

ALLEN COUNTY COUNCIL MEETING MINUTES
JUNE 21, 2018
8:30 AM

The Allen County Council met on Thursday, June 21, 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: Joel M. Benz, Larry L. Brown, Justin T. Busch, Tom A. Harris, Eric M. Tippmann and Sharon L. Tucker. Robert A. Armstrong absent.

Also Attending: Nick Jordan, Auditor and Becky Butler, Administrative Assistant.

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

Joel Benz: Good morning everyone. First on the agenda is the approval of the May 17th meeting minutes. Are there any additions or corrections?

Tom Harris: Move to approve the minutes from May 17.

Sharon Tucker: Second.

Joel Benz: All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (Armstrong absent). Next is the financial report from Auditor Nick Jordan.

Nick Jordan: Good morning, Council. In your packet you see the financial reports through the end of May. What are not reflected at this point in time are the May property tax collections that we process in June. I can let you know that we have collected about 55% of estimated which is normal around this time. Some people pay their full installment in the spring. Everything is on track as well and we have also received a supplemental income tax distribution because the trust balance was over the 15% in law. Also, the Department of Revenue had some corrections that they made which resulted in another chunk of change coming to Allen County as a whole which the County got a couple hundred thousand dollars. At the end of the meeting I am going to briefly talk about the 2019 budget timeline and we can go into more questions at that time.

Tom Harris: Just a question in terms of the interest. It looks like it is at 81%. Do we anticipate that number to keep climbing?

Nick Jordan: Yes, for sure. One is a result of our conservative estimates but the second is because we have more funds sitting in the bank, record cash balances and multiple funds as well as interest rates increasing. The deposit rates are increasing. It is nowhere near what we used to get seven to ten years ago.

Joel Benz: Go ahead, Councilwoman Tucker.

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Sharon Tucker: Nick, on the money that we are receiving back from the State due to their error, have we received that already?

Nick Jordan: Yes, ma'am. On the screen, you can see a piece of it was \$1.4 million which was Allen County's piece. The other piece, we have received a couple hundred thousand dollars, \$176,000 plus the \$35,000 and the \$110,000, a little over \$300,000 there. We have received both of those. Again, they weren't anticipated. One is because State law says your trust balance exceeds 15% of your normal distribution, they have to send us that amount. The other one was of processing tax returns in arrears that the DOR was finally able to determine the allocations in Allen County and that piece was a little over one million dollars in total of which the County got a little over \$300,000.

Sharon Tucker: How long did that go back to?

Nick Jordan: The 90's. It was a mix of, I am making some assumptions here from the explanation they sent out but when you file your tax return, you put your County of residence and employment on it and I don't know if it was peoples' handwriting or didn't fill in those boxes. There are certain instances where people don't file returns. Maybe they finally made their payment on their tax liability and they had those sitting in a holding account. It is similar if you make a deposit to a bank and your account number was incorrect, they don't know where to put the money and so it was sitting until they determined where it needed to go.

Sharon Tucker: Thank you.

Joel Benz: Council, are there any further questions?

Tom Harris: 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 6-0-1 (Armstrong absent).** This morning, we have a full agenda and we will try to keep things moving as much as possible. We have total appropriation requests in the General Fund in the amount of \$25,196 and in Other Funds for \$6,408,529. At this time I will open up the floor to any public comment. Seeing nobody coming forth, we will move on. We are going to rearrange things a little bit. We have Judge Trevino and ACJC and try to get them through quickly this morning so that they can get on to some other things they have this morning.

Judge Trevino: Thank you, Council, for allowing us to be early in the agenda. I appreciate your cooperation in that regard. We are here for two matters this morning and I don't know if they want to take the lead on this. They both have to do with salary ordinances. As you know I am the new kid on the block and I am kind of forming my philosophy and my team out there. This is just part of that. The first item that we are

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asking you to consider is a salary ordinance establishing the pay for the Chief Juvenile Probation Officer. Previously, under Judge Heath that position was combined with the Superintendent and placed on the Executive grid. What I am asking you to do is basically separate those positions out and put the Chief back on the UPROB grid. We have, for all intents and purposes, reallocated the duties and responsibilities of our Superintendent Shane Armstrong who was our Director of Detention. He has taken a lot of that upon himself. I don't know if we will ever have before you another proposal for a Superintendent since we have reallocated those responsibilities. We will like rescore Shane's position. He is on a grid also and basically what we have done is take a position off the Executive grid. Everyone will be in a grid position. Does anyone have any questions on that one? Is there anything HR wants to add to this since I am new to this?

Charity Murphy: There is nothing on this position.

Joel Benz: Do you want to go ahead and talk about the second position?

Judge Trevino: Sure. The second one, we are asking for a salary ordinance establishing the pay for the Juvenile Justice Specialist. This position was previously created under a grant from the State for our JDAI Program. As with many of the grants, the money has declined and as of June 30, 2018, the money for the salary will stop. Our need for the JDAI Specialist and the coordination efforts continues and so we feel the need to continue on with that position for now. JDAI has reduced a lot of costs for us on the detention side of things and currently we are expecting to be able to fund that position from existing positions on the detention side. Specifically we have line allocations for jobs in detention that have gone unfilled because we have seen a reduction in our detention population as a direct result of the JDAI Program. We have slow hired or not hired on the detention side and we are going to be able to basically just reallocate those funds from unfilled positions to this one because we see a continuing need to continue with the JDAI efforts. Jordan, the one who is filling that position right now has done a fabulous job. She is really the gold standard in JDAI Coordinators. She trains the other coordinators around the State and has gotten us several grants for the JDAI training. We got an email yesterday about \$38,000 in grants that she just got us for training for Police Officers, Teachers and other folks who have direct touch on children and who can be informed on JDAI and reduce our referrals from schools. We feel that she is a real asset to our organization.

Charity Murphy: This one came to Human Resources for review and it was recommended as a PAT 4/2 at \$50,101. The measure passed three to zero at Personnel Committee.

Joel Benz: Refresh my memory did the first one go through Personnel Committee?

Charity Murphy: It did not.

Sharon Tucker: If I could add to the first one with the Juvenile Probation. Back in January, I had asked us to table this and allow the new Judge to reorganize the team when

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the new one came along. This is part of that affect from the move and change. She is going to reorganize her group and there should be some additional changes that we will see coming down the line. This is why I wanted to table any changes to be done because we knew that the new person coming in would have the opportunity to organize the group the way that they needed.

Judge Trevino: This was a line on our budget previously. It was maybe just combined four or five years ago and remains a line. It has history and it is a line and was previously combined. We need a new ordinance because it currently is a line item.

Tom Harris: The Personnel Committee rated it at what?

Charity Murphy: PAT 4.

Tom Harris: Okay. Judge, the challenge that we have had in looking at grants is that we always throw out there that once those grants go away, what is going to happen to that position? Inevitably everyone says that the position will go away. This is an example of it not going away but you are picking that fee up with existing funds. What about 2019?

Judge Trevino: It is going to have to be a constant revisit by us, 100% because I am not insensitive to that fact and the problems it creates when grants run out and we are expected to pick up the ball. I don't want to be insensitive to that. Had we not had the funds on the detention side as a direct result of the JDAI efforts, I don't know that I would be at the table. I suppose that I would not be. Because I can see it as a matter of transferring funds as a direct result of these efforts, it made it more comfortable for me to come to the table. I feel more comfortable coming and saying this is a good use of those monies.

Tom Harris: When did those funds stop?

Judge Trevino: They will stop June 30th.

Tom Harris: So this represents that you would be picking up from June 30th to the end of the year and just a consideration going into 2019 budget time and plan for a reduction in another area to offset this cost.

Judge Trevino: We are currently looking at restructuring all around the board. I have two Assistant Chief Probation Officers and one is retiring at the end of this month. A long term employee since the 70's, high salary and I have another one retiring in September and we will be looking at reorganization. We are going through the process of hiring the new Chief and the candidate, subject to approval today, has fewer years at a lesser salary. We have slow hired a lot of things and my promise to you is that we would try to absorb all of those salary increases for the Chief Probation Officer. I am happy to report that we are on track to do that and likely not have to come back to Council to request any funding whatsoever. We have been very mindful of our budget and the fiscal impact to you of the requests that we are making here.

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Sharon Tucker: Do we want to take them separately? I can make a motion.

Joel Benz: I think that is probably wise.

Sharon Tucker: I would like to make a motion that we consider a salary ordinance establishing the pay for the Chief Juvenile Probation Officer, UPROB, 40 hours per week, exempt with the pay based on the grid.

Justin Busch: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent).

Sharon Tucker: I would also like to make a motion for consideration of a salary ordinance establishing the pay for the Juvenile Justice Specialist, PAT 4/2, \$50,101, 40 hours per week, non-exempt.

Justin Busch: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (Armstrong absent). Next on the agenda is New Allen Alliance Grant. We do ask that you keep it moving since we have a full agenda this morning. Thank you for being here.

Kent Castleman: Kent Castleman, I am the President of the New Allen Alliance and I am the Executive Director of Fort Wayne Trails. Both play a role in the presentation today. With me is Kristi Sturtz and she is the Rural Community Liaison that we share with the Commissioners and the New Allen Alliance for Economic and Community Development work in Allen County. Thank you for having us this morning. I think we are here to brief Council, as a whole. I know we have had a lot of individual conversations and Tom Harris has been attending, obviously, our meetings and bringing things back to the Council. We just wanted to quickly run through where we are. As an organization, we have been working with the communities in East Allen for the last three and a half years to work on community planning and strategy to try to move the communities forward, take care of infrastructure needs, take care of community development needs and things along those lines. This past year we have had an opportunity to apply for the Regional Stellar Initiative that was offered by the Office of Community and Rural Affairs. We have been short-listed with six other regions in the State and the State will fund two of the six regions. We are here to review where we are in the process and give you a timeline and we will be working with you and the Commissioners as well as the other communities in East Allen to continue the process. I will turn it over to Kristi.

Kristi Sturtz: I would like to just go over, in general, what we are working on in regards to the Regional Development Plan over the course of the summer. As Kent had

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mentioned, the Office of Community and Rural Affairs is the entity that is coordinating this but they are really bringing together some other State agencies with pots of money and other resources, Indiana Department of Transportation, Housing and Community Development Authority, Department of Health and so on. The overarching purpose of the Regional Stellar application has been modified this year. In the past it has been for one community and now it is really focused on regions. We feel that we are really well positioned because New Allen has been operating as a region for a number of years. Also through our planning, we received a national award last year for our collaborative efforts. When you look at what they are scoring us on, it is about fostering regional collaborative behaviors, stemming the tide of population loss, sustainability and building capacity. These are all things that really aren't about the projects themselves but about how the communities are working together. It is kind of a different mindset. The overarching pot of money, \$4.5 million that is coming in through Community Development Block Grants and these are mostly used for downtown revitalization efforts for blight elimination or areas that need redevelopment. There are also tax credits that are available for housing which is about \$800,000 which translates into an \$11 million tax credit project. There are rural transportation dollars through the Department of Transportation. And there are some other smaller pots. We did the Letter of Interest in April. Found out we were listed and Ball State came and we had a great collaborative meeting. We are actively engaging with each of the communities including the County with getting the engineers and architects onboard to develop the individual projects within each of the communities. We want the engineers and architects to have their numbers to us by August 10th so we can come back to each of the entities and ask for requests of dollars prior to the application which is due September 21st. We would go down the State for a presentation in November and then find out if we are awarded at the beginning of December. We would then get rolling on the projects January of 2019 and have four years to complete the projects. The budgeting for implementation would be for a four-year period. The strategy that we are really focused on and I think will hit it for us is we are a community of communities. We have been working together. When you look at all the planning, we looked at some overarching priorities for the region but also individually at each community. There was a common theme that came out from all of the communities and it really had to do with quality of life, quality of place, creating places within East Allen County or enhancing those places as places for people to live. We really see this as a regional strategy that is in alignment with what Fort Wayne is doing as the economic engine of our region with Electric Works and Riverfront. These communities are saying that they want to do a nice park in our community. That half a million to \$1 million Park is their Riverfront. In compliment, there are a lot of people that are coming to live in our region that may not want to live in downtown Fort Wayne but they want options. These communities are really highlighting the diversity that our County brings to the table. Quickly, downtown, sidewalks, parks, trails and senior housing are kind of the key focus of a lot of these requests. We have about \$4.5 million that would be requested by the State of Indiana through the Stellar Opportunity. They like to see a platform of projects where you are showing how you are leveraging other pots of money and how it is all coming together into one package. We have about \$25 to \$30 million that we are estimating in complementary projects to what we are asking from the State. That money would come from the communities themselves, the County, potentially the Capital Improvement

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Board as well as from some urban transportation dollars that are already on the charts. I won't go through all of these but each community has their own priority. They are all looking at streetscape and façade improvements. We have parks and the New Haven Community Center. It is a phenomenal place but they want to look at the grounds around that. Monroeville is getting ready to bid on their park and they are looking at about a \$900,000 park. We really like that this Monroeville Park is getting ready to roll because it can give some excitement so that people can see things are happening. We are looking at connectivity and walkability for people within the community. We are trying to connect them and that could be through sidewalks and trails and through places that people gather. There is also the Cedar Creek Parks Trail. This is a significant regional project that links six parks to downtowns, the high school. Kent is the head of Fort Wayne Trails and...

Kent Castleman: Absolutely this is a pivotal trail that we have identified in the Northeast Allen area. That area is lacking connectivity. We want to try to bring together Metea County Park and the Hurshtown Reservoir north of Grabill. It would be a bout an eight-mile trail and about two and a half miles are already built. As they are working on the downtown improvements on those communities and making destinations for people, we want to make sure it is a destination for people to spend a half day or day in those communities and connecting with a County asset like Metea Park. The communities have really gotten behind this and it is an example of a great collaborative project. It is coming together and everyone is working on the sections that fall within their jurisdiction. The engineering has begun on some of that work as well. This project is slated to be about \$7 million out of the total and is very substantial to that area and will have a long term effect on those communities. The nice thing it also looks at is the connection needs to be made from Metea Park down Union Chapel Road to Diebold and Union Chapel and needs about two and a half miles to be tied into the complete network of trails.

Kristi Sturtz: We are also focusing on housing. Keller Development is who we are engaging with and they are looking at a site in New Haven for potential senior housing. It could be 40 to 45 units. We are also working with Bright Point to put together an owner-occupied rehabilitation program and to potentially look at some sites in Harlan and Monroeville and potentially Grabill for some smaller site housing development. Lots of other complementary projects, I won't go through all of them but a couple of big ones are Amstutz Road near the high school is about a \$6 million project to be funded by transportation dollars. North Landin Road is around an \$8 million project that will connect downtown New Haven and provide some of that completion so ultimately there will be connectivity from downtown New Haven to the Cherry Hill area. Then an ongoing focus is how do we use US 24, or Fort-to-Port, to further expand industry in the region. I have been working with New Haven and Woodburn on that. These are the buckets of money and are all very preliminary. We are working on our estimates now and will be coming to you with better numbers. Right now we are thinking at about \$4.25 million from Allen County. This would be focused on the projects in Harlan and Hoagland which are both unincorporated communities. I have been working with them and the Commissioners to talk about some of the service in those areas as well as the Allen County portion of the Cedar Creek Trail. Capital Improvement, we hope they help

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us with some of the East Allen Parks. There is a deficit of parkland in southeast Allen County and hopefully there is a willingness to put some focus there. Stellar would be streetscapes, facades and sidewalks. Cities and Towns would be filling in the gaps. I had mentioned the INDOT Urban and Senior Housing piece. There would be a little additional fundraising through other local grants that we would be looking at. The total package that we are presenting to the State is about \$42 million and would be implemented over the four years and focused on the quality of life projects.

Kent Castleman: Are there any questions? I know we kind of ran through that pretty fast to keep things on track here. I know that we have met with the majority of you.

Eric Tippmann: How is the package to the State weighted? Do they give any guidance on what is weighted?

Kristi Sturtz: They don't give scoring criteria which is really kind of hard. I am used to that as a Grant Writer. I think the one slide that talks about what they are looking for collaborative behavior, sustainability and capacity building. It is really some of those intangibles that they are looking at. In the past it was here is this catalytic project but that is not what they are looking at here. It is how we are working all together to move something forward.

Kent Castleman: The benefit is that the New Allen Alliance has been around for over 25 years working together in the communities. It is only in the last four years that we have really taken a strategic look at things. That process has been going very well. Some of you have been in attendance at our meetings and we regularly have 40 to 50 people in our room. At the last Ball State meeting, we exceeded 80 people being present for that meeting. People are dedicated to this process and are showing up and proving collaboration.

Kristi Sturtz: And empowerment of the communities. A lot of them are small and there are a lot of volunteers and bringing them up to the point where they can implement these projects is significant.

Kent Castleman: There is one point in there when we talk about sustainability. A lot of the projects that we are talking about are improving existing infrastructure, replacing and repairing and things along those lines. That is especially for downtown streetscapes, sidewalks and connectivity and things along those lines. Obviously in the communities that are incorporated, there is already a tax levy or pots of money to support that sustainability. In the unincorporated areas, Harlan and Hoagland, Harlan has an active Park Board and an organization that is a 501c3 and has maintained the park for decades. In Hoagland, there are two entities, Hoagland Chamber and Hoagland Area Advancement Association that are both very active fundraising and have cared for their park for decades as well. We believe the sustainability and improvement in those communities would continue as far as the parks go and street and sidewalks that is where we have been having great conversations with the Commissioners around that level of service for those communities and try to ensure that the County will take care as long as they remain

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unincorporated. That is obviously the responsibility of the County. They are a little different than just a group of houses out somewhere in the County that might have 30 to 40 people. We are talking that these are census designated areas that have post offices and are a community, in that sense. We are definitely bringing that conversation to light and ensuring that the level of service continues to improve.

Kristi Sturtz: We recognize that there would need to be some type of agreement in place. Maintaining street lights hasn't traditionally been a County function. If it is something that one of the associations would be willing to do, there might need to be some kind of agreement put in place so that everyone feels good about how that is going to be maintained.

Eric Tippmann: Have your actions stimulated like a new entity such as a new Park Board or a neighborhood association? Something that wasn't there and now is because of this.

Kristi Sturtz: Through the course of the last couple of years, there is a new organization called HEART. I forget what the acronym is but in addition to Park Board people, they want to move things forward and are working to establish a 501c3. Within a number of communities, we have been talking about Main Street organizations. Woodburn's has been around for about four years. Grabill is moving forward with theirs. Leo and New Haven are also talking about that. That is helping to activate their downtowns. In Leo and New Haven, there have been foundations that have been organized over the last couple of years.

Kent Castleman: In the overall New Allen Alliance makeup as well. We have our Board and constituents that gather on a monthly basis but we have not really had subcommittees before. In this process, we have now created a Communications and Marketing Committee, a new Housing Committee, Resource Development Committee that is looking at as we are looking at grant funding, are there ways the communities can collaborate to have increased funding even if it is from local grants or foundations. That may be a collective application to be reviewed and seem more beneficial to the communities versus one community asking for a \$50,000 grant.

Kristi Sturtz: Private investment. Ultimately, we are trying to cultivate that atmosphere.

Eric Tippmann: Speaking of \$50,000, I believe we give the Downtown Improvement District something like that every year. Is that about right? I don't understand why we give the Downtown Improvement District that kind of money when it should be pumped prime when you look around downtown. It looks like it is pumped and primed and things are doing well. Would you be upset if we reallocated that money to your alliance?

Kent Castleman: Well there is a question. I think, from that standpoint, I think the Downtown Improvement District has their mission and purpose. We will say that we have had conversations with the Downtown Improvement District about our downtowns and how do we ensure that some of the things that they have learned can flow and be a

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part of our communities. I think from a County resource standpoint, we came last year and asked the Commissioners to support a part of the contract to have Kristi in and that was very helpful. As you know, our rural communities have very small budgets and don't have a lot of additional money to have people coordinating in collaborative ways.

Kristi Sturtz: We just had this conversation and yesterday the State asked us about these Quip Grants, \$5,000 grants. I am operating at a pretty high level and can't be doing these \$5,000 grants. We need to give them the resources and tools to be able to do some of this grassroots work.

Kent Castleman: So I guess the answer to the question is if there are additional resources that you are willing to address in our communities, we would very much appreciate it. I will leave the DID conversation to the Council.

Joel Benz: Councilman Harris.

Tom Harris: In terms of the total amount of this grant, what might that be? Is there a set number that they have said the winner will receive X? Or is it depending on the projects?

Kristi Sturtz: It is considered a designation and they have these funds set aside. They have about \$14.5 million in value set aside. After we would get designated, we will sit down with them and they will look more specifically at each project. Some projects may get changed. Some may use a different pot of money and we can reallocate funds for something different. It is that set aside that would be available that they will actively work with us to make sure things are being implemented.

Tom Harris: There are two of us that would win, right?

Kristi Sturtz: Yes.

Tom Harris: CIB was a \$4.2 million ask, I think it was. Also, the same amount from the County. Where are we with CIB? I know you have talked to them and what is their timeline for a decision and any thoughts there?

Kent Castleman: We have been working collaboratively with them for quite a few years. You might be aware that they did give us an \$85,000 grant several years ago that hired Kristi to do the strategic investment plan that really primed the pump for work that we are doing today. The conversations continue there. They have a couple of members on their Board that have been assigned to have regular communication with us. There is willingness there, obviously, and there is a lot at their table right now. We are also aware that the Capital Improvement Board is made from a County-wide tax and we have presented our needs to them. We also want to ensure that those projects are developed well, the engineers have done their work and that the designs are in place so we can talk intelligently about what the price of those projects will be. We will be back at their table to brief them as well and have a formal request.

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Tom Harris: And a timeline is there any idea in terms of when they would say that they are giving X?

Kristi Sturtz: We were hoping it would be that we can go to them in August once we have the numbers so we would have a commitment prior to the application deadline which would be September 21st. We met with just a few of the folks a couple of weeks ago and I need to check back to see when I need to get on their schedule.

Tom Harris: It would be good to understand that as we are going into the budget season. I think the public should know that we were in full support and County Council submitted a letter of support to this entire project.

Kent Castleman: Thank you for that.

Tom Harris: I think we are in support of doing something further but understanding where they are and what the Commissioners are interested in as far as contributing and what Council is interested in doing. All of that timing has to come together in the next 60 days or so. It would be good to understand where CIB is.

Kristi Sturtz: They may be the first one to understand.

Kent Castleman: It seems that you all want the others to be first. We have to make sure our ask is firm for what we need and up until now we have had preliminary numbers. We want to make sure when those engineering reports come back that we are firm where that is at and what the support actually is. Those numbers could vary and these are just early estimates of where we are.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Councilman Harris kind of hit on my question. Last month, Chris Cloud was before us and showed the breakdown of their LIT dollars and in that breakdown it had your \$4.2 million and the CIB contribution. I was trying to figure out to follow the money. Are you trying to get it from both places or all three places? Will you clear up that confusion so we know where you are asking from?

Kent Castleman: Yes, absolutely. It is a coincidence that the numbers are the same but we are looking for that amount from both entities. It would be a total of \$8.5 million.

Tom Harris: The win would be approximately \$7 or \$8 million.

Kent Castleman: Of the funding from the State.

Tom Harris: If we receive the grant, we will get about \$7 million back.

Kristi Sturtz: And in addition there would be the tax credit which is a separate private investment in the communities.

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Sharon Tucker: You are looking for \$4.2 million from CIB and \$4.2 from the Commissioners?

Kent Castleman: That is correct. Or the County, however...

Sharon Tucker: The Commissioners have it.

Kent Castleman: I think the conversation has been good there and I see it as a role that the Commissioners should play in this.

Kristi Sturtz: I will say that with the \$4.2 million, we have one million dollars that was set aside for New Haven to develop the Casad project and that has kind of had some obstacles. There is a million dollars within that \$4.2 million that may come out or be reallocated for something else.

Joel Benz: We are excited about some of the things that are occurring in East Allen and all around the community. Specifically you have spurred some things. Thank you for that and we appreciate you coming this morning and sharing some of the things that are going on. We look forward to seeing you back in the future. Next on the agenda is Economic Development.

Rachel Black: Rachel Black with Economic Development of Allen County.

Nick Bouquet: Nick Bouquet with Evergreen Partners.

Michael Allen: Michael Allen with Ice Miller.

Tyler Kalachnik: Tyler Kalachnik with Ice Miller.

Rachel Black: Before you today we have a consideration of an Inducement Resolution and an Economic Development Revenue Bond for EV FW Limited Partnership. They are planning to construct 125 apartment and senior assisted living facility to be located at 12523 Auburn Road. They are at Union Chapel and Auburn Road. They have received approval for rezoning that parcel to an R-3 Multi-Family Residential from the Allen County Plan Commission. They have submitted an application to the County requesting assistance in financing the project by issuing tax-exempt bonds in the amount of \$25 million. These bonds will have no adverse effect on the taxpayers of Allen County. In the packet of information is a fact sheet that shows the breakdown of those costs as well as a report from the Economic Development Commission signed at their meeting on May 24th. Today we are here to ask for your consideration of this approval. Nick Bouquet is here from Evergreen Partners. Michael Allen is from Ice Miller to answer any questions you have.

Nick Bouquet: My name is Nick Bouquet with Evergreen Partners. We are a national developer of affordable housing and assisted living facilities. We have been working in Fort Wayne and Allen County for about 15 months looking for land and getting our

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various approvals for this project. We just completed a similar project in Bloomington in May and it's currently under lease up. As Rachel mentioned, it is 125 units of senior assisted living facility. Unlike some of the other facilities in Allen County and Fort Wayne, this property will have an affordability component to it. Eighty percent of the units will be income-restricted for seniors earning 80% or less of the area median income.

Eric Tippmann: How do you define area?

Nick Bouquet: It is Allen County.

Eric Tippmann: Not zip code?

Nick Bouquet: Correct. That works out to approximately \$37,000 a year in income. The other 20% of the units on the property will be not income restricted and true market-rate units. The facility will have a unique characteristic as being licensed as a residential care facility with the Indiana Department of Health. That means it can house folks eligible for Medicaid. Currently, low income seniors who are Medicaid eligible generally are forced into a nursing home type facility regardless of the type of care they need. This type of facility provides a better level of care and a higher quality type of setting. We picked this area because we have been looking at where the growth of the city is. We feel that the proximity of the property to the new hospital as well as the redevelopment on the north side of Fort Wayne is the market we want to target. We are long term owner-operators and not build and flip kind of developers. When we look at a community, we try to find markets where we can be in for at least fifteen years. That is the duration of the tax credit that we are going to be utilizing as part of the financing of the project. As Rachel mentioned, we have zoning approval and our preliminary site plan approval. We are putting our final financing application into Indiana Housing sometime in July. Part of that application is that we have the bond inducement to make the submission.

Joel Benz: I have a couple of questions. We did a very similar thing two years ago.

Rachel Black: It started in 2016 for Story Point and was finalized in 2017.

Joel Benz: And that was for how much?

Tyler Kalachnik: We were Bond Counsel on that and it was about \$25 million.

Joel Benz: Thank you. Let me just ask about your company a little bit. How many of these do you operate?

Nick Bouquet: We have about 50 affordable housing properties nationwide. About 6,000 apartments total. This is our second assisted living facility but it is a market we want to get into.

Joel Benz: Where are they primarily scattered around?

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Nick Bouquet: I am based in New Hampshire. We have a large concentration on the East Coast as well as in the Midwest. This is our second Indiana project. We have a large concentration in Missouri, Pennsylvania, Ohio and Michigan and property in New York.

Larry Brown: If you have done your research, and I am sure you have, you will know that available workforce is limited in healthcare. Traditionally healthcare pays at or just above minimum wage and is very competitive. You can drive within a two-mile radius of this address and there are several facilities similar in nature. My question is that it is one thing to build the building but it is another to provide the service that you are intending to provide. How do you intend to capture an adequate workforce properly trained and skilled?

Nick Bouquet: Evergreen is not the manager of the property. We have a third party management company that their sole focus is affordable senior living, Gardent Management Solutions. The workforce issue has been brought up to me several times by members of the community. I have shared that with Gardent and it is apparent in most of the markets they work in. They have not had an issue yet staffing a property that they have developed and worked on. I can't speak to the particular tactics as to how we are going attract those folks since it is not my focus but I understand the concern and we have vetted it with the management company and they are confident that they can find and retain staff in this market. Part of what they feel like is a competitive advantage for them is the quality of building that we build and the environment that they create and how they operate the buildings. It is a concern that we are aware of as owner-operators and they provide us with as much comfort as they can given this is something that is two years out from opening.

Tyler Kalachnik: Just to clarify too, it is not going to be ongoing continuous care nurses around the clock.

Nick Bouquet: It is not a skilled nursing facility. It is not a nursing home. We have had several meetings with the neighborhood as a result of working through the rezoning process given that the property is a high profile parcel in a primarily residential area. The neighbors brought that concern up as well.

Joel Benz: Councilman Harris.

Tom Harris: Will you have CNA's?

Nick Bouquet: We will.

Tom Harris: One of the challenges in something like this is not only who your competitors are but we are giving you a slight advantage through this bonding process. Who are the competitors that you look to in and around that area?

Nick Bouquet: Since this property will primarily seniors needing affordable senior living, there are two or three properties in town that also have that Medicaid Residential Care Facility license. They are specifically focused on serving that niche of people. In

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theory, while a resident could live in that property, we like to think that if we build a brand new building with services specifically designed to serve that type of population that will be part of our competitive advantage. There is a similar property on the south side of town, the Silver Birch property that Vermillion Group developed that serves the exact same need as us. We are thinking that they are on the south side and we are on the north side and it will cover our market that way.

Tom Harris: The challenge from not only a direct competitor but also pulling away from other places that have CAN's, you are going to either find or develop your own folks or pull those from other employers that are maybe not directly competing with you but are finding it hard to find help.

Nick Bouquet: Possibly but we like to think that healthcare is a growing field for people coming into the job market too.

Tom Harris: That said, I think it was \$1.6 million in payroll, I think and thirty-five new jobs.

Nick Bouquet: I think 35 is on the low end. I spoke to the manager in Bloomington and they think the staffing is looking more like 50ish.

Tom Harris: I am on the Plan Commission by virtue of County Council and height is the big issue and everybody will be watching that.

Nick Bouquet: I got the architectural plans this week and we have a very different looking building than the Bloomington building, for sure.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: What is the medium income for employees at your facilities?

Nick Bouquet: I don't have the answer for that. For the residents, the income threshold is \$37,000 a year for the affordable units. For the non-affordable units, it is a market-rate unit and so it is anyone can choose to live at that facility.

Sharon Tucker: How much is the average payroll for an individual employee? What will you be paying? I am trying to see what the benefit is for our community to grant you the bonding. Will you be coming back for a tax abatement for the building?

Nick Bouquet: No.

Sharon Tucker: Okay, so I am trying to see what the benefit is because what I have heard you say is that you are willing to take the risk of moving employees around from other companies that are already struggling in looking for people because you have a better facility. You are willing to move residents from current facilities to yours because your facility would be better. In my mind, I see everything is a net zero. I am trying to

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figure out what the benefit would be. Are you going to pay better? What will you be adding to the community for us to help you?

Nick Bouquet: From a salary standpoint, I guess the average would be around \$40,000 to \$45,000 a year at 40 employees and \$1.6 million. I don't know where that falls in terms of salary scales in Fort Wayne or Allen County. I think the real benefit and not to take away from the job side of things is providing a higher level of care for these seniors in the assisted living. The affordable assisted living model that we are developing generally saves the State about fifty cents on the dollar in terms of how it uses its Medicaid resources. We are providing low income seniors with a better level of care and we are actually saving the State and taxpayers money in an indirect manner of how those Medicaid resources are allocated.

Sharon Tucker: My next question is for you, Nick. What does this do to our bonding strength since we just granted similar two years ago?

Nick Jordan: I would defer to Bond Counsel.

Tyler Kalachnik: It has no credit bearing on the County. It is all based on revenues of the project. No constitutional debt-limit effect. You are free to issue all you want for yourself.

Joel Benz: Councilman Busch.

Justin Busch: One quick comment. If you talk to those in the real estate market in Allen County, we are at a point right now that we just don't have enough products on the market. Everything that is below \$350,000 is selling over ten percent. A lot of people are paying cash for those properties so that people don't have the comps to be able to go to the bank and get a loan. I kind of lean towards anything now in the housing market. We have others in the community begging developers to build. I look at retiring individuals that can stay in our community in high standard of housing would also open up family homes to the market which we are craving right now. That is just one point I wanted to make. I think this is a way for people to maintain a level of independence and also open up those family homes that the market craves right now.

Tom Harris: I was going to add to that same thought that the number of folks getting older every day is growing exponentially and we have to get ahead of that curve because it will come back at some point and we will not have enough housing for the elderly in our community.

Joel Benz: I don't think they would have chosen to invest here unless they knew we were going to have a continued influx.

Nick Bouquet: I would like to add one thing that the Bloomington property is 100% affordable. While there is plenty of demand for those units, we feel that we are missing an opportunity to better serve the residents of that city. What we have here is a hybrid of affordable and market-rate. We can move in a market-rate tenant, they spend down their

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assets like they would in a normal assisted living and instead of having to move out they can apply for Medicaid and stay in the same facility. It allows seniors to age in place and in a more graceful manner. There is a better continuum of care and you do not have to move folks around. We are still learning and modifying the model but we think this is a better iteration of what we did in Bloomington.

Eric Tippmann: What proportion of the units will be affordable?

Nick Bouquet: Eighty percent.

Eric Tippmann: That is locked in forever?

Nick Bouquet: It is locked in for 30 years which is the income restriction with Indiana Housing.

Sharon Tucker: What is viewed as affordable?

Nick Bouquet: It is 80% of the median income or \$37,000 a year. It is all based on fractions of the incomes of the County fluctuates over time.

Joel Benz: Are there any other comments, Council?

Eric Tippmann: If I can understand this, Nick, they are using the County's Bond status and there are no adverse effects for the taxpayers. The only adverse is that we are maybe biasing with other competitors in your industry which is probably one of the most lucrative industries right now.

Nick Bouquet: I don't know the economics of the market of assisted living. Affordable is profitable and this is only our second project in Indiana and so I don't have a ton of experience.

Tom Harris: As I recall from a couple of years ago, the Federal government allows for this process or is encouraging this process in order for additional housing to be grown throughout the country because of the population shift.

Michael Allen: That is correct and there is an affordable housing tax credit that the Federal government provides and allows for investment in these types of properties.

Tyler Kalachnik: The bonds, since 1986, there is a provision in the code that allows for affordable housing on taxes in phases.

Nick Bouquet: Of our 50 affordable housing properties, all use low income housing credits and more than half have used tax exempt bonds as a financing source. We have a depth of experience about how that whole structure works. In terms of combining healthcare resources and low income housing tax credits, this is a fairly new model and Indiana has really embraced it.

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Joel Benz: Councilwoman Tucker.

Sharon Tucker: Your report says this is a for-profit project. I asked the last group that came before us and I will ask you the same question. Whether you are awarded your request or not, would you still build here?

Nick Bouquet: If we are not awarded the request, we would have to seek other permanent first mortgage financing. We have not had other options for consideration at this point.

Sharon Tucker: Is that a yes or no?

Nick Bouquet: That's a no.

Sharon Tucker: Thank you.

Tom Harris: I will move for approval of the Inducement Resolution for EV FW Limited Partnership.

Justin Busch: Second.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tucker)-1(Armstrong absent).** We look forward to the construction beginning.

Rachel Black: The second one we have is an amendment to Resolution 2013-12-19-02 for ICON Exhibits LLC/Silverado Properties LLC.

Elissa McGauley: Elissa McGauley, Director of Redevelopment.

Rachel Black: It came to my attention from the Assessor's Office that there was a discrepancy between the signed Statement of Benefits and the resolution that was approved in December of 2013. After looking at the file and going over the minutes from that meeting, it appears at the time Council had approved a seven-year abatement for Personal Property and not the ten-year abatement that showed on the original resolution. In the packet that I gave you, I gave you an amended resolution, the original resolution and the original Statement of Benefits form as well as the minutes. We are here to make a technical correction from the Personal Property which showed on the original a ten-year deduction and on the amended they are crossed out showing the seven-year deduction schedule instead. What they had received in the past would stay that way and they would pick up where they are with the seven-year schedule. It is a little confusing.

Tom Harris: And that happened just because of an oversight?

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Rachel Black: Yes. I am not quite sure what happened at the meeting in 2013. I was not here and maybe at the time it was presented on the point schedule that we give you, they may be one point away from a ten or maybe a ten and a seven was presented and the seven appears to be what was approved per the minutes. On the Statement of Benefits it was showing a seven and on the resolution it showed a ten. We were just going to clean it up.

Tom Harris: With that I will make a motion for the amendment to Resolution 2013-12-19-02 for ICON Exhibits LLC/Silverado LLC.

Sharon Tucker: Second.

Joel Benz: I am not clear in my mind. What they were talking about in the minutes was a seven-year phase-in for Personal Property, correct? What passed was...

Rachel Black: A seven-year for Personal Property. On the resolution, it was typed wrong. It was typed as a ten-year. It was just a technical clerical error.

Elissa McGauley: How it got applied was a ten-year. They did not notice that it should have been a seven-year. They have been receiving a ten-year schedule.

Joel Benz: On the back end of this, how are you going to fix that?

Nick Jordan: As far as the tax deduction because they have been receiving on the ten-year schedule, we will reconcile in the Auditor's Office that would only amount to the tax savings would they have been on the seven-year schedule. If they have received more on the year-to-date, we will shave that off of the seventh year of the abatement cycle.

Rachel Black: In talking to the Assessor, it was a minimal impact.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).**

Rachel Black: We have Resolution 2018-06-21-01 regarding compliance with Statement of Benefits for companies that received tax phase-ins. As required under State law, all of the companies that you have approved must file for deduction abatement and are required to file a Compliance of Statement of Benefits form annually. Those forms are due to the County Auditor and the designating body by May 15th of each year of that deduction. Under State law, the designating body has 45 days after the receipt of the Compliance forms to determine whether or not that company has substantially complied. Each year, I review those forms and compliance is defined as creating or retaining at least 75% of the total number of full-time or part-time jobs as well as creating or retaining 75% of the salaries that were promised on the original Statement of Benefits forms. If that 75% is not met for some reason, we then look at their investment to see if the investment in Real or Personal Property meets 75%. If they do not meet that then we come before you as far as those companies have not been in compliance. We also come before you if they are late

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in filing those forms or do not file the forms. I gave Becky a new resolution with Exhibit A. It needed to be amended. There was one company, R3 Composites that I needed to strike off of the Exhibit A. There are 24 companies that filed and three of those were found to be non-compliant. One was late in filing, one did not meet the requirements of the policy and one did not file at all. I am going to go through each one of those momentarily. If you want to discuss the current resolution for the ones that did comply, I will be happy to do that.

Joel Benz: Council, do you have any discussion?

Sharon Tucker: For the ones that did comply?

Joel Benz: Do we need to pass this one then?

Tom Harris: I will move for Resolution 2018-06-21-01 regarding Compliance with Statement of Benefits for companies that received tax phase-ins.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).

Rachel Black: For the next one we have Resolution 2018-06-21-02 determining substantial non-compliance with Statement of Benefits for Feenix LLC c/o Fort Wayne Medical Oncology and Hematology. This first resolution, the project was approved in 2008 for \$7 million investment in real estate. They were to construct a 48,430 square feet medical facility on Parkview North Campus providing patient services and to house the company's headquarters and executive personnel. They were approved for a ten-year tax phase in for Real Property. At this time, the company did not file its paperwork as required. I have been in discussions with Parkview. They purchased the building last year and were not aware that there was abatement on this building. They are working to try to submit that form. Their deduction amount for 2018 pay 2019 would be around \$373,000. At this time, the resolution that is before you states that if you approve it, they were not in compliance and would give you the option to have them come before you to explain the reasoning for not filing. If you decide not to go forward with the resolution, you would find them in compliance. That would be the case in all of these.

Tom Harris: Remind us, whether they come forward or not is dependent on them choosing not to file. If they would get that in compliance by the next meeting, they wouldn't have to come before Council or would they still come before Council.

Rachel Black: They would still need to come just because per State law they would have to have the form in by May 15th and they didn't.

Sharon Tucker: Their reasoning for it was they just purchased the building...

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Rachel Black: They purchased the building and from what the representative from Parkview said they did not know that there was abatement on the property. They would have gotten it in if they had known but they didn't.

Tom Harris: With that I will move for approval of Resolution 2018-06-21-02 determining substantial non-compliance with Statement of Benefits for Feenix LLC c/o Fort Wayne Medical Oncology and Hematology.

Larry Brown: Second.

Joel Benz: I agree that with the strong legal department they have, they shouldn't have overlooked this. **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).**

Rachel Black: We have Resolution 2016-06-21-03 determining substantial non-compliance with Statement of Benefits for Canalway Properties LLC. This tax phase-in was approved in 2013 for both Real and Personal Property in the amount of \$2.3 million. Their abatement has expired but the Real Property tax phase-in still has a year left after the 2018 pay 2019 tax year. The company is compliant with the County policy in terms of jobs and salaries however they were late in submitting. They filed their compliance paperwork on May 21st. The resolution would find that the company is not in compliance and have the option for them to come in before you to talk a little bit more about that. As far as their deduction amount for 2018 pay 2019, if approved, would be a little over \$450,000.

Tom Harris: Again, I will move for approval of Resolution 2016-06-21-03 determining substantial non-compliance with Statement of Benefits for Canalway Properties LLC.

Larry Brown: Second.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).**

Rachel Black: I am going to move up number eight just for the flow of things. This is Resolution 2018-06-21-06 determining substantial non-compliance with Statement of Benefits for R3 Composites Corporation. This project was approved in 2011. As you recall, they have come before you the last few years with issues of non-compliance. Last year they were approved to continue with the abatement based on the explanation to Council. I am happy to report that their job numbers have increased greatly from the previous year. Last year, when they came before you, they had 131. This year they reported 295. They hit the 74% mark but they did promise 400 jobs. Again, you have a resolution before you that would state they are found to not be in compliance and you would like them to come to your next meeting.

Larry Brown: What is the dollar amount?

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Rachel Black: The dollar amount is \$848,530.

Tom Harris: I will move for approval of Resolution 2018-06-21-06 determining substantial non-compliance with Statement of Benefits for R3 Composites Corporation.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).

Rachel Black: Next is Resolution 2018-06-21-04 determining substantial non-compliance with Statement of Benefits for Blue King Fisher LLC. They were approved for a tax phase-in for both Real and Personal Property in 2016 in the amount of \$165 million. The company is a dairy processing facility and was required to file a Form 322 RE. With that they are required to file their CF1 form. Today we are not looking at compliance of jobs, salaries or investments but the fact that they were supposed to submit the required form and it was a day late. You have a resolution before you as with the previous companies that could require them to come and speak to you to explain the reasoning behind their lateness of one day.

Tom Harris: But is the next item...

Rachel Black: The next item is separate that there would be a public hearing today waiving non-compliance for filing their form in a timely manner. The Form 11 is sent out to the applicant and they have 30 days to submit that form. They failed to file that form within the 30-day window and technically that form was filed on the 16th but was supposed to be submitted on the 14th. They are separate but are kind of together. If you would want someone to come maybe you could hold off on that public hearing and have them discuss both of those. It just depends on how you want to handle it.

Sharon Tucker: If we take no action for being a day late that could be an option, right?

Rachel Black: That is an option and then it would deem them compliant.

Elissa McGauley: We have to take the 322RE filing which is essentially the paperwork that they need to file with the Auditor's Office to start their abatement. They missed that deadline. Part of that packet that they submit includes a compliance paperwork filing and that was late as well. By filing both of those late, we still have to take them separately because they are two separate pieces of paper.

Sharon Tucker: When did they originally apply for the abatement?

Elissa McGauley: 2016.

Sharon Tucker: So this is their first time.

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Rachel Black: Yes. We were in communication with them as far as getting their paperwork in.

Justin Busch: Why are we not talking about the jobs that they guaranteed as well? Do we know if they are compliant?

Elissa McGauley: They just started operations, obviously, this is Walmart.

Justin Busch: Got it.

Larry Brown: I think at this point that I want to remind Council that we have had some pretty significant properties and employers have this same problem in the past. I think it is important that we stick with our precedents in that we pass these two resolutions. I know it is going to be kind of a pain to come before us but they need to understand the importance of meeting the deadlines.

Sharon Tucker: We have done both. A couple of years we have said no, don't pull them out and then the last year we were heavy on it and wanted to pull them out and talk to everybody. So which precedent are we going to go with?

Larry Brown: When they have been late, I may be wrong but I thought we stuck with our guns and made them...

Tom Harris: It seems to me that we had a couple of cases where the paperwork was submitted just a day late and didn't have them.

Larry Brown: Go back to R3.

Tom Harris: We didn't have them come before us because they had gone ahead and complied and got it in but was technically and so we didn't bring them in here.

Sharon Tucker: And Terex was one.

Justin Busch: But Terex was something like \$80, wasn't it?

Sharon Tucker: Last year we pulled in R3 because it was their second or third time.

Larry Brown: I understand last year with R3. I am talking about what we just did ten minutes ago. R3 has theirs turned in.

Sharon Tucker: Right.

Larry Brown: Late.

Sharon Tucker: It wasn't late. They didn't meet the employment requirement. They were one percent.

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Rachel Black: They were 74% instead of meeting the 75% per the policy.

Sharon Tucker: I don't care what we do.

Tom Harris: With that I am going to make a motion for the Resolution 2018-06-21-04 determining substantial non-compliance with Statement of Benefits for Blue King Fisher LLC.

Larry Brown: I will second that motion.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tucker)-1(Armstrong absent).

Tom Harris: For the second item.

Rachel Black: I think since they are going to be here, we might as well hold off on the public hearing and have them discuss both of those together.

Eric Tippmann: Rachel, is there some way to enact a penalty in this? Maybe shave off a token one percent? If you don't pay your water bill or other kinds of things, there are penalties.

Elissa McGauley: The State Legislature would have to enact something like that.

Eric Tippmann: Once we are in that agreement, we are locked in?

Elissa McGauley: We would have to seek Counsel whether we are able to levy any kind of fine or anything. Obviously, there are fines if you don't pay your real property tax bill either. There is nothing in our State Code, at this point.

Eric Tippmann: Couldn't we just revisit their Statement of Benefits?

Elissa McGauley: Right now we are doing that.

Eric Tippmann: But the actual numbers that were in the original...

Elissa McGauley: That is what we are doing. What the compliance with Statement of Benefits form is compares what was originally filed with what is filed now.

Rachel Black: We are not looking at compliance because they just started production.

Eric Tippmann: And this is not just about this one but for all of them.

Rachel Black: I understand.

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Tom Harris: As you are communicating in the letters that go out in advance of these dates, there is a nice red warning that says you have to appear before County Council if you don't do this right?

Rachel Black: It does state that they could lose their abatement which you have the power to do.

Eric Tippmann: And lose their abatement for half a year.

Rachel Black: No, it is terminated completely.

Eric Tippmann: I mean as another way of imposing a penalty.

Joel Benz: How about the last one here.

Elissa McGauley: Is Bill here? In the absence of Bill Fishing, I will handle this myself. Several weeks ago the Redevelopment staff was contacted by attorneys with Ice Miller representing Greatbatch Medical. Ice Miller informed us that Greatbatch was being acquired and because this is an asset acquisition, they wanted to make sure that the new owner could assume the existing incentives that were offered from the State and local entities. On May 3rd, Integer announced that they would sell the Advanced Surgical and Orthopedics product lines to Medplast which is another global medical device company for \$600 million in cash. Medplast is forming a new entity for this acquisition called Bandera Acquisition LLC. The new entity will assume all of the assets and liabilities for the Fort Wayne facility. There will be no changes in regards to the hiring goals or projected investment in this facility as we were informed. They intend to continue to operate here in Allen County. Ice Miller prepared agreements for the various entities meaning Allen County Redevelopment and Allen County Council to consider. Bill Fishing, who serves as the Redevelopment Commission Legal Counsel has been working with the attorneys from Ice Miller as well as our staff on these agreements. Back in January of 2011, Greatbatch announced that they would be constructing an 80,000 square foot facility at the corner of Kroemer and California Roads for the manufacturing of orthopedic instruments. The County and the City of Fort Wayne provided assistance for this development. The County Council approved real and personal property tax phase-in. The County and the City entered into a joint incentive called Ledge which is a performance-based grant and the County executed a TIF agreement. The Ledge is complete and there are no additional funds that are due to Greatbatch. The company has five years remaining on their real property and personal property tax phase-in. The TIF agreement is still in effect. Because the TIF agreement involved both lease and sub-lease agreements and County Council needs to be involved in that part of the deal as well. We have been informed that they are on a short timeframe, as always. They want to get everything wrapped up by the end of the month. The Redevelopment Commission had its meeting last week and reviewed the documents in draft form and gave authorization to Redevelopment Commission President Rich Beck to sign those in their final form per attorney review. What you have in front of you are copies of the three agreements that they would like us to execute. It is completely up to you. You do not have to sign these. It

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is just a way for them to know that what was agreed upon originally will continue to stand as the new owner takes operation here in Allen County. One of them is called Consent to Assignment. That is something that was put together by Bill Fishing and essentially promises to continue to operate here in Allen County and maintain the employment levels. There is an Estoppel for property tax abatement and deals specifically with the property tax phase-ins that were granted. Indiana Code already provides for a transfer should there be a transfer in ownership of a facility. The other one deals with the TIF Agreement. It also alludes to the fact that they need to continue to maintain their employment and investment levels to receive the benefit.

Tom Harris: These documents have a place for the Commissioners to sign as well?

Elissa McGauley: They do.

Tom Harris: That means that it is going to go before the Commissioners after we approve it?

Elissa McGauley: It should. We have to get it scheduled on their agenda.

Tom Harris: Council, on Redevelopment the view I had was that we set an agreement up in order to bring a company here. That company is in town and the company gets bought by another company. We have the ability not to continue with the initial agreement with a potential risk, in my mind, saying that they will close that operation down and go somewhere else just as we provided that incentive for them to come here in the first place. From my mindset, we are basically continuing on and are not giving anything more than they received but are locking that new owner in the same agreement that had been established previously.

Larry Brown: Memory tells me they came from Kosciusko County.

Tom Harris: Northeast like Massachusetts or Connecticut or something.

Sharon Tucker: How long is the TIF District good for?

Elissa McGauley: 2021.

Tom Harris: With that I will move the resolution approving Estoppel and Agreement for Greatbatch Medical and Bandera Acquisition LLC Certificate and Agreement.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent). Next is the Recorder.

Anita Mather: Anita Mather, Allen County Recorder. I am here because I forgot to do something at budget time. The 243 Fund that I have is a Security ID Fund and was

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initially created to make sure we have the necessary software, equipment or anything we need to redact social security numbers off of the documents that we record. We currently have \$80,000 sitting in this account and I normally use a portion each year to help pay for the software. I am here to ask for \$50,000 to go for my annual agreement. The rest will be coming out of the Perpetuation Fund which does not need appropriated. The total cost of the annual agreement is \$105,000.

Joel Benz: Council, are there any questions?

Justin Busch: I will make a motion for the appropriation in the Identification Security Protection Fund 243 in the amount of \$50,000.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent). At this point I think we are going to take a break and then continue on.

BREAK

Joel Benz: Building Department, welcome.

John Caywood: John Caywood with the Building Department. I want to introduce my intern, Joe Fitzgerald.

Tracy Mitchener: Tracy Mitchener, Assistant HR Director.

Kara Simonoff: Kara Simonoff, HR Generalist and Compensation.

Tracy Mitchener: We have a new position, Property Maintenance Inspector at PAT 3, 40 hours non-exempt.

John Caywood: As you know, the Property Maintenance Ordinance was introduced in March of 2015. Since then it has grown and I put additional responsibilities on it as far as taking care of construction related complaints also. We have increased from 129 inspections to over 500 inspections which are calling for the need of additional staff.

Joel Benz: That 500 was already this year, right?

John Caywood: Correct.

Joel Benz: This came before Personnel Committee a couple of times and for a few different reasons. Remind me of the whole process, if you would.

Tracy Mitchener: At first he was thinking of having a Senior Inspector but we decided at this point that it might just be better to have the same that he has right now. That is

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PAT 3 and is the same as the other Inspectors. This will be in line with the rest of the department.

Tom Harris: This is a new position?

Tracy Mitchener: It is an additional position.

Tom Harris: The challenge and I have shared this in the past, particularly with the Building Department we have watched the demand pick up and we have increased staff and in the time I have been here you have actually reduced staff based on demand. I just throw that out to you and your thoughts on that.

John Caywood: My thoughts are twofold. First of all, the current staff member in that position is at the age where she can retire right now. It would be easy to go through attrition in the next one to two years, if need be. Because we have changed things around, I am doing the construction related complaints and complaints on stop work orders and condemnations, they generally have fines and penalties with them and as I told the Personnel Committee, in April of last year I collected about \$2,091 for the month in penalties because of putting additional duties on this department. In April of this year, I collected over \$19,000 in penalties for the month. I can support that position by enforcing the current ordinance that is in place. I don't want you to think I am being heavy handed but I actually have forgiven over \$90,000 in penalties. We are trying to educate more but are being more proactive on the people that are out there that are not in our community or gone through getting their licensing. Those people are paying the fines and penalties that help support these things and citizens.

Tom Harris: It is a challenge for a growing community especially when it is growing exponentially. You have stuff growing up faster and the potential for risk and error increases, right?

John Caywood: Definitely.

Tom Harris: The upside is we have more stuff going up and the challenge is to make sure that they are going up properly.

John Caywood: I will kind of segue that into the next request I have on the 40 hours. Just in the last month and with the additional personnel you have given me, we have been able to take a little bit more time on each inspection to get a better look at everything. We may be spending an additional five to ten minutes looking at a job site and maybe just passed over them in the past. We are getting safer buildings too.

Eric Tippmann: I have a couple of questions. If you don't have this position, who ends up waiting?

John Caywood: Not trying to be smart but when I get a complaint in, the complainant is going to ask why the property next to them and is in disrepair hasn't been looked at or addressed yet. I would say that we went to Council and failed at getting extra manpower.

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To answer your question directly, it would be the citizens of Allen County that would be delayed in getting property maintenance and other issues resolved in a timely manner.

Eric Tippmann: I am prepared to support this.

Sharon Tucker: I will make a motion consideration of a salary ordinance establishing the pay for the Property Maintenance Inspector at PAT 3/2, \$43,588 at 40 hours per week, non-exempt.

Larry Brown: Second.

Joel Benz: I will say that I hope you are continuing to be judicious in the way you treat the residents of Allen County even though you have someone else out there looking at things. I think you have been fair in the way you have handled things and I fully expect that to continue.

John Caywood: You can have confidence and I hope it will be reflected in the number and nature of complaints that you have received and the Commissioners have received. There are processes to go through but I believe strongly in education first before giving the penalties out.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).

John Caywood: I would like to move my department to 40 hours a week. This is on the advice of Councilman Brown who said that maybe we just needed to increase our hours from 37.5 to 40. From late May or early June we decided to go ahead and do that with the resources we had. The result is that I am open at 7:00 a.m. to serve people better. If they need that permit, they can stop on their way to the jobsite and get it or get it online. The doors are open until 4:30 but we serve that last person up to 5:00. That has been very beneficial. I haven't advertised that we are open at 7:00 yet but people are starting to trickle in. That is giving my staff an extra amount of time in the morning to work on the online permits with few interruptions. In April we were averaging a backlog from 150- to 180 and sometimes 200 permits behind online. In the last month, since we have gone to 40 hours, we are usually between 30 to no more than 60 online which is a little over 24 hours, in some cases. The turnaround is great and the complaints have gone down significantly. As far as inspections go, we have been able to get 20 inspections done per day with just the extra half-hour of time. It has helped because the inspection count has stayed right around 300 and doesn't seem to go down no matter what we do. Again, I brought my intern today because last month you approved \$7,500 plus \$2,500 for vehicle maintenance things for an intern. Joe comes to us from Ivy Tech and just got his General Contractors License which means he can legally go and pull a permit for a skyscraper today if he wanted to. With this knowledge and basis coming from Ivy Tech, I am able to put him right out. He knows how to get into the computer system and has gotten over 40 inspections done last week and that included two days of training. He learned the computer system so quickly and segregated things by Townships and went to town

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attacking Townships one at a time doing roofing. We will continue to put him with experience Inspectors and he will get that confidence level until more complex inspections. We are happy to have him on and will probably come to you in another twelve weeks to ask for this to be renewed again with Ivy Tech. I think it is going to be very successful just based on the first week and the number of inspections he has done.

Joel Benz: Council, are there any questions on the 40 hour move?

Tom Harris: Yes, just a couple. In terms of benefits, you have said that you have already moved to 40 hours.

John Caywood: That was temporary because I had the resources in my budget to do that and it has paid off.

Tom Harris: Overtime only happens after 40 and straight time between 37.5 and 40, right? How about in terms of other benefits? Is there anything else that gets skewed by moving this to 40?

Nick Jordan: If you go to 40, your vacation is tied to the 40 hour workweek. The higher salary will be calculated into your PERF calculation.

Tracy Mitchener: And the new 401.

Nick Jordan: Yes, if you contribute to it is up to a five percent match.

Eric Tippmann: What prevents you from continuing from pulling that out of your own budget?

John Caywood: I will come back to you next month to fund this for the remainder of the year. I will ask for it again in my 2019 budget.

Sharon Tucker: That was my scribbled note to Nick is to know what the total impact would be. It's like 100K.

Nick Jordan: For a full year, at the current salary, it is approximately \$100,000.

John Caywood: I want to remind Council that in 2017, through permit fees, I covered my budget in permit fees and brought back \$337,000 to the General Fund.

Tom Harris: Do you have an estimate for this year?

John Caywood: I am on track for a billion. It is going to be close. I just sat down with Parkview and went over a \$97 million project that is going to start in July of this year for the south tower out there.

Nick Jordan: That is construct and not a billion dollars in revenue.

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John Caywood: I am talking the public values like last year.

Nick Jordan: Through year to date it is close to \$2 million which would be a record because last year was \$1.9 million.

Tom Harris: With that I will move for consideration of a salary ordinance amending the hours of the employees in the Building Department.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tippmann)-1(Armstrong absent). Next is the Election Board.

Beth Dlug: Good morning, Council, Beth Dlug. I am here to ask that we move \$10,000 from Precinct Officials to Printing and Postage at \$5,000 each. The reason for this change is we unexpectedly have to about 29,000 voters to different polling locations. We didn't expect to lose the polling locations that we lost and we are required by statute to send them notices when their polling locations change. That put quite a strain on our budget as far as Printing and Postage and we had some money left over in our Precinct Officials because we have less polling locations than we expected.

Eric Tippmann: I have a question. How do you find these polling locations? Do people ask to be them?

Beth Dlug: Never. It is getting harder and harder. We look for buildings that are ADA compliant that have facilities that they will let us use for a whole day. Churches have been very good but they are beginning to pull out because of the same reasons that the schools pulled out. That is because of the student and population that they don't want masses of people coming in. The schools are one place that we are hoping that there will be some legislation changes coming up in the next couple of years that will actually make the schools have an in-service day so that the students aren't there and we can get back to going to the schools and the schools are really the best places.

Tom Harris: No thoughts on the satellites?

Beth Dlug: You are thinking of Election Day vote centers. It has not come up.

Tom Harris: It hasn't come up with your Board.

Beth Dlug: Correct. I think it has pretty much settled out across the State. Most of the smaller Counties are vote centers. It would be interesting to see what happens with Marion County. Just last year they decided they were going to be a vote center County. It will be an interesting experiment to see how that works for them. My concerns with vote centers are that we don't have the buildings. Right now we can tell people what building

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to go to and we can control the amount of people that go to a certain building. With vote centers you have no control. You don't know who is going to show up at what location. Do you have extraordinary lines at some locations and not at the others? Maybe we get into the schools and have the gym, we can start with a number of schools and maybe do the vote centers but all of that has to be agreed to unanimously by the Board. There are probably a lot of political considerations that would go into that. It would be a journey.

Sharon Tucker: I will make a motion that we approve the transfer within the Election Board General Fund with \$10,000 from Precinct Officials to \$5,000 for Printing and \$5,000 for Postage.

Eric Tippmann: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent). Next is Voter Registration. As they are coming to the table, I will say that this one has gone through several iterations before the Personnel Committee. They came at least twice and maybe three times to try to iron these out. It is a fairly complicated measure here.

Barry Schust: Barry Schust, Republican Board Member, Voter Registration.

Maye Johnson: Maye Johnson, Democratic Board Member, Allen County Voter Registration.

Tracy Mitchener: Tracy Mitchener, Assistant HR Director.

Kara Simonoff: Kara Simonoff, HR Generalist Compensation.

Tracy Mitchener: The first position that we have in front of us is the System Operator going from OSS 2 to OSS 3. There are two of those positions. We looked at the job duties and thought they should go up to OSS 3 to be consistent with other positions within the County.

Joel Benz: And there are how many individuals in those positions?

Tracy Mitchener: Two.

Joel Benz: Two on each or that is the total?

Tracy Mitchener: Two total, one for the Democratic side and one for the Republican side.

Nick Jordan: One recently just changed. It was vacant.

Barry Schust: It was filled.

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Nick Jordan: Council that is why you see one of them is retroactive to March 15th because the person has been there consistently since then. The other one left and a new person is in there.

Barry Schust: The first one listed would be OSS 2 Step 1 to OSS 3 Step 1. The dollar amounts would be \$20,141 to \$30,258 per the OSS grid.

Joel Benz: When was the last time these were scored?

Barry Schust: I don't know for certain but I believe it was 1998 or 1999. It was on Kate Love-Jacobson and Pat McDaniel was the Board Members.

Joel Benz: So it has been about 20 years since these were looked at.

Sharon Tucker: This came out of the HR Committee three to zero.

Tracy Mitchener: I think everyone is onboard, HR and the Board Members.

Joel Benz: Do you want to continue on down through here and then we will take these one by one. We will talk about each of them and then come back.

Tracy Mitchener: The next one is the Chief Deputy. There are two positions, one for Democrat and one for Republican. HR recommended OSS 4 for those positions but we understand why you may want to do SPEC OCC. For SPEC OCC, those are wages that Council gets to decide. HR doesn't have recommendations for those as per your request last fall.

Barry Schust: The one change you will see is that in front of you it is listed as exempt but it would be non-exempt. That is the third consideration.

Tracy Mitchener: At Personnel Committee, they requested that it go to SPEC OCC and came up with the pay of \$42,600.

Joel Benz: Initially this came before us and they requested that it go on the grid. We liked that idea and I have been a proponent from the beginning of getting people on the grid. The additional considerations are that each one of these Chief Deputies, one is a Democrat and one Republican, and based on the length of service if they were on the grid there would be a significantly difference of \$10,000 to \$12,000. You have two people with the political factor into that making significantly different salaries but doing the same job totally based on their years of service. We went back and forth and asked them to step away from the table and withdraw their request. They did and we talked about it a little bit more and through filtering down we got to where we felt like probably based on all of the factors considered that we should leave them on the SPEC OCC. We felt that would be the most equitable move. We all agreed that it would be the place for them to go. There was also some consideration of which grid they would fall into. HR felt they might go into one grid spot that was a little lower than what Voter Registration was

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asking for. With all of that combined, we felt that this was probably going to be where they should fall. Councilman Harris.

Tom Harris: Question for HR, we have heard in the past that we are done moving around to all of the departments. This one hasn't been touched since 1999?

Tracy Mitchener: We are not done with all of the departments yet.

Tom Harris: I thought you said that in the past.

Tracy Mitchener: We are almost there. This is why this department is in front of you because it was part of the rotation and it was their turn. We have been working with them for over a year.

Sharon Tucker: The uniqueness for this one is that they have had discussion for a while and then it fizzed out. They brought the discussion back and they fizzed out. This is the first time it has made it this far. Somewhere in this process, I think we all agree, that it has been fifteen plus years since they have seen an adjustment.

Tracy Mitchener: The last position is the Board Members, keeping on the SPEC OCC grid going from \$51,629 to \$56,793, exempt.

Sharon Tucker: This falls into the same scenario.

Tracy Mitchener: This is where the Board Members felt they might rate and it is up to you guys to determine if that rate is correct or not.

Tom Harris: Just a technical question, your titles are Board Members but what are your Board Members called? Don't you have a Board?

Barry Schust: We are the Board.

Maye Johnson: We are the Board.

Tom Harris: Don't you have other people that sit in on that?

Barry Schust: It is a two-person Board.

Tracy Mitchener: And they are appointed by the Chairman of the parties.

Tom Harris: I was thinking that when questions come up, I may be talking about the Election Board. Got it, sorry.

Larry Brown: Do you want four separate motions here?

Nick Jordan: The first two have to be separate because if we do the one retroactive, we potentially have to pay the one that left.

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Tracy Mitchener: So that one should be an OSS 3, right? She isn't here anymore.

Nick Jordan: They are the exact same except for the retroactive piece. If you would choose to go retroactive to the person that is gone, we would have to go backwards.

Sharon Tucker: I will make a motion for consideration of a salary ordinance amending the pay for System Operator from OSS 2/5 to OSS 3/5, from \$33,879 to \$36,429, 37.5 hours per week, non-exempt.

Larry Brown: I'll second that.

Joel Benz: We have a motion and a second. Is there any further discussion?

Eric Tippmann: Let me just say as we go through all of these that I am just wondering what the taxpayers of the County get from this. I get with the Building Department we get positions and we lower wait times for contractors because time is money. I am not sure we are getting here. I don't think that just because we haven't looked at it for twenty years, it doesn't make it a great argument. Are we looking at complaints from constituents or disgruntled constituents and I don't see any of these address any of that. That is my thought on it.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tippmann)-1(Armstrong absent).

Sharon Tucker: I will make a motion for consideration of a salary ordinance amending the pay for a System Operator from OSS 2/2 to OSS 3/2, from \$29,266 to \$31,468, 37.5 hours per week, non-exempt. Retro to March 15, 2018.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tippmann)-1(Armstrong absent).

Sharon Tucker: Move for consideration of a salary ordinance amending the pay for Chief Deputy (2 positions), SPEC OCC, from \$38,721 to Assistant Directors, SPEC OCC, from \$42,600, 37.5 hours per week, non-exempt. Retro to March 15, 2018.

Larry Brown: Second.

Tom Harris: Why the determination of non-exempt?

Tracy Mitchener: Because we are doing the proposed rules for those positions. If it does pass, then we are not liable for back pay. I think that it should be non-exempt anyway.

Tom Harris: What is the timeframe to have that done then?

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Tracy Mitchener: That is a Federal government proposal. That is part of the reason that the other part is that according to the FSLA Guidelines, they are not qualified to be exempt.

Tom Harris: That is what I am asking. Who makes that decision?

Tracy Mitchener: HR.

Tom Harris: When will you make that decision?

Tracy Mitchener: We are right now.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tippmann)-1(Armstrong absent).

Sharon Tucker: Move for consideration of a salary ordinance amending the pay for Board Member (2 positions), SPEC OCC, from \$51,629 to \$56,793, 37.5 hours per week, exempt. Retro to March 15, 2018.

Larry Brown: Second.

Justin Busch: This is a constitutional office, correct? Every County has these two members? Does the State give a salary recommendation? Where did HR come in on the raising of the salary for these two positions?

Tracy Mitchener: These two positions, like I said, we looked at them and compared them to the County. We had some numbers from the State but since they are going to SPEC OCC, it was determined that HR was not making a recommendation for that per you direction last fall. I cannot speak for the numbers that have been determined for this. Our recommendation for the Chief Deputies was OSS 4 and we're comparing that to other like positions internally.

Sharon Tucker: Within the committee, we looked at the gap and the recommendation if it had been on the grid and we took a percentage amount. Some wanted higher and some wanted lower.

Tracy Mitchener: The OSS 4/3 would have been \$37,116 for the Chief Deputy.

Justin Busch: Sorry for the additional questions. I think we should yield to you because you went through it. I appreciate the explanation.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tippmann)-1(Armstrong absent). Now we are moving on to Circuit Court.

Eric Zimmerman: Eric Zimmerman with Circuit Court.

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Tracy Mitchener: We are asking for a salary ordinance for a new Probation Officer. This is according to the UPROB grid and based upon a grant for that position.

Eric Zimmerman: We submit an annual grant to the Indiana Department of Corrections for Probation Officers. We have a grant for five Probation Officers and when we submitted our 2019 grant to begin July first, in addition to the existing funding we had previously secured, we asked for an additional Probation Officer specifically to supervise Domestic Violence cases. Those individuals bring a unique set of characteristics that a specialized Probation Officer can more effectively supervise. We were successful in securing that grant money and what we are here today to do is get a salary ordinance in order to pay that grant position.

Tom Harris: How long is the grant for?

Eric Zimmerman: It is an annualized grant and so we have to submit every year.

Tom Harris: When we see the budgets come through, do we get that defined that way, Nick?

Nick Jordan: For this specific one that you are going to approve here with Community Corrections, it is part of the annual and I think it went up 22% from the prior year.

Eric Zimmerman: \$380,000 with some additional drug testing money but this is the Community Corrections 1006 Grant.

Tom Harris: You heard the comment previously that is the grant goes away, are you prepared to pull this position back? What would you do and how would you handle it?

Eric Zimmerman: Certainly we would evaluate that but the employees are hired with the understanding that they are in a grant position and the funding wouldn't be there moving forward. Some positions I would like to justify the existence of but so far we have been fortunate enough that the DOC has not shown any indication to pull those.

Nick Jordan: It is six positions and not just one.

Sharon Tucker: I will make a motion for the appropriation...

Nick Jordan: You need to start with the third item.

Sharon Tucker: Move for consideration of a salary ordinance establishing the pay for Probation Officer, UPROB, \$48,174 at 40 hours per week, non-exempt.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).

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Eric Zimmerman: The second thing I am here for today is for recording equipment in our Child Support Division. I was put on notice in May that the recording equipment in that courtroom was almost obsolete and the ability to repair the equipment was quickly diminishing. There were some quotes that were provided last September. The good news is that because it is a 4-D cost, two-thirds or 66% is reimbursed by 4-D Incentive Funds. We are confident that the cost will be somewhere between \$12,000 and \$20,000. In conversation with the Auditor's Office, it was decided that the higher end would be the absolute high end and I don't anticipate spending more than what the original bid was for. I bring this today because we do have that need in the courtroom and would like to get the equipment working in that courtroom.

Joel Benz: Do it is currently non-functional?

Eric Zimmerman: What I am told is that it is in its last stages of life.

Tom Harris: I will move for approval of the appropriation reduction in Council General Fund from Other Capital in the amount of \$20,000 and the appropriation in Circuit Court General Fund for the amount of \$20,000.

Justin Busch: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent). We are moving on to Superior Court.

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

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

John McGauley: We have several bits and pieces on your agenda today that for the most part describes two projects. One of those is a long sought and very welcomed relocation of the CASA offices that were out on Lima Road. It was on a piece of property that the Commissioners and probably Council would like to see wind up in other hands at some point. The stars aligned and we were able to get those folks out of that location and into some space on the fourth floor of the City-County Building. One of the items that we have is a transfer from CASA grant dollars into supporting this. I believe the only actual new money that we are requesting today is for part of the relocation of getting them over there for some computer equipment and outfitting of the space. The other project that we have is about \$5,000 to complete a really exciting project ongoing since 2012. We have been able to raise about \$70,000 to go paperless in terms of projecting the daily calendar of court hearings and events in the Courthouse and the Bud Meeks Justice Center. We have been able to raise the \$70,000 through State grants to get what is best described as an airport style monitoring system. That has been up and running at the Meeks Justice Center for several years. In the last several weeks we have been able to go live with a similar project on the first floor of the Courthouse. There was a lot of funding from the

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State and a lot of help from County Building Maintenance. It sits right on the first floor and it looks like it was always there. They blended a lot of new technology into the historic building with barely batting an eye. What we are asking for today is about \$5,000 to finish that project. We want to put two additional monitors on the third floor where the bulk of our daily calendar takes place. Right now we are sending people back down to the first floor to figure out where they are supposed to be. That will wrap it up for us. We think that other locations where we might do this, the calendar is too voluminous and complicated and so we really believe we are asking you for some capital dollars to finish that project.

Leslie Owen: We are transferring that. It is not new money.

John McGauley: Our travel line is a reimbursement from a class that Judge Bobay attended. We were able to get part of his tuition back.

Joel Benz: Council, do you need any further insight to this? We can handle all of these in one motion.

Larry Brown: I will make a motion to approve items one through eight for Superior Court.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).

Tom Harris: That number three is coming out of our Capital line and is going to them so it is new money.

John McGauley: I initially misspoke and thought that one of our transfers was new money and this one is new money.

Sharon Tucker: So we have \$2,500 coming out of our Capital line.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent). Next is Parks and Rec.

Jeff Baxter: Jeff Baxter, Superintendent of Allen County Parks. I am here to ask for permission to apply for a grant with the Land and Water Conservation through the Indiana Department of Natural Resources. I originally thought I had until July first to put the application in but June first was the deadline. I put the application in ahead of this meeting hoping you would give the permission for me to apply. We will be using funds from the Non-Reverting Gift Fund and Non-Reverting Operating Fund for the 50/50 match. We were originally requesting \$329,000 for the total grant project and these will be for improvements to Payton County Park which will have the Pufferbelly Trail. The Pufferbelly will run along the east property line of that. This will include an asphalt path

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that is a connector spur and a lot of other improvements that we have needed to make for years. There is a lot of development around Payton right now and other than Huntertown's one community park and Solomon Park on Dupont, we are the only park in the area there. We have had some undesirable activities going on at Payton County Park mostly because you couldn't see from the road and we have taken care of that. We hope that when you get desirable activities going on in the park, you drive the undesirable activities out. It will include some improvements to our existing shelter that I can barely walk underneath as the foundation is sinking. We will put in a small playground and a portable restroom enclosure. That will be port-a-johns because I don't want to come back and ask for another maintenance person in order to go clean the restrooms daily. We will contract that with the port-a-john people. We will have the trail spur that goes through. I have talked to DNR. You talked earlier about the point system and rating systems for grants and the reason I went ahead and put in the application was because I really only scored 26 out of 78 points and that is because Land and Water really, really loves land acquisition. We already acquire this land years ago. I spoke with DNR last week and they have plenty of money to fund all of the applications that they get. Other than a few tweaks that I need to do to my application, it appears that it will be a go. We will find out from the Federal government next March.

Joel Benz: So this is a 50/50 split. They are going to provide 50% and you are going to provide 50% to accomplish this.

Jeff Baxter: Yes, sir.

Joel Benz: I would certainly like to see something happen out there. It has been a long time coming.

Tom Harris: I will move for approval of the request to apply for the Indiana Department of Natural Resources for a Land and Water Conservation grant.

Larry Brown: Second.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).** Now we are ready for Community Corrections.

Kim Churchward: Good morning, Council, Kim Churchward and I am the Director of Community Corrections.

Jeff Stevens: Jeff Stevens, Senior Finance Manager at Allen County Community Corrections.

Kim Churchward: We are before you this morning for our budget appropriation for our 2019 budget. As you know, we are before you every June for this purpose. Once the State approves our submitted budget, then we require the appropriation for that budget to become effective on July first. We have all three of our funds for appropriation requests

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from funds other than the General Fund. I know you have received all of this information and I am also sensitive to the crushing schedule that you have had this morning. I know we are not before you very often but if you have interest in anything that relates to Community Corrections, we are certainly anxious to talk to you about that but I am also willing to just move to the business of the appropriations.

Tom Harris: I was going to ask a couple of questions and in terms of how this appropriation from the State is compared to last year.

Kim Churchward: Our budget is static and this year is exactly what it was last year. We did make additional funding requests.

Tom Harris: How much additional, approximately?

Kim Churchward: Somewhere between \$800,000 and \$900,000. The bulk of that was the request that we made of the State to support Community Corrections with our bed space needs. Our intent had been to partner with the Sheriff and his Work Release initiative and try to solve our problem while also supporting him. Unfortunately we did not receive that funding for this fiscal period. We certainly intend to ask again when we go in for our fiscal 2020 funding.

Tom Harris: So that is a year from now.

Kim Churchward: Yes, sir.

Tom Harris: So what happens now? The Sheriff was counting on those funds to help offset or be part of his expenses for the new Work Release Center on Cook Road. What are your plans, at this stage?

Kim Churchward: Our needs simply go unmet. We were looking to provide a housing alternative for our clients. Up to 20% of our referrals are ineligible because of unstable or inappropriate housing. We were hoping to be able to meet that need and help serve additional individuals in the community. We are dropping back and punting, so to speak.

Tom Harris: So you are not going forward with the Work Release location.

Kim Churchward: Not at this time. I don't have the funds.

Tom Harris: Any discussion with the Sheriff in terms of his funding or expenses or anything?

Kim Churchward: I have not.

Tom Harris: That \$900,000, 99% of that was the additional bed issue?

Jeff Stevens: About \$835,000 of it was. There were some other minor things that we asked for and they were turned down as well.

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Tom Harris: So without that additional funding, you are simply going to pull back. Where I was headed is are you going to be coming before Council requesting funding of something that you have either committed to or need to do and the State is not paying for it?

Kim Churchward: I certainly have no intention of doing that. If it is something that the Council would entertain, I would be happy to put a proposal together.

Tom Harris: My concern is why didn't they? Do you have any understanding of why you wouldn't have received the additional funding? Particularly as they ask Allen County to consider beds for Community Corrections. Why would they not do that?

Kim Churchward: We did not receive any official position or reason for declining our funding request. I can tell you that some other initiatives appeared to receive funding such as pre-trial initiatives in the State and other expansion opportunities and my suspicion is that the State focused on a couple of initiatives only but certainly we didn't receive any negative feedback from the State about our request.

Tom Harris: A comment that I received was in regards to Allen County and all of the other Counties and the Work Release program is covered by Community Corrections. Allen County may be the only County that Work Release is run by the Sheriff.

Kim Churchward: I am aware that there are a number of Counties where Work Release is run through the Community Corrections agency. In fact, a couple of our neighboring Counties are opening new Work Release programs run through Community Corrections. I am not aware of any other Sheriff's program that does run Work Release but that doesn't mean that there aren't.

Tom Harris: I think it is pretty significant if those two are correlated or not. We may not have received funding from the State because our Sheriff runs the Work Release versus all of the other Counties with Work Release run by Community Corrections. Basically the DOC has not given this group additional money to run their program in the Work Release Center. We need to dig into why. Particularly when DOC wants us to do some kind of bed program and are they going to continue hold that saying that we want beds in Allen County but we are not going to give you money until something changes. We need to figure out that equation.

Larry Brown: I think we can handle all three as one motion. I will make that motion for approval.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent).

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John Surbeck: I am here, as I was last year, to ask for a change in the range of salary for our Director. We discussed it last year and withdrew it maybe even at your suggestion because you all were working on SPEC OCC. We are back again to ask that we change the range of salary that she is currently in which is \$73,000 to \$89,000. We are asking that it be moved to \$90,000 to \$99,500 and there are a number of things that I wanted to talk about. First of all, given the hour and you all have had a long morning, can we agree that Ms. Churchward is extraordinarily qualified. She has raised the level of our Community Corrections which was already very good. She has taken it a couple of levels up. Most notably she resolved very quickly a half-million dollar deficit that had been in place for some time prior to her taking over. She has also raised the level of professionalism of that organization. I do not mean to be disrespectful of Ms. Hudson who did an extraordinary job of creating and building an excellent Community Corrections. In the meantime, Kim has taken it to a new level. As having been involved in the recruiting and hiring of Ms. Churchward, I can tell you that none of the people that we interviewed could have done what Kim has done. I know we are not talking specifically about merit but one of the things we want to do is raise her salary but in the meantime, the first thing that has to happen is the salary range has to move up. I think after I had been here and in trying to organize this, I think there has always been some question about the role of Council and the role of the Advisory Board in this process. By statute, which is attached to the second page of what you have, indicates that the Advisory Board is responsible for setting the salaries of employees provided that those salaries are not inconsistent with those established by County policy for other County employees. What I did on the first page is took the list of SPEC OCC in these brackets and I took a look at those in the lower range and what Kim is currently in and those in the next range which is what we seek. You'll notice, number one that the salary that she now has and is \$91,000 plus is already inconsistent with the salary range that she is in. On the other hand, her duties and responsibilities are much like those in the next range but in the meantime she is being paid less. My primary point is that it is the Board's right to set and I am trying to be very careful here, but the Board has the authority to set her salary. It needs to be in a range that is approved by you and it needs to be in a consistent range with other County employees. One of the other things I will point out to you is that I know you were working through the SPEC OCC a year ago and trying to standardize those. I know it is difficult to do that because all of these jobs are so different. At that time you were using a twenty point informational gathering and Kim satisfied all twenty points. The only thing that is less than perfect is the fact that she has a Bachelor's Degree but in the meantime she has thirty years of experience in Allen County Criminal Justice in any number of different roles through many of which she has had varying degrees of supervisory responsibilities. She served as Chief Investigator for the Prosecutor's Office. She was the Director of Criminal Division Services and now she is the Director of Community Corrections. She has a significant budget, as you have just heard. She has close to 100 employees. She has a number of Supervisors, all of whom report directly to her. As I have mentioned to you before, she is kind of on her own over there. She is totally responsible for that agency and based on things that were totally out of her control. As I worked through these, it seems to me that the two or three positions that I would like to focus on is number one, our own John McGauley, Court Executive. He reports to a Board of Judges and is responsible for about 100 employees. He has a significant budget.

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He is being paid \$98,000. The other two that I find to be appropriate for a compromise, on one hand we have Dr. McMahon who has a professional degree, of course, and is responsible for the Health Department. She is appropriately at \$112,000. Her very capable Chief Deputy, whom she has a superior to whom she reports, is at \$92,000. Out of curiosity took the average of those two which I think is responsibility-wise is kind of where Kim is. The average of that is \$101,000. The Board in March of 2017, voted after lengthy discussion we did not vote on a specific salary but we all agreed kind of by consensus that Kim should be paid in the neighborhood of \$95,000 or \$96,000. I know in committee there was some concern from your President here about bumping up against \$100,000. \$100,000 seems to be one of those magic numbers and that was candidly a conversation that we had in the Board that day and is one of the reasons we settled in the neighborhood of \$95,000 or \$96,000. We didn't get specific about it because we couldn't because we didn't have the salary range. I understand that HR has done some other comparisons of job descriptions. Is that right, perhaps not? There was some note at the committee that this salary and this job had been fully reviewed when Kim took over. We discovered later, as it was researched, that this job was not reviewed but rather, and I don't want to be disrespectful, the Board hired Kim at the salary that she is at and had some COLA type raises. The range set was to accommodate the Board's hiring proposal. That range was not based upon a thorough review by HR. I want to make sure we don't get locked into we have reviewed it before and so we are locked in. Is that correct?

Tracy Mitchener: I think the Board and HR agreed upon that range at that time. I think some of the other positions have kind of changed as well.

Joel Benz: Councilman Brown.

Larry Brown: I look at this a little bit differently and I shared this with John at least one time prior. I think it is our job to set and agree upon the range. Where the incumbent falls in that range is the Board's position and I appreciate John's dedication, passion and satisfaction with the incumbent that is in there now. I try to take the person, the name or incumbent out of the equation and let's set a range and let the Board do their job of picking a spot within that range. I personally am in support of the amended salary ordinance that is before us. I guess that is enough said.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: In committee, this was a struggle for me and I think Councilman Brown just hit on the main thing that I would like us to be mindful of. I do believe Kim is a wonderful person and I love her smile and energy that she always brings to the table. While we are making this decision, we want to make sure that we are aware that it is not Kim that we are making the decision for but we are making the decision for the department. I believe once before Councilman Tippmann pointed out to us when someone came with an emotional plea of an individual who should have a raise for whatever reason that is not why we are here. We are here to make sure we make it based on the position because heaven forbid we ever lose Kim, which I hope we don't, the person that fills her shoes would fall right into this range. We want to make sure we are

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making our decision based on the responsibilities in the role and not how great Kim is. And she is great.

Joel Benz: This came out of Personnel Committee two to one and I voted no. There are a number of reasons and they kind of touched on it. The range, I was a little bit concerned if we were to have someone with fewer qualifications come in and apply, I wanted to leave the bottom end maybe not as high. I think this is one of those situations where there is a little bit of disparity if we compare her job and the number of people she supervises. The closest position to that was Circuit Court and secondarily was the Allen County Superior Court Executive. Both of those have salaries right around \$98,000. I do want to correct a little bit of what the Judge said. I asked Nick about this because you said something to me about the salary range that they established actually changes as she gets a cost of living adjustment. She is at the top of her range and he said she is outside of it but your point is taken on that. The reasons I voted no were that I didn't want to change the bottom of it and I have a struggle with continuing to raise and raise Department Heads. I do feel that there is enough disparity on this one that it did merit coming to full Council. Councilman Harris.

Tom Harris: I didn't necessarily have a problem moving the range but I would be concerned if the Board moved the incumbent to the maximum number.

John Surbeck: That was not the conversation we had a year ago.

Tom Harris: The Board would have that prerogative to a certain extent but I guess that would be my concern. We would be back at this in another year trying to establish another range. The other one and this is not in reflection of performance but I was particularly okay with this with the understanding that DOC is looking more to Allen County to do more. I am thinking that role and that function is going to have to take on more responsibilities. If DOC is going to put a clamp on and say that they are not going to give any more money because blah, blah, blah then we need to understand that. We are going to get caught in this situation where they are basically saying that until you do something different, we are not going to give you additional funding. Let's scoot that aside from the requirements of the job if they were to take on additional beds, another facility or all of those kinds of things that adds to the weight of the position. With that said, I am in favor of this range particularly if we don't go to the far end of it.

John Surbeck: That is not anyone's intent. I can guarantee this Council that as Chair I will communicate your concerns about that when we take this up at the next Board meeting.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Nick is there like with the Sheriff's, is theirs a percentage or does this have any effect on the payroll numbers?

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Nick Jordan: Not to my knowledge. There is no trickle-down effect to Kim's specific salary or the Executive Director's salary.

Tracy Mitchener: You mean like a percentage like a Chief Deputy?

Sharon Tucker: Yes.

Tracy Mitchener: Since she is not elected, there wouldn't be. We just have that for Chief Deputies.

Sharon Tucker: Okay. Whatever way we go, we should be aware of the flood and the gates that start to get unlocked. I will be supporting this because of the difference in parity. I still struggle with it but I do see the difference in the breakdown from the other positions. I strongly hope that the Board is faithful to their word and not leap to the high end. I won't support it the next time if it has to come back in a year.

Justin Busch: I would like to give credence to you on Personnel Committee and the work that you do. I know they dig deeper into this. I was on Personnel Committee last year when this came up. I would caution the Board because they reached out to me when I was on the Personnel Committee last year. They were very assertive of the fact that they were going to set this certain range and the burden of proof rests on me and that we are going to have to go ahead and pay it if we do that. As an Elected Official and the fiscal body of the County, I was offended by some of the comments that were made by the Board. I am going to support this because I am going to trust that this is what you need but I would caution the Board with how they communicate with us moving forward and dictating what we are going to spend. They can recommend a million dollars for a salary but that doesn't necessarily mean we are going to move that from the General Fund. Thank you.

Larry Brown: With all of the discussion, I will make the motion for approval of the consideration of a salary ordinance amending the pay range of Executive Director, SPEC OCC, from \$75,528 to \$91,713 to the range of \$90,500 to \$99,500, 40 hours per week, exempt.

Tom Harris: Second.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tippmann)-1(Armstrong absent).** Councilman Busch is going to take this one for the Sheriff's Department.

Justin Busch: I talked to Deputy Edwards last week and he had brought this up. I told him I would take this on his behalf. They are moving fund from Contractual to Drug Testing Supplies. The reason for this is they were urine-based to begin with and the Courts have told them that blood samples hold up better in Court. They are seeing more prosecutions for those that fail to pass a drug test. It is simply moving from urine to blood

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tests. I make a motion that we transfer \$22,800 from Contractual to Drug Testing Supplies in Chemical Testing Fund 212.

Tom Harris: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1(Armstrong absent). We are rapidly approaching the end of the meeting.

Nick Jordan: Mine is short, a couple of things so we don't have hiccups in July. I sent the revised budget timeline and I didn't get any negative feedback from it but what will happen is at the July meeting we will talk about if there is anything you want to do special with allocations. If not, we will send out memos saying your allocation is going to be the same as it was for 2018 factoring in all of the salaries that have been increased. If they need to appeal, they will come back in September. One thing you want to keep in mind so you are prepared in July, if you have any thoughts on raises to be given, it is nice to get those in advance rather than later because we have more time to do any scenarios that you would like. A raise percentage as well as any specific budgets that you don't want to start with keeping it flat, so to speak or a different scenario, please reach out to us prior to the July meeting so we can have that ready for you. The Wheel Tax/Surtax, every year we have to send an annual notice to the State saying what we are going to do. Unless you guys say you want to increase it or decrease it, we can have that discussion in July but if not, I will prepare the notice saying the Wheel Tax/Surtax will be at the same rates it currently is.

Tom Harris: I would be in favor of that.

Nick Jordan: Of keeping it the same. We will go into much more detail next month on the budget stuff. If you have things you want to throw out there, get it to us in advance so we are prepared for you.

Joel Benz: Wise idea. We need the motion to approve the reading.

Tom Harris: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of June 21, 2018.

Larry Brown: Second.

Joel Benz: All in favor please signify by saying aye. The motion passes 6-0-1 (Armstrong absent).

Larry Brown: Move to adjourn.

Sharon Tucker: Second.

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Joel Benz: All in favor please signify by saying aye. Opposed like sign. The motion carries 6-0-1 (Armstrong absent). There being no further business the meeting was adjourned at 11:38.