippmann: To some extent, John, you are your own worst enemy. As one of the members of your posse said, you're the best. You have a good culture and everything is good so you are going to go from best to what by doing this?

John Caywood: I think it is important to maintain. You can't just stay there and be idle. I think you need to constantly strive for the better. I think we had conversations to what is that degree, 96% or 97%, and I want to maintain that. You can't do that by staying where you are at. That is how we get that old culture of we are not going to work together but we are going to work against them because we are the authority. I think the individuals that came up here represented some of the biggest contractors in this area and are sharing with you that we are breaking that culture of not collaborating. I would say that I am trying to be the best and I want to stay the best and you can't do that without some capital improvements like this.

Eric Tippmann: I will open this up for you guys too but is there a way you could prioritize? What would be your priority if you didn't get everything you wanted? What would be you have to have this?

John Caywood: I would say the front counter area and the hearing room to be redone would be the best to start with. If I had to wait on anything, it would probably be the conference room. There may be other ways to do it but I think not waiting and doing this where I could move my front counter people into that hearing room and keep them going right there until that was renovated and then make that move would be the best way.

Joel Benz: Councilman Brown, you have a follow-up question?

Larry Brown: First of all, on the online permitting, I wanted to add that as a contractor I have found two different needs in permitting. One is I need the permit today or tomorrow. The other is that I don't need it for a couple of weeks. As a subcontractor, I either need it now or two or three weeks down the road. If I need it now, I have to go down in person to get the permit. In person versus online permitting, I think in the beginning of this concept we had an idea that everybody would or the majority would use online permitting. Now I have changed my thought on that. I think a 60/40 is probably going to be the best we are ever going to see. As far as the expenditure now versus spreading it out over time, he has already, revenue-wise, at his 2018 revenue estimate and we still have four months to go. I think now is the time to spend the money while we have the cash.

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John Caywood: I would add, on the needing the permit now, I know that in your trade there are multiple instant permits and I think you have taken advantage of some of those, haven't you? Those are always available and those are right now at 20% of the total permits that I put out. Because of this I had one of my front staff leave and I haven't filled that position yet. I didn't take it off my 2019 budget but I would like to. I just met with Stacey O'Day, the Assessor, on ways to properly assess swimming pools and that meeting resulted in two more instant permits, one for commercial and one for residential. We continue, as we see the need come up, to offer those instant permits. I can say that 60/40 is the best I can do and it's not that we aren't trying but is because we have contractors who are reluctant to use that because of technology use or religious beliefs or wanting to come in.

Joel Benz: Councilwoman Tucker and Councilman Harris, I know you have been waiting.

Tom Harris: John, I appreciate the fact that you indicated the individuals here today won't be building these projects and so they won't be involved in any of the projects.

John Caywood: That is correct. All of the materials are quoted through Building Maintenance and if you approve this, we will pay for it out of capital expenditure. The only things we are going to have to do is the data running and that is because the City is proprietary with Martell and they want to keep that consistent.

Tom Harris: A couple of thoughts, one is that I am going to support this today on the basis of the fact that you have strategy in terms of where you are going to take the Building Department. I also see on the horizon the demand that is going to continue for Allen County.

Eric Tippmann: He said he is firing on all cylinders.

Tom Harris: You are saying that he is at peak. For the demand from the economy standpoint, I think it is still coming. My concern is the mechanics of how everybody was writing me letters about this. How did that happen? How did you go about having all of the different contractors send us letters? Help me understand that.

John Caywood: I asked for support in this whenever someone would come to a pre-construction meeting. I would let them know that I would be going to Council in a little bit and can I get your support on this?

Tom Harris: Let me just ask on this. To be totally frank, how can that be perceived by the public and taxpayers that is might not be okay? You oversee all of these industries and have to regulate and make sure that they are following rules and regulations. The perception of that could be perceived improperly, right?

John Caywood: I guess I didn't see it that way. The last three weeks I have been working with Fort Wayne Community Schools and some of those contractors to get the

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schools open. There were Saturday mornings and Sundays where they were trying to get things around. There were constant texts, phones and emails trying to get these schools open. The same thing is with some of our healthcare providers where they are very demanding on when they want things done and it has to be done sooner and quicker.

Tom Harris: You are doing a tremendous job and they pay for that through their taxes and such.

John Caywood: They do.

Tom Harris: Just a challenge for you is that it would mean more to me, as a Council member, to have the Commissioners sitting here and supporting this than it does for all of the people in the community. I am concerned that I don't see that kind of support from the Commissioners. You are doing a tremendous job and I think the department is improving in a number of different ways but going forward, think about that tactic and mechanics of how you go about getting that support.

John Caywood: Okay.

Larry Brown: I just wanted to follow up on his thought. Tom, think about who the customer is. There is nothing wrong with having the Commissioners here but who is the customer?

Tom Harris: This is similar to what happened with the Surveyor and I was concerned about that as well. I want to be consistent in my approach of how we represent issues.

Larry Brown: Let me assure you that as a contractor and if you think about it, maybe there is more inappropriate influence with me as a contractor than any of these other guys. I sit on Council. I have never had an Inspector give me an inch of slack. They do their job.

Tom Harris: Larry, I have a respect for his department and his Inspectors. But the perception is out there. The citizens, taxpayers and the community may have that perception.

Larry Brown: I thought the same thing but those guys that were here are paying the way. This is self-supporting. There are no tax dollars being used here.

John Caywood: It is kind of interesting, Councilman Harris, I would invite you to our Board meeting tonight because there is some question on using Journeymen instead of Apprentices on jobsites. To see Mr. Korte here at 8:30 in the morning where at 5:15 I am going to be slugging it out across the table arguing my point that we need to have Journeymen on every job and he is going to speak to the overall.

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Tom Harris: Just to that point, I am going to support this and I support you and trust you but the perception could be out there and we need to be aware of that. That is enough on my piece.

Joel Benz: Thank you, Councilman. Councilwoman Tucker, go ahead.

Sharon Tucker: I am going to come back to the project. The County is in a great fiscal position right now. Part of that is because in hard times, we had to make hard decisions. In good times we had to make hard decisions. I am a little concerned about us going rogue on spending right now because, as we have stated, we are in a really good place which only means that at some point the pendulum has to swing back. I do support the idea of doing renovations and bringing things up but I am not sure if some of the luxury items that are included are necessary. I have come into your department and your staff has treated me wonderfully. You have nice size televisions all around but is 65 inches a requirement? Do you have to go that large? In Sam's Club I saw that they are up to 80 inches. Some of these items, in my opinion, I am wondering if we are just going luxury since we going at it and just throwing it all in shooting for the moon or are these things that are actually required? You would be more likely to get my support if I didn't feel like some of these things are just gross luxury items as opposed to items that we have to have in order to support our customers.

John Caywood: Sure. In my personal office, I have a 65 inch monitor and it is something that I use daily. I know Kate Love-Jacobson is sitting over here and she is a Permit Specialist and we put plans up there daily and that size is great for the distance between me and you to be able to see the scale of drawings and point to joist lines and things. That is a good size to be able to read that. The cost of them is coming down significantly to where it makes sense to have that size.

Sharon Tucker: Would you be able to get the same usage from the projector that we have or is it because we only have one projector as opposed to having multiple televisions in other areas? Could the projector do the same thing?

John Caywood: It would probably not have the best resolution. I am expecting that instead of asking for a Plan Reviewer that could possibly make \$60,000 plus, I have spent the money to train the staff I have here now to review these plans. Eye strain and needing to move a plan around in order to see the entire thing makes more sense and is more efficient to have the entire page up there. If you go into architects and other engineer professionals' offices, you will see monitors of this type so this would be consistent with what you would see in other professionals' offices.

Sharon Tucker: I do because I do insurance and I do visit around. I see the Dow Jones running on most of them. The other thing I had a question about is about the department that is going to do the renovations. How does Maintenance have the free time or the extra manpower to do that?

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John Caywood: I have to schedule them in. It may be two months before I am on their docket. They have a fairly large crew and they will dedicate two individuals at a time to do demolishing and then the finish crew will come in and they can rotate that around. It is part of what they have done in the past for other departments.

Sharon Tucker: So you anticipate it taking a little longer with using our own.

John Caywood: It could but with the savings right now and the premium on commercial contractors is definitely worth it. I will have my staff sit in my hearing room and issue permits from there. If it takes three weeks more a month the savings are definitely worth it to the County.

Sharon Tucker: I don't want to open up another can of worms but I have to be honest with you but when I saw the record breaking public comment come through today, I was a little impressed. The one thing, because I am a realist, I know that whenever someone presents something to us they ever only give the roses. They never give the down sides. I would have liked to have heard from someone who said they have run into trouble but they think this renovation will cause that not to happen again. For me, having just the flow of people that just support, support and support, we have found our favorite friends to come through and talk. Being a realist, I like to hear both sides of the element so I can draw a real conclusion instead of only having the rainbows out there.

Eric Tippmann: His job approval is so high he can't find anybody that doesn't think he is doing a great job.

Larry Brown: With that I will offer a motion to approve items one, two and three which includes a reduction in County Council General Fund in the amount of \$340,000 and appropriation in Building Department General Fund of \$200,000 for Office and Computer Equipment and \$140,000 for Vehicles.

Justin Busch: I second that motion. Might I add that we have talked about the work that Vance's crew can do and I encourage you to spend a half day with him and his folks to go around and see all of the buildings that they maintain and some of the work they do. It is truly a testament to the craftsmanship he has in his staff.

Joel Benz: We have a motion and a second. I do have a couple of comments that I want to make. I appreciate what you are doing. The culture change is good and moving in the right direction. I did not have the opportunity to walk through with you and take a look at specifically office furniture and stuff like that. Before I vote yes on this I feel that is something I need to do as part of my due diligence. I don't feel like I can move forward and support this wholeheartedly in this. Last night we got the numbers from you on what this would cost and it didn't give me enough time to fully vet it. These guys rushed before I could say this and maybe we could have drawn some of this out and save that and go ahead with the remodel. Later on, when I have had a chance to go through it, you could come back and appropriate what we feel is appropriate for the furniture. Also, regarding the vehicles, I certainly think most of the vehicles are warranted. I know your

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staff is expanding and it is a hard sell for me to say to new vehicle is fine. I am a little hesitant on that aspect too. Overall, I support the direction you are going here.
Councilman Armstrong.

Bob Armstrong: I guess my question would be can we table this for a month because I would like to go in and see the surroundings over there and what we are actually approving today or does that hold you up?

Sharon Tucker: I would like to see it separated.

Larry Brown: The current motion does not address that.

Sharon Tucker: I know.

Eric Tippmann: Okay, while you guys are debating, I am fully supportive of the vehicles and I would love to give you just your top priorities because I think you are just that good. You have achieved the unattainable goal of being perfect. I don't have a problem with your approach of getting the people out but you can imagine that if you asked them and you do oversee them that you have that power or dynamic over them and you might want to avoid that like Councilman Harris said.

Joel Benz: We have a motion and a second. All of those in favor of passing all three items on the agenda say aye. All of those opposed same sign. The motion fails 3-4 (Tucker, Armstrong, Tippmann and Benz).

Eric Tippmann: I will make a motion for approval of vehicles in the amount of \$140,000.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second.

Larry Brown: Whoa. You are getting the cart before the horse.

Nick Jordan: In line with that motion, add that there is a reduction in the Council line. If you are doing the \$140,000, you will do the reduction for the same amount.

Eric Tippmann: And the reduction of Other Capital in the Council General Fund for \$140,000.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. Is there further discussion? All in favor say aye, those opposed, like sign. The motion passes 5-2 (Armstrong and Brown).

Tom Harris: As to Councilman Armstrong discussing this further, is this something that he can bring up in the future?

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Joel Benz: I would advocate that we appropriate funds to begin his remodel. I don't think \$89,000 for office furniture and the \$7,100 for the electronic equipment, if we could carve that out until next month I think it still gives him plenty of time to get started on his remodel. It also gives us time to review the remaining aspects of it and maybe have you come forward with it again.

Larry Brown: So that said, what is that amount?

Sharon Tucker: \$36,500 on this proposal.

Joel Benz: Is that correct, John?

John Caywood: That is correct. I would ask for the data also. The estimate was about \$30,000. I think we will be under that but we also have the flooring. If you say no to the flooring, we will have things torn out and pretty much bare floor when we go forward with that.

Joel Benz: So you have approximately \$36,500 for the remodel, \$17,500 for flooring...

John Caywood: The data drops would be the appropriate time to have that done when everything is open. If it is the question on the furnishings, would Council consider tabling until next month? That would give me an opportunity to get started and for Council members to have a closer look at what I am attempting to do with that \$89,000.

Sharon Tucker: I come up with \$83,000 for the three items. \$17,500 for flooring, \$30,000 for data and \$36,500 for the reno.

Nick Jordan: The \$89,000 is in the email from Seely Solutions. I was going to ask procedurally that you made it clear of the \$89,000 for the furniture, because if it is part of the remodel when you tell him to go ahead with the remodel do you create an inefficiency by delaying the rest of it a month? Are you able to do part of it?

John Caywood: We would have to order those things. There would be a question on like you didn't approve the projector and do I need to wire for the new projector because this building operates on an internal plenum which means that the drop ceilings has to act as a return air for everything.

Sharon Tucker: Or we could table the whole thing.

Joel Benz: So, by my calculations if we just take out the AV equipment which is the televisions, it doesn't take out your wire drops and all of that. It comes up to a total of \$103,900 out of your initial request. That is tabling the televisions and projector and all of the office equipment for next month. Council, are you following along with that?

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Larry Brown: Why would you not include the projector as part of the construction project?

Joel Benz: Well, okay. I will add that into the amount.

Sharon Tucker: He still can run his lines for it.

Larry Brown: But there is more to it than that. He tried to explain.

Sharon Tucker: Or we could table the whole thing.

Joel Benz: If we include the mount for the projector it is \$104,750.

Eric Tippmann: What was the rationale for waiting and not giving him everything?

Joel Benz: I personally feel that it is my due diligence to look at the equipment that he has and look at the furniture that he has and have an understanding of why exactly it needs to be replaced. Does all of that furniture need replaced? In my estimation, he has said that some of the tables are bubbling and some of the chairs are in rough shape but I feel it is my duty to take a look at it and establish that for myself.

Larry Brown: Would you consider a recess and go do it now? I am serious. It is a five-minute walk.

Eric Tippmann: As liaison, I would like to speak up for all Department Heads that they probably voice a reluctance to come because they get beat over the heads when they come here. Whether their furniture is decadent enough, you could see what kind of standard that sets and message that sends across. We are working on a culture here, we are dictating to them that we are going to go and scrutinize drawer and pull it in and out to make sure it really does squeak. Do you see that point?

John Caywood: We are kind of a permit leader in Northeast Indiana on the Permit Specialist Coalition, I would love to have this region down to my building but it is not really suited for that right now. We are the powerhouse for Northeast Indiana and I would like to host some of that stuff.

Tom Harris: I will make a motion for \$104,750.

Nick Jordan: And the corresponding reduction in Council Capital.

Tom Harris: And the corresponding reduction in Council Capital.

Bob Armstrong: Second.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-2 (Tucker & Tippmann)-1 (Brown abstained).** At this point, I think we need to take a five-minute break.

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BREAK

Joel Benz: Election Board is next on the agenda.

Beth Dlug: Good morning, Beth Dlug with the Election Board. I am here to request your permission to apply for a grant through the Indiana Secretary of State's office for equipment to be used to further election equipment security. The funds are going to be used specifically to improve the security of the poll pads storage room and provide badge access and camera monitoring much like we did for the voting machines facility back in 2017. We are also adding a network video recorder so we can add 22 months of storage of the video that we are taking. This is to comply with a new law that was enacted in 2017, Senate Bill 327, which requires the Election Board to provide this kind of physical security to these election systems. I have already applied because we had a deadline but now I am asking for permission. We expect to hear in the next month or so if we are going to get those funds.

Tom Harris: My only question is why would we not get those funds?

Beth Dlug: I can't think of one reason and I don't expect not to get them.

Bob Armstrong: If we don't get them, what happens?

Beth Dlug: We have to do it.

Larry Brown: Does every County apply for a specific amount of money?

Beth Dlug: It is whatever you needed. I wished I could have wrapped in what we did in 2017. I was hoping and that is why I waited until the last minute hoping the grant would allow us to go back and capture those funds we spent then. It stopped at the enactment of this law and so we couldn't go back. I would assume that every County is doing something. We had to pass a resolution before July first with the Election Board that said we were going to do this. Otherwise we had some pretty draconian measures that we would have to take manually to provide this kind of security.

Larry Brown: The number selected, are you comfortable with that number? Did you get estimates or something?

Beth Dlug: Yes I did. I think they were attached to the actual grant. Did we send that to you, Nick?

Nick Jordan: On page 53 there is a budget for \$2,200 for badge access to poll pad storage facility and \$4,995 for the camera and recording.

Sharon Tucker: With that I would like to make a motion for approval to apply for the 2018 Election Security Grant.

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Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next is Department of Planning Services.

Scott Harrold: Scott Harrold with the Department of Planning Services.

Elissa McGauley: Elissa McGauley, Department of Planning Services.

Scott Harrold: We are here on behalf of the Redevelopment Commission. I can make this story as long or as short as you want. When I was working on the budget last year, I budgeted the amount where I thought we would pay off this obligation. Basically, a lot of times when there are projects that the Redevelopment Commission wants, for example we are supporting General Mills here or SDI or different projects where we need to borrow money from the Board of Commissioners. Other times we help out with projects that have some economic benefit and this was one case. It was about ten years ago the Mayhew and Leo Roads intersection was changed and we are repaying Highway for that. At the beginning of this year, after we sent the Highway Department and Commissioners a letter that we thought we had paid off the obligation, Kim Yagodinski said they had a different number and it turned out they had some engineering and right-of-way and we had only the construction cost. We discussed it with the Redevelopment Commission and they said it sounded all right and we can pay for that. Come July we got some more tax increments and we have money in the bank and so staff put it on the agenda to have them reimburse the Highway Department more money. It turns out I didn't think about how much we had appropriated and it wasn't enough. It was really oversight on my part. All this is doing is fixing that oversight.

Elissa McGauley: We typically budget enough to cover our commitments in each of those funds and this year we got a little overzealous. We were looking at what we got in the spring and we knew we wanted to pay off this commitment and we didn't have the funds budgeted in the line.

Tom Harris: I will move for approval of the appropriation in Oak Crossing TIF Fund 809 in the amount of \$180,000.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. ACJC is next.

Sharon Tucker: ACJC is applying for the appropriation in the JDAI Grant that we approved a couple of months ago. I will make a motion for the appropriation in JDAI Grant Fund 223 in the amount of \$36,120.

Justin Busch: Second.

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Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Now we have Circuit Court.

Eric Zimmerman: Eric Zimmerman with Allen Circuit Court. I am here today to request an appropriation for prior approvals for Adult Probation. As you know we were approved for a Finance Coordinator and through the hard work of the Personnel Committee, the UPROB grid went up and the Probation Officers went to 40 hours a week. I found out a couple of weeks ago that the actual funds weren't appropriated. I think I made it perfectly clear that Circuit Court could not sustain that budget increase. I am here for two purposes and one is to go ahead and fiscally get the Council's approval to get the money for those salary increases for UPROB and the Finance Coordinator. The second part is not necessarily salary increases but goes back to the 853 Grant that we get from Allen County Community Corrections. I was here a couple of months ago to express the need for that grant. You approved it but the budget was not approved. The State's fiscal year begins July 1 and so I am here today to request that. When I did my calculation, I realized that I had forgotten two parts and will be back next month for some urine testing fees and some training. I was under the impression that these were all in my budget for 2018 and the funds come at the State's fiscal year and Nick told me that is not the way it works. I need to come as that money comes in June.

Tom Harris: When do you hire the Finance Coordinator?

Eric Zimmerman: She was hired in February.

Nick Jordan: Next month Eric won't come back unless you want him to and I will just handle the rest of it. We will also have to make sure that Fund 853 has filled the bucket for the 40 hour change.

Eric Zimmerman: Let me make a comment. Councilman Brown, I concur that the State has done an inadequate job of funding the 1006. Our probation population is up 28%. They have given us six Probation Officers but frozen the pay at \$35,000. That is the biggest commitment that they will make. There is certainly some work to do on the legislative side of this. The good news is I received a survey on how 1006 has affected us from the Indiana Criminal Justice Institute. There is a pathway to proper remediation to be made to adequately support fiscally the commitment of 1006.

Larry Brown: Eric, don't be afraid to say you can't answer my question. There may be a reason not to answer my question. Do you feel that you are either maxed or close to being maxed out on the capability of Adult Probation and such?

Eric Zimmerman: Let me answer this in the best way I can by general knowledge of our department. My quick answer to that is yes however, just like everything else that we have been able to do and the collaborations that we have built with our local criminal justice partners including the Sheriff and Community Corrections and Criminal Division Services. Each one of the offenders we bring to the table is given a specific plan. The good news to that is some offenders come to us and don't need a lot of work. We have been able to minimize the amount of work required for certain offenders. That said, the

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amount of work required for the ones we do work closely with require a lot of work. Traditionally these are people that were probably three to five years ago were going to prison. They come to us with high need and high risk. We are getting very close and are at the tipping point. The gains we have made in retaining good employees who are able to do more with less certainly offsets the need for just simply more. I would say we are at that point. There needs to be some remedy and remediation and the way 1006 is currently being funded.

Larry Brown: In your collaboration effort, is that information flowing back to State Legislators?

Eric Zimmerman: I think so. There is a JRAC, Justice Reinvestment Advisory Council that has legislators on it. Probation, Community Corrections and Department of Corrections that constantly gets feedback and so there is an avenue that we can get back to. I think most of the feedback that we have given now has been let's just wait and see. Let's see if these are just short-term bubbles that hit and will kind of find its way. We can find a leveling point and adjust our funding and process. By all accounts, this was supposed to reduce the population in the Department of Corrections. The feedback that the DOC is giving is that they still need more facilities.

Larry Brown: That was at as advertised.

Eric Zimmerman: Correct. I do think the population in the Jail and the population in the local Community Supervision entities has gone up and the demands for performance have gone up all positive, in most cases. I think collectively, as a Northeast Indiana group we need to make sure, as an organization here that does things very well. I think we have a strong voice and we can probably effect change at the State level if we collaboratively work together. I honestly do.

Larry Brown: Personally, part of my concern is you all have seen the news and we are losing some pretty high profile Judges that had a lot of leadership and influence in what is going on and I feel confident that their replacements will carry on but still I think it is going to impact the goings on of what their mission is.

Tom Harris: It is interesting that you mentioned that you had just received a survey. Unless I missed it, they should be sending that to us as well.

Eric Zimmerman: I would concur.

Tom Harris: If there is any way you could get that message back, County Councils across the State should be able to weigh in. I asked earlier when you hired that Finance Coordinator and can he or she assist you in some of these things to make sure you don't have to come see us every month?

Eric Zimmerman: Absolutely. One of the things you may recall, I said the first six months was going to be to dig into the State Board of Accounts audit and to remedy that

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and she has done that. She is now ready to move more to budget strategy, systems processing and making sure because it is getting more complicated. We have funds coming from all different sources.

Tom Harris: Your area is going to continue to grow based on the demands of this community.

Eric Zimmerman: Exactly and I am trying to understand...

Tom Harris: That is why we wanted to put that position in there to help you.

Eric Zimmerman: Absolutely and it is. Now that we have the State Board of Accounts issues resolved, we will remedy that in the next couple of months. We will turn our focus to strategic planning.

Sharon Tucker: I will make the motion for the appropriation in Circuit Court General Fund in the amount of \$184,443 for Salary Increases and I would also like to make the motion for approval of the appropriation in Adult Probation Grant Fund 853 for \$58,190.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second.

Eric Tippmann: I am going to be unable to support this because I didn't support it the first time, as you recall. There is a big difference between not supporting these and not supporting you.

Eric Zimmerman: I understand that.

Tom Harris: I will add my comment as well. I didn't support this previously but this passed because it is a matter of moving funds to make government work.

Eric Tippmann: I was just trying to be consistent.

Joel Benz: All in favor say aye, those opposed, like sign. The motion passes 6-1 (Tippmann). Superior Court is next.

John McGauley: Now that Eric has you sufficiently warmed up. I believe we have two items on you agenda this morning. The first is an appropriation within our existing budget for something that we all know is not terribly popular but we think we have compelling reasons for. It is a new vehicle for our Drug Court staff. Let me introduce everybody. I am John McGauley, Court Executive for Superior Court.

Leslie Owen: Leslie Owen, Financial Coordinator for Superior Court.

Jeff Yoder: Jeff Yoder, Executive Director of CDS which encompasses Drug Court.

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John McGauley: Simply put it is a supply and demand problem. Our Drug Court clientele has increased dramatically in recent years. The number of field visits our staff is doing stands this year to increase upwards of 65% over two years ago. The number of people we have to transport from Jail to other programs to help with their recovery has increased dramatically. The numbers of hours our staff is required to get in continuing education has increased dramatically. We have one vehicle that you gave us permission to buy a couple of years ago but simply put we need another one. We have to pick and choose between critical operations because of the lack of transport capability. I will defer a lot of the questions on specifics to Jeff. What we have done is we believe we are late enough in the year to have confidence that we can move this money from our Pauper Attorney line and do so ourselves without having to ask you for additional money. The explanation is that the appeals are down this year. We don't know if that is a lasting trend but we hope it is. They are down sufficiently enough this year to allow us to have confidence here in August. We have postponed this for a couple of times just to make sure we had that level of confidence but we know we can pay for this on our own.

Joel Benz: Councilman Armstrong.

Bob Armstrong: By looking at this fleet report, the vehicle that you are getting rid of, is that the Trail Blazer?

John McGauley: We are not getting rid of anything. We had to redline one out of the fleet a couple of years ago. It had lived its life. You all approved the purchase of a new vehicle for us a year or two ago. We are not getting rid of anything but adding a second one.

Bob Armstrong: Okay. I was just wondering because when I asked for this report, she noted that she scratched two vehicles and one of them is the 2006 Trail Blazer from Superior Court.

Leslie Owen: Those are actually Juvenile Probation vehicles.

Bob Armstrong: I noticed here now that you guys have a 2018 Explorer.

Leslie Owen: That would be ACJC as well.

Bob Armstrong: It says Superior Court Drug.

Leslie Owen: They have a 2017 Ford Explorer last year.

Bob Armstrong: All right. I take it is not a take-home vehicle.

Leslie Owen: No.

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Joel Benz: I have one question about Pauper Attorney. That had trended up, if I remember correctly, over the last three or more years?

John McGauley: We were before you three budgets ago asking for an increase in that. It had gone up substantially. That held to plan last year. We have noticed a down tick in that this year. We hope it will last but it is real hard to say.

Tom Harris: Is it a correlation to economy?

John McGauley: Luck?

Leslie Owen: I don't think it would correlate to the economy.

Nick Jordan: It is also not a correlation to the Public Defenders' Office.

Tom Harris: I will move for approval of the transfer from Pauper Attorney in the amount of \$26,533 to Motor Vehicles for \$26,533.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.

John McGauley: We have a second smaller item. This is some additional grant dollars that we received for a position that we had this summer. This position has already concluded and she is gone. This is simply the State of Indiana reimbursing us for our ICLIO grant that pays for a Clerk in our Criminal Division. It is a first or second year law student and she has already served her tenure and gone back to school. We asked to be able to keep her for a couple of additional weeks. She is a Fort Wayne native and a law student who wants to come back here some day and was doing a great job for us. The State told us to keep her and they would pay for it and that is what this money is, just simply reimbursing us for her salary for those two weeks.

Justin Busch: I will make a motion in the Legal Education Opportunity Fund 850 in the amount of \$1,847 for Extra Deputy Hire and \$153 for FICA for a total of \$2,000.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Now we have the Auditor's Office.

Nick Jordan: I have the rest of your agenda. The first on is in you General Fund and is simply to appropriate money so that we can pay the 401A Match that certain Council members contribute to. The second piece is in my Ineligible Deduction Fund. I am trying to use the money in that fund before of the General Fund. I have \$25,000 in the General Fund for Extra Deputy Hire that we haven't touched and I am using our special revenues

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to spend those down so we don't have fund balances everywhere. That is \$15,000 to continue paying my part-time through the remainder of the year.

Justin Busch: I will make a motion to approve the appropriation in County Council General Fund in the County 401A Match in the amount of \$3,500 and also in the Auditor's Ineligible Deduction Fund 838 for Extra Deputy Hire in the amount of \$15,000.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Nick, thank you for the example of handling your finances in that way, I think that is certainly wise.

Eric Tippmann: He is a CPA.

Joel Benz: At this point, Jim Posey is here to discuss the Public Defender lawsuit.

Jim Posey: As you know, we have been working on the settlement agreement with respect to the Public Defenders lawsuit. We have reached an agreement in principle with Mr. Meyers. He was speaking on behalf of his clients, Mr. Wilson and Miss Marshall. We put this together and sent the draft over to Chris Meyers and initially Chris said we need to exempt two of the Public Defenders who represented Miss Marshall in her criminal trial because she was contemplating filing a legal malpractice suit. I can tell you she doesn't have much if anything to stand on because she missed complying with the tort claim notice which is mandatory when you file a suit against a Public Defender because they are treated as an entity of the County. Plus, she went to jury trial and was convicted and in order to win on a claim of malpractice against a lawyer after you have been convicted, you have to show that you were innocent anyway. You have to indicate, prove, despite your conviction by the Court that you were innocent and would have been found innocent but for the malpractice engaged in by the lawyer. Early on in the case, I read the transcript of her jury trial and I can tell you that as a trial lawyer the only thing I disagree with is that her probably left one juror on the panel that I would have struck. It doesn't matter because it was clear that the State proved her case beyond a reasonable doubt. We talked about this and Feighner, who represents the Allen County Public Defender Board, worked through it and got the okay from all of them. We exempted them, those two lawyers from being sued but one of the things that I always told you was a goal of mine in all of this was to make sure that you didn't get named as defendants again, actually named to where you had to hire counsel to represent you. You may eventually, if she prevails, a bill for the judgement if there is any. That is different than being named as a defendant and having to appear and defend yourself. We have specific language in this agreement that says they can't do that. Now, where we are is Meyers has represented to me that Mr. Wilson will sign the agreement but there is no guarantee that Miss Marshall will sign the agreement. We were going to be here in July but we bumped it out a little bit to give them time to see if they could work it out but apparently that is still up in the air. What I am recommending that you do and what we as defense counsel

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for the various parties, the Commissioners as well as the Board of Public Defenders and you, I would like for you to sign the settlement agreement. Vote on it, approve it and sign it today and our plan is then to send it over to Chris Meyers and say here it is. We have signed it and get the Commissioners to sign it and the Public Defender Board to sign it and take it or leave it and if she won't sign it then we will file for the enforcement of settlement agreement in front of the Federal Judge and ask that she be ordered to sign but also that she pay our fees for having to take this step. I was in a crazy case once where somebody settled and refused and we had to go through the whole thing and the person ended up paying an additional \$67,000 in lawyer fees. People don't usually like that but this was a particularly strong willed individual. Nonetheless, I recommend to you that you approve the agreement as written and that we follow through and get everybody else to sign off and then we just send it over and say this is it. Take it or leave it and if you are not going to take it, we will see you in court and you will pay our fees.

Joel Benz: This court case has dragged on for well over a year.

Jim Posey: Much longer, almost two.

Joel Benz: I am glad to seeing it come to a resolution. I personally don't like to sign settlement agreements simply because I believe the County Council and the County, as a whole, was not at fault in this and did nothing wrong. The alternative, in my mind, is that we go to a court case and that incurs additional cost and yes we may win but we have already spent significant funds for representation and that is just us and not to mention the Public Defenders. All of these costs would continue to go up and with essentially the same outcome. I don't feel that continuing to spend money is worth it when I feel this will put it to rest.

Jim Posey: And as you lawyer, I will tell you that this clearly says you are not admitting anything and we didn't do anything and I don't think the Commissioners did anything. I can't sit here today and tell you that the Public Defenders' Office would win their part of the case and so I think this is another good reason.

Tom Harris: What is the timeline, what can we anticipate for some kind of timeline for a response back to you about what happens today? I think it is going to have to go through the Commissioners which means that it probably has to be on their docket for tomorrow, possibly, or a week from tomorrow. When would we anticipate a turnaround?

Jim Posey: If you all approve it and sign it today, I will take it back and give it to the Commissioners' lawyer as well as send it to John Feighner and say please have your necessary meetings as soon as possible. The people that are going to pay for it has signed it and so the rest of you shouldn't have any trouble signing it. I don't know how soon the Public Defender Board would meet but I would tell Feighner that we are very anxious to get it over with and they should meet ASAP and there are only three of them. I would hope that within two weeks, at the outside, I can send it to Meyers. As a matter of fact, what I think I am going to do if you approve it and sign it today, I am going to send it on to Meyers and tell him here is what is going to happen. You might as well get your clients in to sign because there is a provision in there that says it can be signed in parts

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and parts will be considered as a whole. I thought I would get it over to him and the last I knew, Mr. Wilson was back in Jail. He will be easy to locate. He can then work with Miss Marshall and again, it is up to her but I don't think you would be making any further concessions.

Tom Harris: The Public Defender Board with the exemption that you spoke of earlier, will they still be in favor of this?

Jim Posey: Oh yes, Feighner has been working with me and they know they need to agree.

Larry Brown: Do we need a consensus or a motion?

Nick Jordan: Yes, you are going to need to make a motion and the fact that the settlement agreement has a signature line for all of you. If you vote no and the majority approves it then it will pass. You just won't sign.

Larry Brown: As a motion to approve the settlement agreement.

Nick Jordan: Yes. We appropriated the dollar amount last month and so it is ready and waiting so that we didn't have to wait a month when this finally happened.

Jim Posey: Mr. Meyers wants his money.

Tom Harris: In terms of a motion, what is necessary? Can we refer to it as the settlement agreement?

Nick Jordan: I would add Public Defender Class Action Lawsuit.

Tom Harris: I will move for the approval of the settlement agreement with the Public Defender Class Action Lawsuit.

Larry Brown: Second.

Joel Benz: We have a motion and a second. Councilwoman Tucker.

Sharon Tucker: Mr. Posey, isn't the amount on page two, item one?

Jim Posey: Yes it is \$90,000.

Sharon Tucker: Thank you and that is actually kind of on the lower end of what we had kind of given our scale for.

Jim Posey: Yes. It was close to the top. I think it was \$70,000 to \$90,000. He was at \$120,000 or \$130,000.

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Sharon Tucker: Well then I guess I won't give you all of those showers of praise.

Jim Posey: I have never worked so hard to get something settled when my clients didn't do anything.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** Jim, thank you for your work on this and I do appreciate your efforts.

Tom Harris: Which document do you need signed?

Jim Posey: Let's pick one and pass it around. I will keep you in the loop.

Larry Brown: While this document is making its rounds, I will share with you that I extremely appreciate the pictures that you have been posting of your daughter.

Jim Posey: Thank you. She is doing well.

Joel Benz: Council, I believe the Auditor has some...

Nick Jordan: Quick question for Jim, do you want me to send an email to Chris Cloud to get you on the Commissioners' agenda?

Jim Posey: Let me take it back to Laura Maser and I will let her know there is a meeting tomorrow. They can still stick that on there.

Nick Jordan: He will send the agenda out in a little bit but if not, they meet next week.

Jim Posey: Would you please attest this? Thank you for the opportunity to help you through this mess. I think Miss Serrano was an excellent addition to the Public Defender Board.

Nick Jordan: As a volunteer, she is doing a lot of work.

Jim Posey: She is doing a good job and now all we need to do is get the Judges to make a change.

Nick Jordan: Council the last thing on the agenda here, we could spend as much time as you would like, is what used to be the non-binding review process. In here, the DLGF has comprised estimates and I have put a summary. The first page explains that under law we have to do this. As I mentioned earlier the Library came to speak with you but nobody else wanted to. You can either make a formal recommendation and /or the minutes, we always post online and we will let the units know they are out there and can read what you guys discussed. Just to provide a little overview, on pages two through five, I have compiled a summary showing the 2018 certified levy and that is the certified taxes, and then the estimate of the 2019 maximum levy. As an example, look on page two and go

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down halfway you will see Lafayette Township. It shows 174% increase and that is because they are not at their max levy. They could go to their max levy, if they so choose, but at this point in time they don't need the funds and haven't adopted their max levy in years past. That being said, Townships are such a small unit, dollar-wise, you can see a \$45,000 increase which is not a big deal even if they took that whole increase as well as Marion Township and a couple of others that stick out. The bigger hitters are when you get to the Cities and Towns, New Haven and Fort Wayne and then when you get to the schools. Even there, with the exception of New Haven, ironically they didn't renew the interlocal agreement for the bridges and one of the taxes they have is Cumulative Bridge and Street. I am not sure if that is a direct correlation but they are proposing a new tax. You can see that there are a couple of increases for New Haven to the tune of hundreds of thousands of dollars. Fort Wayne's is a large dollar amount but they are within the growth quotient of 3.4%. You can see the schools are changing to a new accounting but they used to have various funds but now it is broken down into an Operations Fund, Debt Service and then if they have any referendums or pension type items outstanding. I apologize but this was in a separate notebook if you want it. It is out on the website. On the other side of that page is Circuit Breaker estimates from the DLGF. I think they are very, very high and they also don't have all of the data to work with at this time. The units that have asked me, I have advised them that I don't think they will be as high as the estimates. For example, ours is a 51% increase and I don't see that at all. We have estimated less than seven percent increase. From 2017 to 2018, we actually went down in Circuit Breaker losses. I actually expect that to happen again going into 2019 and all of that being said, if you have specific questions, I am definitely here to address them. As you can see, there are over 100 pages but just note this is non-binding and the units don't have to listen to anything that you say. Truthfully, I have no clue if they even read what is sent to them when I do.

Joel Benz: Council, are there any comments on this? Nick, I have some questions but I am going to ask you offline because you will need to pull some numbers for me. Hearing none, let's move on. Are there any recent or upcoming meetings that we need to be aware of or liaison reports?

Tom Harris: Maybe a question. I know a couple of you attended the AIC and are there any thoughts or updates or anything that came from that? I have been to that a couple of times and sometimes they are okay and sometimes it is a great visit.

Joel Benz: I think the primary thing they talked about that was meaningful at all was the Dark Box thing. They are still doing litigation there and they are optimistic that they are going to be able to come out on top. They still have a long row to hoe there and that has significant implications for us as a community because we have a number of what would be dark boxes.

Tom Harris: Is there a timeline on that?

Joel Benz: No, there is not because it is just ongoing litigation. They have found funding in a County northwest of Indianapolis and is the County that is going after this.

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Nick Jordan: Howard County.

Joel Benz: They knew our Assessor by name because she has provided them with a lot of information.

Sharon Tucker: What is Howard County doing?

Joel Benz: They are the leaders and taking on Walmart.

Tom Harris: They have those distribution centers right off of I69.

Joel Benz: It has huge implications for what our revenue would be and statewide.

Justin Busch: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of August 16, 2018.

Larry Brown: Second.

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

Tom Harris: Move to adjourn.

Bob Armstrong: Second.

Joel Benz: 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 11:17.