

ALLEN COUNTY COUNCIL MEETING MINUTES
MARCH 15, 2018
8:30 AM

The Allen County Council met on Thursday, March 15, 2018 at 8:30 am in the Discussion Room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Robert A. Armstrong, Joel M. Benz, Larry L. Brown, Justin T. Busch, Tom A. Harris, Eric M. Tippmann and Sharon L. Tucker.

Also Attending: Nick Jordan, Auditor; Jackie Scheuman, Finance and Budget Director 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 February 15th meeting minutes. Are there any additions or corrections?

Sharon Tucker: Make a motion to approve the minutes from February 15, 2018, as provided.

Justin Busch: Second.

Joel Benz: All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. Next is the financial report from Auditor Nick Jordan.

Nick Jordan: Good morning, Council. In your packet is the financials up to the end of February. It is still early in the year. One thing I would encourage is that for the first 11 or 12 pages of each notebook is the detail of the significant property tax funds as well as a couple of others. I would encourage you guys to make sure you are looking at those as well as, if you don't understand them reach out and ask questions. We can walk you through any of the detail but it provides a lot of information as well as showing the true picture of where different funds stand. We can also provide an historical perspective. If you look at the Miscellaneous Revenue that is going to the General Fund, it is slightly under but it is two months of the year and that is normal. Some of our bigger ticket items come monthly and other ones come in distributions throughout the year. There is nothing alarming, at this point. We received our income tax trust balance report from the State. When we received that I noted that we are currently above the fifteen percent threshold that was put into law and they will give us a supplemental distribution of income tax. They did that in 2016 for Allen County as a unit. IT was \$4 to \$5 million and the other tax units got their own piece. In May or June of this year, we should get another report letting us know how much of a supplemental distribution that we are going to get again this year to bring that balance down so that it is not just sitting. It was somewhere

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between \$20 and \$30 million and we will receive another supplemental distribution and at that point, you guys will get to decide where you want to put it and what you want to do with it. In 2016, when we received the \$4 to \$5 million, you used 75% of it to sit in a fund and is applied for the Highway Department to use as a match for the Community Crossings Grant for highway infrastructure projects for the County. A quarter of it, about \$1.4 million is still sitting in another fund and can be used for whatever you so choose. That will be coming up in a couple of months as another positive aspect of the economy. I can take any questions, if you've got them.

Larry Brown: I will make a motion to accept the financial report as presented.

Tom Harris: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Thank you, Nick. This morning we have total appropriations requested in the General Fund in the amount of \$46,970 and total appropriations requested in Other Funds for \$33,800. At this point, we have several items on the agenda this morning and I will open it up for public comment. Seeing no one coming forward, I believe Mr. Wilson from Park Center is here to give us an update on their proceedings.

Paul Wilson: I sent a PowerPoint to all of you and I hope you had a chance to look at that. I will not go into that in detail but I think I just essentially wanted to share with you what is going on at Park Center. As you all know, tax dollars come to Park Center. That is roughly \$2 million of our \$34 million budget. Let me walk through this a little bit and then I want to spend a little more time at the end talking about a couple of new projects on the horizon. The overview sheet that I sent you shows that we have a budget at Park Center of over \$34 million. We employ 570 staff with 415 FTE. We serve about 10,500 people per year. The financial support, I want to drill down on this a little bit, from Allen County is \$2.2 million. Those dollars are used essentially as match for Federal dollars. Our funding is such that the mental health centers for one of our pots, we need to supply the match for Federal money. Of the \$34 million, a very large chunk of that is Medicaid dollars. We need to apply a third of the dollars back to the State in that project. We use that \$2.2 million for that. We also have a number of people that are uninsured and we treat everybody regardless of pay source. We also have a number of services that just don't cover their cost, for instance, group homes, our psychiatrist and a variety of different programs that we have. That is how we are using the County dollars. I think the benefit to the County is that we are also bringing in \$19 million in wages for people who live just in Allen County. We serve three Counties, Adams, Allen and Wells but those wages are for people who live in Allen County. I don't know if there are any questions about that before I go through other pieces. I just want to walk quickly through these. We provide in-patient services and those are for people who are in very high distress. The typical length of stay for the in-patient program is about five days. It focuses on stabilizing them and getting them on new meds and that kind of thing and then transitioning to other levels in our continuum. One of the new additions in the last few years is our Priority Clinic. Our effort for that is to provide more robust services 24/7 so

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that we can help people avoid hospitalization. We view that as sort of an urgent care clinic for psychiatric issues. As we implemented that program, we have been able to give more support after hours and have actually reduced hospitalization pretty significantly. Before the Priority Clinic, we had an average of 26 people in the hospital per day and roughly we are at about 13 to 14 people per day now. The way that kind of thing happens is if somebody comes in at 10:00 tonight, we would routinely get in touch with our psychiatrist and they might be able to give some emergency medications to help people stabilize in their home. That is less disruptive for consumers and less expensive for the system overall. The next slide talks about our Child and Adult Services on State Street. We are doing most of our out-patient services at our 909 East State campus. We do testing and a variety of different things there. We have a home-based services program which provides therapists and case managers that go into people's homes at lots of different hours. We are in people's homes in all areas of town and County after school and before school and those kinds of things. We also have an in-school skills program. It provides staff in 13 different Fort Wayne Community School classrooms. We assist with kids that are having significant challenges and try to keep them in the school setting. The Redwoods is a program that we have for individuals who have had challenges with sexual offenses. We get people that could have gone off to White's or some other institution around the State. That program has been highly effective in restoring kids to a sort of healthy lifestyle. I think you all may know that most kids who have some kind of sexual offense have also been abused themselves. This is a program that really restores kids. Noll House is a group home for adolescent males. We have two of those. We have offices in Bluffton and Decatur and this is a picture of our Bluffton Office. We provide essentially the same type of services there, case management, medication, out-patient therapy and those kinds of things but obviously at a much reduced level in terms of what we are doing in Allen County. We have a picture of our Haven House which is on the back side of our State Street campus. That is a program that we put together to help people come out of State hospitals. When we developed that program, the people that we took out of the State hospitals had been in State hospitals for an average of seventeen years. Those were people that had real deficits in terms of social skills in a variety of different areas. Our effort is to help get them back to the community and closer to their families and we have moved a number of those people on to lower levels of care. Sometimes a lower level of group home or intensity of case management at an apartment within the community and has been a real success story to have people leave State hospitals. The next slide has to do with some of our apartment buildings. We have seven apartment buildings around Allen County with six and one in Wells County. We brought a lot of HUD money in to build those apartments and they are for people who have serious mental illnesses and need additional supports. We have an Ace Team which is our high intensity wrap around team. That team will typically take medications to people throughout the week for people that are having more and more challenges. We are often payee for those people so we can make sure they get their rents paid and those kinds of things. We are partner with the Carriage Club House on Lake Avenue. Many of you may know that. It is really an outstanding psycho-social rehab model. The staff there is actually our staff so that we can bring some Medicaid resources to that and has been a great partnership. It is a separate corporation but the staff is ours. We are big on getting people back to work. Eagle Employment is a transitional employment service that we

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have. It does pre-employment job searching and that kind of thing. Also, in the area of getting people back to work, we have a franchise Apple Spice Junction. We hired a couple of chefs from country clubs to run that and that program is the first step for people to get back to work. The vast majority of people that have a serious mental illness want to work but the last time I saw the data, it was about 92% of the people that had a serious mental illness were unemployed. We believe that one of the challenges was that first step and so Apple Spice Junction is a place where people might come and work for three to four hours a week, get into the routine and develop some habits and skills. At the end of about six months, we match them with one of our job coaches to get people back into work. That has been up for a few years and at this point in time we have had 150 people graduate from that and move into the community. Genoa is our partner with having a pharmacy onsite. The advantage of having a pharmacy onsite is that we have really good coordination. You may know that people who have mental illness have a tendency to not take their medication as prescribed. By having a pharmacy onsite, we can track things like fill rate. We know that 92% of the time our patients get their medications refilled in time so they don't miss medications. That coordination with Genoa has been a great partnership. We do addiction services in our Carew location with a variety of different levels of care. Probably the thing I want to spend a little more time with you is the residential addictions program. We are doing a bit of that in fifteen beds currently in our location on Carew. You all know that the opioid position has exploded around this area. We shifted our psychiatric subacute unit. A subacute unit is essentially a step down from a hospital level of care. That is to focus on the addictions in the opioid issue. That has been working really well. We also do medication assisted treatment for the people that come in there and is a program that we are doing in high concert with Probation and Community Corrections, Drug Court and those people and the Judges connected to those. The Multicultural Health Initiative is a project that we have to reach out to various populations, Burmese, Hispanic and African-American in various locations around the community. Beating the Blues is an online cognitive behavior therapy program. If you were in the UK, this would be the first line for treatment of depression and anxiety. The online is not being used much yet in this country but I think it will grow over time. We offer this free to the community. Anybody that wants this can contact our staff and they will sign them up and help them with this process. It is meant to be an eight-week process and is very highly effective. It is an evidence based treatment program. The next slide is about our administrative stuff that we do on State Street and after that is our corporate services stuff. We are Joint Commission Accredited. That is a rather rigorous process that hospitals go through. The new projects underway, I wanted to slow down a little and talk about this. We are working to expand and now have moved into the Lafayette Medical Clinic. We are providing primary care in that location in addition to therapy. Nationally, when people do integrated care and put psychiatry and primary care together, the data would suggest that it is better care at a lower cost. That is what we are trying to kick off there. We had hoped to get some Legacy Funds for that program and did not get any of those but we are trying to raise some funds to actually buy that building. We are leasing at the lowest level, at this point in time. We would like to buy that building and turn it into a strong medical outpost. We have seven universities that are interested in coming to partner with us and provide services as a practice location. We are raising funds now to buy the building and rehab it. The current owners of the building had done some work on

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surfaces and that kind of thing but it needs new mechanicals, parking lot, roof, windows and a variety of different things. We are in the process of raising funds to try to buy the building and then expand the services at that location. We are doing some partnerships with Vincent Village and other people heavily connected to those neighborhoods. The other project is the expansion of the Addiction Services. We have fifteen beds in our Carew location and we want to expand those beds. We have looked at a structure on New Haven Avenue and that is a possibility however when we took that to the BZA, we then heard from the State that the Federal Government turned them down in terms of the per diem rate. The per diem rate that the State had been advertising for quite some time, the Feds said it was too high and they reduced the rate on it. To proceed with the project on New Haven Avenue is pretty dicey from a financial risk point of view. A fallback position that we are considering is just further expanding beds at our Carew location. Those are two options that we are really considering right now. One way or another, we want to add at least 45 beds at that highest level of care. We are working with other potential partners in the community to think about providing beds in a different location. I think the coalition of people that have been working in that area I believe 95 new beds for opioid treatment by the end of summer.

Tom Harris: Specifically the opioid?

Paul Wilson: No, predominately but not specifically. Some of the funds that we have are specific to opioids but we have a couple of different sources of funds that we are putting together. The final new project that I want to tell you about is the River's Edge Project. You have probably seen this and it is a partnership that Park Center is involved in with the Fort Wayne Housing Authority and Up Development out of Chicago. Up Development is aggregating new market tax credits and other sources of housing funding. This would be for people that have had trouble with homelessness and it is permanent housing and we would expect people to be in there. I think it is 48 units and 56 beds. The units are going to be two bedroom units. It is on Spy Run Extended. If you were going north on Spy Run Extended and you didn't turn to the east to go into Johnny Appleseed Park, you would run into the lot. It is right there on that curve. It seems like that this will be opening in December of 2019. Those are the new projects. I don't know if you all know that Beth Lock from the County Commissioners' Office is on our Board. If you ever have any questions or concerns, Beth is the linkage or you can call me directly. I would love to meet with any of you that have any issues or questions.

Joel Benz: I just have a couple of questions. Are you at capacity and that is why you are considering expanding? Once you have these increased amounts of beds what percentage do you see being filled on a daily basis?

Paul Wilson: That is a rough question. It is the kind of question that makes financial proformas really difficult. We are generally at capacity at this point in time. We have lots of requests and those beds are pretty much filled. We also want to, as we get more capacity, to think about how we might bring additional people in. One of the gaps right now is if somebody is revived with Narcan and I assume you know about the number of runs and how often that happens. Unless they are under the supervision of one of the current

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problem solving Courts, there is really not a stick to get them involved in treatment. I think as the community develops more capacity, we will look for ways to sort of widen the net in terms of who needs to get into treatment. Over 100 people will die this year from opioid overdoses. We want to find a way to make an impact on that.

Joel Benz: I have had some personal interaction there. About the Rivers Edge Project, where are those individuals currently?

Paul Wilson: Many of them are on waiting lists for the Fort Wayne Housing Authority. Some of those people are under bridges. Some are currently in the Rescue Mission and need some other shelter. As you know, we have a number of temporary kinds of shelters in town and this really is permanent housing. The intent is to get particularly the people that have the most chronic homeless challenges. Nationally the data suggests that if you can stabilize people with housing, you can really make an impact on a variety of other issues going on for them. Park Center will have offices in that building. The building will be run on a daily basis in terms of rent and all of that kind of stuff by Up Development. They will bring in some Housing Authority kinds of vouchers to support it on an ongoing basis. The services will be provided from the offices that we will have in that building.

Joel Benz: Thank you. Mr. Tippmann.

Eric Tippmann: Paul, you briefly glossed over the Federal issue with the per diem.

Paul Wilson: Yes.

Eric Tippmann: How does that play between the Federal government approving the per diem of a State?

Paul Wilson: Yes, it seemed a bit odd to me also. I can tell you what I know about it. Medicaid doesn't pay a lot of per diem. Mostly, Medicaid pays for a la carte services. What the State had recommended was a rate to the Federal government and they have to approve that. What the Federal government said was that they wanted to pay for the treatment aspect of it but we don't want to pay for room and board. The odd part of that is this is a residential program. It is an overnight program. The Feds wanted to pay for the treatment part but not the room and board part and so they reduced the rates. The State of Indiana had been advertising a specific rate for over a year and as they were trying to get the final approval, the Feds said that no it has to be significantly less than that. That's the kind of thing when you are trying to put a program together that makes you a little crazy.

Eric Tippmann: We are in the midst of a full-blown opioid crisis from the Federal government on down and that is what we have to deal with. They won't stick anything behind it?

Paul Wilson: I concur 100%. To say it was disappointing is an understatement.

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Joel Benz: I personally think that mental health and opioids and all of the other things that are related to it are epidemic. I appreciate your work and thank you for coming this morning. Are there any other questions?

Tom Harris: Yes. I want to applaud you and the staff for all of the successes you do. One of the challenges that comes in my mind is how do you measure effectiveness and how many people are in the program go out and end up coming back?

Paul Wilson: Great question. The project that we are doing specifically with the opioids, we have a researcher from IUPUI who will look at the financial impact, the recidivism rates and a variety of different things. It is actually going to be a pretty sophisticated evaluation from an outside source.

Tom Harris: Have you done that in the past?

Paul Wilson: We do a variety of different outcome of measures for different kinds of programs. We do customer satisfaction surveys for a variety of things like that. This is probably the most rigorous kind of evaluation that we have had from an outside entity.

Tom Harris: What is the timeline for that?

Paul Wilson: That is going to be an evaluation process over a four-year time period. A coalition of people went down to get Senate Bill 510 passed in the last legislative session and those dollars are going to be what helps the community expand services and this rigorous evaluation was part of that.

Joel Benz: Are there any other questions, Council? Thank you, Mr. Wilson. First on our agenda, as far as departments, is the Prosecutor.

Larry Brown: I said I would present these two requests. Both of them are basically repeats. The first one is Victims Services Specialist Grant and this has been going on repeatedly and is an opportunity to apply for grant money. The second one is for the Domestic Violence Coordinator grant. I recommend approval of both.

Tom Harris: Second.

Joel Benz: I believe this is almost \$200,000 in grant money. **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** Next up is the Building Department.

John Caywood: John Caywood with the Building Department.

Tom Fox: Tom Fox, Environmental Management on loan to HR.

John Caywood: I would like to withdraw the Senior Property Maintenance Inspector for now. I am going to take it back before the Personnel Committee to articulate a few things.

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I feel I could do better. The second item is taking a current position and reducing the rate and changing some of the job description. It is an office position where before it was an Online Permit Specialist/Dispatcher. We are going to turn that into a Receptionist/Online Specialist. I think this fits a lot better with where we are. We lost the previous individual in October and I chose not to be rash and fill it right away. We looked for other alternatives to making that position work without that person and while we still need an individual, getting the phone answered in an appropriate amount of time has been a concern that this will resolve. Through that position I renegotiated our phone contract. Everybody that was in the Building Department could only call between each other. Through renegotiating that I got extra minutes and that helped with the Dispatching positions. Most of my staff in the field was not using email that was provided through the County and that helped alleviate some of the dispatch issues. I am coming to reduce the amount in my budget and downgrade this from a four to a three.

Joel Benz: From my perspective, thank you for your due diligence and finding alternative ways as we continue to move into technology. Councilman Armstrong.

Bob Armstrong: That reclassification, is there somebody in that job now?

John Caywood: There is no one in that job now. I probably relate to Councilman Brown with an anecdote that the person in our office that I would like to put in there is somebody who has great phone qualities and I think you had an experience with her that was very positive.

Bob Armstrong: So the job is vacated right now.

John Caywood: Yes.

Bob Armstrong: I just wanted to make sure we weren't taking that job and reclassifying it and somebody had been in that job for six years or whatever and cutting their pay. So it is vacated and will fill it at a new rate.

Tom Fox: The position became open and so that gave him the opportunity to reevaluate it.

Tom Harris: Just another thought. The challenge in the role that this function has had, it usually contracts when the economy contracts. Any kinds of changes in terms of staff and expenses and stuff, we are watching. As we continue to grow, we understand that but when that economy turns and things start to tighten, we would expect that as well. That is something that we have taken that approach over the years and will continue that.

John Caywood: That is consistently on my mind. I really want to thank the HR Department is because part of this was we had two new hires at the beginning of the year and working closely with HR and their recruitment efforts, we got two great people who hit the ground running. Their stats are equal to people who have been here for more time than they have been.

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Joel Benz: Council, is there any further discussion?

Tom Harris: I will move for request of a salary ordinance reclassifying the Online Permit Specialist/Dispatcher, OSS 4/2 at \$35,349 to Dispatcher/Permit Specialist, OSS 3/2 at \$31,468, non-exempt, 37.5 hours per week.

Larry Brown: Second.

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

John Caywood: I will give you a quick 30 second update on the allocation you gave me last month. Right now we have a statement of work from [s]Cube which is a partner with Accela. Originally Accela told us if they sent somebody it would be roughly \$270 an hour. We are able to get S-Cube for \$130 an hour plus expenses. I think we are getting more bang for our buck there. I will have more to report to you next month on that.

Joel Benz: Excellent. The next department is the Commissioners.

Tom Fox: HR did an evaluation of the five positions in the Commissioners' Office which resulted in the four requests on the agenda today. I will touch on each of these and then Commissioner Peters is here to go into more detail. The first one is a request to reclassify the Controller from a PAT 4 to PAT 5. The second one is to reclassify the Director of Government Affairs from SPEC OCCUPATIONS to PAT 6. The third one is to reclassify the Executive Assistant to Chief of Staff from PAT 6 to PAT 7. The fourth one is reclassifying the Public Information Officer from SPEC OCCUPATION to PAT 4. This result is a decrease in salary and under current County policy; the compensation will remain the same for a year before any change would take place.

Nelson Peters: Good morning and thank you, Nelson Peters, Allen County Commissioner. I actually have five things I want to talk to you about if you would allow me the opportunity to address all of them I would be happy to answer questions when I am finished. This is the first time in all of the time that I have been a County Commissioner that I have come to this Board for purposes of talking salaries within our department. Part of the reason for that is the department has evolved since 2010 or 2011. We are actually running with fewer personnel than we did at that time. Additionally, a number of those positions simply aren't what they were several years ago. They are doing a lot more things and have assumed a lot more responsibility as the department has grown. The first position that I want to talk about is the Controller, moving from a PAT 4 to PAT 5. That position has evolved as much as anything. There are, indeed, more responsibilities. It used to be a basic bookkeeping position but has become a little more sophisticated now than it was in the past. That position handles millions of dollars in numerous different budgets. It oversees the Commissioners. It is basically the stopping point for many of the Commissioners' budgets before they make it to you. It is a clearing house for really all that comes to you from the Commissioners' departments. It helps the

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Maintenance Department budget for capital needs from the CUM CAP budget. It sits with a lot of the claims processing as well. There is Accounts Payable and Accounts Receivable that didn't use to be there. There is no backup or assistant to this position. It is coordinating parking for employees at Citizen's Square. It handles the Commissioners' budgets, legislative expenses, validating phone charges and that kind of thing. One of the big issues with this position in the past is we are losing people. We lost one individual to the City for essentially the same position and are making \$12,000 a year more than what they made for the County. We lost our last Controller to a higher paying position. I think that unless we can compensate this position fairly and equitably, we stand to have that happen again. The Director of Governmental Affairs, I think many of you know how that position has evolved. We are requesting that it go from SPEC OCC to PAT 6. This is a position that has huge responsibility and has to make snap decisions on behalf of the Commissioners on the floor of the General Assembly as well as in working with Department Heads, County Council and a number of other people to ensure that we get some of the legislative fixes that we need here in Allen County. The position has been worth its weight in gold and has really brought a lot of bacon back to the County. It has allowed us to play defense on some of the issues that may not be as beneficial to Allen County. The Executive Assistant, right now, we are asking to be reclassified to Chief of Staff. It is currently a PAT 6 and the request initially from the Human Resources Department was to move it to PAT 7. I am actually asking that you move it to PAT 8. This is a position that scored as a PAT 8 and when I realized that I went back to the Human Resources Department and asked them to allow me some editorial liberties with you in requesting that. The history of this Council is if a position goes down, generally speaking you have all accepted the labor grade that the position has been evaluated to. This is one that was scored at an eight and I think the Human Resources Department didn't believe they would actually be able to a labor grade eight out of this Council. They came back with something that they thought was perhaps a little bit more reasonable. This position goes without saying that it carries a whole lot of the water for the Commissioners' Department. This is a position that is sought out by Department Heads where a lot of direction comes from this individual. It is also utilized as an outside source for groups like the Capital Improvement Board, Greater Fort Wayne, Inc., Northeast Indiana Regional Partnership in helping define the Commissioners' positions to others. It is a position that many of our Department Heads and other not Commissioner Department Heads will tell you is the lynchpin for decision making for the Commissioners. It is the position where many people stop before they come to the Commissioners to examine concerns, problems and policies a little bit further. Finally, the position of Public Information Officer is actually going down from SPECIAL OCCUPATION to PAT 4 based on the evaluation that was done by the Human Resources Department. I shudder a little bit because as we began the process, having played the Human Resources game for a number of years, I think it is important to get people on the grid if we can get people on the grid. It allows us to compare internally those positions to one another better than positions that aren't on the grid. Unfortunately in putting this position on the grid, the recommendation by the HR Department has been a decrease. This takes me to the fifth point that I wanted to make and is not on the agenda at this point but will be later. I know there is going to be discussion of a Red-Circle Policy. The Red-Circle Policy right now suggests that somebody's position that is

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downgraded will receive that downgrade in terms of pay within one year of passage of that position. I am asking you to strongly consider and approve what it is the HR Department will bring before you towards the end of this meeting. That is a policy that basically allows the position to remain where it is right now until such time as the grid or cost of living increases or what have you catches up to where the salary is. Part of the reason that I am making that plea, in this particular case, is you have an individual right now who is moving from a Special OCC position to a grid position and through no fault of his own and no real change in the job description is being recommended at a lower pay. Not his fault. The job hasn't changed. Because of our desire to try to get these positions on the grid, he actually ends up suffering. Again, I am asking you to favorably consider and in fact pass the Red-Circle Policy as it comes to you towards the end of this meeting. I appreciate you listening to me and I would be happy to answer any questions.

Joel Benz: Thank you, Commissioner. I will open it up to any comments here. Go ahead, Councilman Tippmann.

Eric Tippmann: This is for HR, when you evaluated these positions, what was the impetus behind them? Do they come to you? Do you do this as a routine?

Tom Fox: They requested the evaluation.

Eric Tippmann: The individuals come forth?

Tom Fox: The Commissioners came to us.

Eric Tippmann: Commissioner Peters, you said something very interesting in the evaluation you said HR debated whether we would favorably view an eight. Would that be part of a normal analysis of what a Council might do when you are setting what a position is worth to the County?

Tom Fox: Actually, I think Charity can speak to that more than I can.

Eric Tippmann: I thought this was a fair market and you look out at other analysis but that seems a more skeptical approach.

Tom Fox: There are a number of things that go into the analysis and comparing it to other comparable positions in the County and the reality of what the person is evaluated to go up and getting that approved figures into it. If that is paramount or the number one thing, I don't know. I was not involved in this particular discussion but a number of things do go into that.

Charity Murphy: Good morning, Council, I am Charity Murphy from HR. This was a unique evaluation. Generally speaking, we would always recommend where the position is scored. In this particular situation the incumbent in the position...

Eric Tippmann: What position are we talking about?

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Charity Murphy: The Executive Assistant. We talked about it at length and did not feel comfortable with putting it at the PAT 8 which would be putting him above his bosses. And at a level that would move him up two steps on the grid and at the same time have other positions that were staying the same or as we were talking about the other position under the Red-Circle Policy. It was a cost benefit analysis that we talked at length about and thought it was in the best interest to be scored at a PAT 7. It does score at a PAT 8 and that is accurate.

Joel Benz: Councilman Tucker.

Sharon Tucker: I would just like to remind that when we were in HR one of the things we talked about was that I said it was great that the individual wants to make sure he does what's wise and I think we have that same role. I was one of the ones that said why are we trying to force money onto him if he says he is happy with this pay? I think it is part of our job to be diligent on the decision that we make and we can't do it based on feelings either. I won't be supporting the PAT 8 because I think it is part of our job to be conservative. If it scores out I understand that but we also have people coming that are reducing. If it is settled at that amount and we are okay with paying the PAT 7 that is what I am going to support. That is what HR and Charity and the person that the position was bringing in and I don't see the reason to say here, take the money. It is \$10,000 and a lot of money.

Nelson Peters: Conversely, Councilwoman Tucker, if the position was to go down and the individual said no, no, please don't decrease me, would you make the same argument because that person doesn't want to be decreased you won't plug that description into where it needs to be on the grid?

Sharon Tucker: Coming around to your number five that is the same thing you are asking us to do if they are decreased by asking us to hold it until the grid catches up. I guess we will see at that time which vote will come.

Nelson Peters: There is still a penalty for the individual even with the Red-Circle Policy in that they won't get to enjoy the same increases as all of the other County employees would based on cost of living increased and grid increases.

Eric Tippmann: Your proposal is to minimize the damage to the person who is still going to be financially damaged, somewhat.

Joel Benz: Councilman Harris.

Tom Harris: Nelson, I was thinking of all of the people sitting around the table and I think you have sat in all of these seats on these kinds of discussions.

Nelson Peters: Probably true.

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Tom Harris: The question that I've got is that government doesn't change a whole bunch and some of these structures and some of these roles aren't necessarily changing. The tasks that are being added, as you know, they can have additional tasks but do they require additional skills to do some of these additional tasks? Is it just more volume? We are now looking at someone's job description and saying that we want you to do all of the job description or are we saying that we are going to add new tasks that are going to require new kinds of skills that you may or may not have. What are some that are being added to this position that haven't been there in the past?

Nelson Peters: Which position in particular?

Tom Harris: Probably all three but we can start with number three.

Larry Brown: Nelson if I could, before you answer that being one of the more senior members of this Council the Director of Government Affairs when I first came on Council, the Commissioners spent lots of dollars in Indianapolis for consultants to represent the County for various legislation. There was a time that it wasn't just one consultant but two or three. To the best of my knowledge that has stopped. The person that is in this position is carrying the weight and has progressed or expanded through education and experience and whatever. That wasn't mentioned but is a factor in my thinking on this position.

Nelson Peters: If I might, if you would look at number three as example, this used to be a position that was truly an Administrative Assistant. It didn't require a degree or very much experience and now we are looking for someone with a Master's degree and like five years of experience in an executive level position. That in and of itself is something that is a whole lot different than the way the position is. The Controller requires a Bachelor's degree whereas one time that wasn't the case. The Government Affairs is now someone who is also serving as a constituent liaison. That is a central point of focus for constituents to come to for airing their concerns and to expect a response. We didn't have a constituent liaison in that department when I first came aboard. Not only is she the Director of Government Affairs but also serving in another capacity as well. These are things that require different skill sets, different degrees of education and different experience that these positions didn't require in the past.

Tom Harris: Thank you for that but where do these individuals go after this step?

Bob Armstrong: Lobbyist.

Tom Harris: From a career path standpoint, for all three of these, are these guys at the top in the County structure? Where is their next step? I ask that on the basis that individuals always want to move up. Do we get them to a spot where they say they are okay if they can keep getting more money or do we say this is as far as this job pays?

Nelson Peters: We are now talking about individuals. As you well know, the whole classification game is really about the job and not the individual. I will tell you that two

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of the individuals that I have worked with for the better part of the last ten years are very, very dedicated to County government. I have absolutely no doubt they could leave and go to the private sector seeking a lobbying position or an executive position and make a lot more money than they are right now. They have proven their dedication by sticking around here. They aren't the ones who came to us and said fix my pay.

Tom Harris: But within the County structure, you see them moving to other positions or is this the top position that other Department Heads might want to get or do these folks leave this position to become Department Heads?

Nelson Peters: There is still room in the finance area for at least one of them to leave and find a higher paying job somewhere else in the County. The others have unique enough positions that I think from a career standpoint, they would seek something similar to what they are doing now.

Tom Harris: The reason I ask that is there is amount of increase that is going to stop that progression if these individuals are such that they intend to do something else.

Nelson Peters: I agree.

Tom Harris: It is not going to be money that keeps them from moving. They are going to say that now they want X. One other question I have and then I will stop is the internal equity versus external equity. Is this a concern on internal more so or external?

Charity Murphy: Internal.

Tom Harris: We are trying to align these jobs to fit other Department Heads?

Charity Murphy: Correct. That is the most important goal. Of course, external equity comes into play but absolutely internal equity is paramount.

Joel Benz: Councilman Tucker.

Sharon Tucker: Charity just said something. You are trying to align these jobs to fit internal equity with other Department Heads?

Charity Murphy: When you are looking at different departments, there may not be the exact same position as Government Affairs or the Chief of Staff, if you change the name, we do look at other positions that have similar job functions and similar duties and at the same level and want to ensure that they are adequately compensated at the same or similar rates. We don't want someone who is doing the same or similar job in one department at a level two steps higher than someone doing the same job in another department. That is very important, obviously.

Sharon Tucker: Okay, thank you because we have that with another department that we were looking at before. I think we want to remember though like with the Director of

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Government Affairs and these positions that we keep referencing the people that are in those positions but we have to remember to look at the job.

Larry Brown: To tag team onto that we talk about internal versus external equity, our biggest competitor is right in this building. Call it internal or external or whatever you want to call it.

Eric Tippmann: Would you call it high turnover right now in any of these positions?

Larry Brown: No.

Sharon Tucker: No.

Larry Brown: But if there was a vacancy that is what I look at. If there was a vacancy in any of these positions, what kinds of candidates could you get?

Nelson Peters: Council, there has been turnover of the Controller position as I mentioned before. I don't think you can always look at turnover. Turnover is obviously part of it. If you have a lot of turnover, you have to plug a hole and fix it. The other part of that equation is doing what is right and doing what is fair. As Charity talks about the comparisons that are made, there are no other specific jobs to compare a couple of these to and so you have to look at duties and responsibilities, level of education and so on and so forth. These jobs do compare favorably internally with some of their other counterparts in that respect.

Charity Murphy: I just want to add too that when HR is doing an evaluation on a position is very diligent about making sure that we are looking at job functions and scoring it based on the job and not the person. I absolutely understand those concerns. There may be a person that just rocks at their job and is awesome but if their job doesn't score at a certain level or the job functions don't actually make it as a PAT 5 for example, they should not be a PAT 5. We definitely take that seriously.

Joel Benz: Councilman Armstrong, you had a comment?

Bob Armstrong: I don't know where to start. I guess I need to start back here. Today, with all of these increases, Nick do we have a dollar amount of what this is costing us?

Nick Jordan: For just the Commissioners?

Bob Armstrong: For all of them. I am looking here and it says Appropriation Requests in the General Fund of \$46,970 and Other Funds, \$33,800. What is the amount of money we are talking about in all of these reclassifications?

Nick Jordan: Including the UPROB Grid, nobody else was asking for money today except the Building Department which they retracted. If you would have included the UPROB Grid and kept Mr. Caywood's position on there, it would be close to \$500,000.

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Again, nobody beside Mr. Caywood was asking for money today. If that change happens it is close to \$400,000.

Bob Armstrong: I am looking at these personnel request forms and everyone has on it has funds requested for 2018. That tells me they don't have the money if these pass today. They don't have the funding for it.

Nick Jordan: More than likely not in the Commissioners' budget because they have minimal staff.

Bob Armstrong: So that will be added cost.

Nick Jordan: I would assume that the Commissioners would have to come back and ask for funds.

Bob Armstrong: Okay, thank you. I am kind of lost because I thought when we did the Scheele report that we went through all of these job classifications and mid-range and market value and all of that. We as this Council, and if I am wrong correct me, we didn't do anything with Special OCC's. I was under the impression we were happy where they were and were going to leave them alone. It kind of baffles me that we are only three months into 2018 and we have all of these requests and nobody has money to fund them. Just to throw that out there. The one thing Nelson made a comment about is the position of Chief of Staff. I was doing some research in my spare time and in the State statute there is an Administrative Assistant for the Commissioners' Office. Are we not going to use the State statute and change that position to Chief of Staff? Then my next question is, is it your position that we are going to make that job now Chief of Staff and then turn around and hire another Administrative Assistant?

Nelson Peters: No, sir. We are not going to do that.

Bob Armstrong: It just seems, in my viewpoint, we have three paid elected Commissioners and we are now going to take responsibility and pay one person to be Chief of Staff over the three duly elected Commissioners. It just kind of baffles me that in the corporate world you don't see the CEO of a company hire a Chief of Staff and make more money than the guy running the show. That kind of baffles me. The other question I have or concern I have and I don't know if you want this in a motion form or what, but the position that is to be Red-Circled, I would like to see that pulled out of the vote until we have a further discussion on the Red-Circling. I think we are putting the cart in front of the horse on that whole issue now that they want to change all of that around. There was something else. Oh, the funding for the Governmental Affairs, I was checking and I can find in the budget that the position's wages are in two different line items.

Nick Jordan: There are three different.

Bob Armstrong: I could only find two line items. I don't know what the third one is but I know it is \$10,517. What line is that?

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Nick Jordan: For the Director of Governmental Affairs, there are three pieces to it, General Fund, Highway Fund and Allen County Onsite Waste Water Management.

Bob Armstrong: That is probably the \$10,000 that I couldn't find.

Jackie Scheuman: That doesn't require an appropriation.

Nick Jordan: The Onsite Waste Water Management doesn't require an appropriation. The General Fund and the Highway do.

Bob Armstrong: I agree with you, Larry. I remember back in the day we were spending lots of dollars but it just makes me wonder because I am not a big backer of hiring consultants and lobbyists because I figure we are supposed to be elected to do the peoples' business, why do we pay other people to get opinions? That position and I am not saying it isn't needed but there are only two sessions in the Statehouse, the short and the long. In that position, when I read the job description, it talks about helping the GFW and Regional Partnership and everything. Are we not giving money to the GFW? I know they have the lobbyists down at the Statehouse. That is not a question to be even talked about or debated. I am just wondering if this is actually a position that needs to be reevaluated and paid more money when the short session is January to March 15th and the long session is January to the end of April. Is that position warranted enough to keep that individual busy enough eight hours a day and five days a week? I just have a hard time with that whole position.

Joel Benz: Commissioner Peters, would you like to address that?

Nelson Peters: Yes, please. Let me start with the Chief of Staff request. Three Elected Officials is basically how the Constitution has written it. Good, bad or indifferent that is the way the hierarchy looks in County government. The Chief of Staff, in this case, is a whole lot like a Chief Deputy. If you are willing to deny everybody who has a Chief Deputy their Chief Deputy, then I think you can make the analogy that the Commissioners probably shouldn't have this Chief of Staff as well. When you talk about the higher pay that is not my fault either. Most of the Department Heads that the Commissioners oversee do in fact have higher salaries than the Commissioners. I think you have dedicated people who are willing to serve in the Commissioners role without coming back saying give us more money. I have no problem in this particular case with Department Heads who make more than what the Commissioners do. The State statute, I am not aware of any Administrative Assistant provision. That is absolutely new to me. With respect to the Director of Governmental Affairs, the legislative session is short and long. You are absolutely right but that doesn't mean all of the work ceases as soon as the bell rings. There is work that is done all year long with respect to getting the things that Allen County government thinks it needs to run more efficiently through the General Assembly. In working with the Northeast Indiana Regional Partnership and the Mayors' and Commissioners' Caucus and working with Greater Fort Wayne, it is absolutely essential that we coordinate our efforts on the things we can agree on so we have a

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stronger voice in the General Assembly when we go down to do our lobbying. Finally, with respect to that job, as I mentioned at the outset, it is not only doing governmental affairs because we recognize that in and of itself may not be the full-time job that we have talked about here. That is why it serves as a perfect repository to accept constituent complaints, respond to constituent complaints and ensure that we are meeting and responding to the needs of constituents in a timely manner. We never had that before. I think you will find that the people that call into the office are very appreciative of a quick resolution or a quick response.

Eric Tippmann: I am not personally in favor of the position but the analogy would be that not all of work at this Council begins at 8:30.

Bob Armstrong: I don't have a problem with that.

Eric Tippmann: That is the analogy for the position of how things work at the State level.

Joel Benz: Councilman Armstrong, I wanted to come back to you. You have clearly done your homework. Do you have some other points that you want to bring up?

Bob Armstrong: I guess the only thing I need, and not directing to Nelson, but on these positions are we going to vote on these as a group?

Joel Benz: I think individually.

Bob Armstrong: Individually. And do we also need to make a motion to set out the one position that is being Red-Circled?

Joel Benz: I think we can have that discussion before we vote on this if you would like and I think it is appropriate. Go ahead.

Larry Brown: I did not bring this up in Personnel Committee. I hadn't noticed and there were too many other things to absorb but I have since noticed that the positions are all 37.5 hours and to me they are all executive positions. Why are we identifying them as 37.5 hours and not exempt?

Nelson Peters: Again, the rationale was to get them on a grid and put them in a position where they could more easily be compared to other positions in County government. Frankly, I think all of the positions in one way, shape or form ought to be on the grid.

Tom Fox: By 37.5 they are still exempt.

Nick Jordan: 37.5 hours are still exempt.

Charity Murphy: Correct.

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Nelson Peters: I apologize because I totally misunderstood the question. Can I make one more comment here to Councilman Armstrong? This is not for an Administrative Assistant. The statute is for a County Administrator. There are a couple of Counties who have County Administrators. Elkhart County has a County Administrator. The County Administrator in Elkhart County makes significantly more than our current Executive Assistant. The County Administrator in Elkhart makes more than what we are requesting for the new Chief of Staff position. It is not for an Administrative Assistant. It is for a County Administrator and the State statute does allow the County Commissioners to bring onboard a County Administrator.

Bob Armstrong: We don't have that?

Nelson Peters: No.

Bob Armstrong: We don't have a County Administrator.

Nelson Peters: No.

Bob Armstrong: So what is the position that is being promoted to Chief of Staff?

Nelson Peters: It is essentially a County Administrator. If you want to call it a County Administrator, call it a County Administrator. It serves more in the vein of how a Chief of Staff would which is why we brought it in this manner.

Joel Benz: Councilman Busch.

Justin Busch: Very briefly, I agree with you Councilman Armstrong to vote these individually and look at number four, the PIO to be left off until the Red-Circle. I have a misgiving of seeing the \$5,000 decrease with him with transparency and communication being paramount to having the PIO losing funds when everyone else is being raised. I will make the point about the Chief of Staff, working in and for Elected Officials most of my life, a strong Chief of Staff can act on their behalf and is definitely a benefit to have that as opposed to an Executive Assistant. If you look at Allen County being the third largest County of all 92 Counties, I think Chief of Staff is well warranted and very helpful in what we do. I will be supporting this. In the offer of making this brief and conserving time, I will yield my time to the next Councilman that has a comment.

Joel Benz: Or Councilwoman.

Justin Busch: Or Councilwoman.

Sharon Tucker: My question is for Nick. Councilman Armstrong brought up that the Director is paid out of three different lines. Are those combined in this total or are they in addition to?

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Nick Jordan: The total for the Director of Government Affairs is one salary just paid from three different places, three different funds.

Sharon Tucker: Thank you.

Eric Tippmann: I just have a couple of comments, maybe for Charity. Which of these positions suffers from the worst internal equity problem disparity?

Charity Murphy: Currently, as they are?

Eric Tippmann: Correct. As you looked across, I get it that the Government Affairs doesn't have an equivalent someplace else but maybe...

Charity Murphy: I would say the one that was scored the lowest or was at the level lower than what it was actually scored at would be the one with the least amount of internal equity, the Chief of Staff. All of them, if they weren't scored correctly didn't have internal equity because the other County positions that were at PAT 6 have already been scored and placed on that level and would have similar duties.

Eric Tippmann: There are other Controllers in the County.

Charity Murphy: Correct.

Eric Tippmann: How does this one compare, for example? That seems more of an apples to apples comparison.

Charity Murphy: Yes. There are plenty of PAT 5's in the Health Department, in the two Courts, the Sheriff's Department and so yes it is equitable to those Controllers.

Sharon Tucker: That is putting it on the grid right? When we did the review as SPEC OCC's, they were all at or above the mid income and that is why we didn't mess with any of those because the SPEC OCC's positions were at or above for all of our individuals.

Eric Tippmann: My other point, I want to echo what Councilman Busch said but probably not in the way he meant. Of course we value that position but adding additional dollars doesn't or withholding it doesn't mean we value it any less or we won't have a competent person. We have that right now. I don't necessarily buy the argument or logic that by doing this we will suddenly have that valuable person in this important position. We have it regardless.

Justin Busch: I think it is what HR evaluates this position to be though. We are looking at half a Congressional district that is apprised of Allen County. I think looking at the salary \$76,000 makes sense to me and HR. That was my argument.

Joel Benz: Councilman Harris.

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Tom Harris: Sometimes within departments, when some jobs move up and others move down and duties move around a little bit are any of the duties added to these positions requiring less of the Commissioners?

Nelson Peters: I don't think so.

Tom Harris: So you are not delegating some of those tasks?

Nelson Peters: It hasn't freed up anything for me. It allows me, perhaps, to do more in other things and be places that I otherwise couldn't be.

Tom Harris: And that might fit to some of the complexity of the County as it continues to grow and all of the things that are going on the level of responsibility and accountability for the Commissioners' Office, if you will, continues to grow as well.

Nelson Peters: There is no question.

Tom Harris: You are over a number of departments. Does this set precedence that you are making some of these changes and your other Department Heads are going to be lining up also wanting increases or will this slow it down?

Charity Murphy: In particular, the Chief of Staff position, as a Department Head and the other Department Heads would agree with me that this Chief of Staff position we rely very heavily on in helping us in our operations. Every one of us, I believe, are paid significantly above that position and this would even that field to make the internal equity to where he would be or near other Department Heads. Again, this is a department that hasn't come in at least five years and if there are other departments that haven't come before Council, the goal is to get them in here and reevaluated. Most departments have been evaluated and I guess all of the departments get into the cycle of reevaluate or are initially evaluated and then we would start over on reevaluating. I wouldn't anticipate a department that has been evaluated three years ago that there would be significant changes in that amount of time.

Joel Benz: My hope is that at some point where we have evaluated everyone and are all equal and then we can make adjustments as we have done previously to the grid.
Councilman Harris.

Tom Harris: My last comment will be that I will be supporting the Government Affairs position but I also want to talk about a performance concern. The concern is that I served as President for a year and I think I have been on Council for eight years. Over those eight years we have continually wanted to be active or participant in setting the County's legislative platform every year and consistently we have not been at the table or been involved in that process to the extent that we planned or wanted to be. I will be in favor of voting for that on the basis that we get County Council involved in that legislative process straight up. We are consulted. We are communicated. We have a platform and

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some interest that we would like to see progressed as well. I think that role or that position needs to be in touch with County Council more effectively.

Nelson Peters: We have never intentionally excluded County Council. We have had the opportunity during the legislative season to meet with past Presidents of the Council and generally have utilized those meetings as a conduit to provide Council's legislative agendas. I understand what you are saying.

Tom Harris: I think members around this table have had those discussions over the years that we just need to be in that process more effectively.

Larry Brown: I guess a little bit shame on us. It has been traditional that the Council President has been the liaison to the Commissioners and if we, as Council members, have not communicated to that Council President or the liaison to the Commissioners that we have a particular legislative issue or concern again shame on us. My experience has been that two different times I have been liaison to the Commissioners and never did I feel that we were excluded in any way, shape or form. Actually, the opposite, I felt included.

Tom Harris: I would respectfully disagree with that.

Larry Brown: That's fine.

Tom Harris: We have had discussions at this table that once again the platform has been established and we were not part of it.

Larry Brown: I challenge you, shame on us.

Tom Harris: I think it is a job responsibility of that position to make sure there is communication going on.

Joel Benz: Councilman Armstrong.

Bob Armstrong: I agree with what you are saying there. Why can't we take, when we get ready to roll for next year, why can't we meet in special meeting prior and have that discussion? I kind of make a joke to myself because you go to the legislative breakfast or afternoon meeting and it is set as the Allen County Commissioners Legislative Agenda. Is that their agenda? Do we not have the right to our agenda? Financially, things that cross this table about fees and per diems and everything that is a concern of ours because we are the financial arm. The Commissioners are looking at other issues, economic development issues or whatever. There are two different entities that probably have two different agendas.

Nelson Peters: It is a matter of semantics. I agree with what Councilman Armstrong said that it is what the placard said. Indeed, in recent past, we have carried legislative initiatives for the Assessor, the Recorder and a number of other departments under the banner of the Commissioners' agenda.

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Joel Benz: Although I haven't come around to that I feel that you guys have been open with us about any needs that we have to bring to you. As issues arise, let's certainly sit down and talk about it and include the Commissioners and the Director of Government Affairs or whoever needs to be included in that. I think, at this point, we need to discuss the Red-Circle Policy.

Larry Brown: I would offer an alternative. When we get to item four, I believe the recommendation that is so stated here follows current policy. I think our discussion, under Discussion items, is changing the policy. I would recommend that we follow the current policy with this vote on this position and then later we discuss the Red-Circle Policy.

Bob Armstrong: We would have to come back and amend our vote if it changes for this position.

Larry Brown: Maybe.

Sharon Tucker: I think it is a moot point. If I remember from the committee meeting, when this individual goes in for his step increase, it will take him out of that Red-Circle area?

Charity Murphy: This wasn't this position.

Sharon Tucker: Okay. How long would this one be in the Red-Circle? A year, if we keep the contract?

Charity Murphy: I am sorry, I don't know the answer.

Sharon Tucker: Never mind, I withdraw the question.

Justin Busch: I think where this body is going to fall on the Red-Circle Policy would affect my vote on number four.

Larry Brown: Okay.

Nick Jordan: Four years.

Charity Murphy: Four years.

Joel Benz: Let's go ahead and bring it up.

Bob Armstrong: I have a question. My question or concern still is on let's just say the very first one for the reclassification? Is that one vote? And then we are going to vote again on how we are going to fund it? I am going to have a hard time voting without knowing what it is going to cost us.

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Joel Benz: There is no funding component to this today. The Commissioners are saying that if this were to take effect immediately, you would find the funds in your budget for the remainder of this year?

Nelson Peters: No, we would likely come back.

Joel Benz: Okay. You would come back to us.

Bob Armstrong: So we are voting for the language of the reclassification but not the funding.

Joel Benz: Correct.

Nick Jordan: There is no appropriation on the agenda. It wasn't advertised or determined in time. Every single salary ordinance has the subsection two that says additional funds are needed or not needed, based on the Personnel Committee and then it is noted if additional funds are needed.

Bob Armstrong: So why couldn't we just make a motion to vote on the reclassification?

Nick Jordan: You are voting only on the salary ordinance. You are saying that you agree with the salary amount...

Bob Armstrong: We just don't know how to pay for it.

Nick Jordan: That has to come, as a matter of law, as an appropriation. Unfortunately we couldn't do it for this meeting.

Sharon Tucker: They will come back and say that we approved it and now we need to appropriate it.

Nick Jordan: Unless the Commissioners can find the funds but I doubt it.

Nelson Peters: We will look but in all likelihood we will be back.

Joel Benz: All right, Council, let's talk about the Red-Circle Policy.

Nick Jordan: It is in your notebook on page 71.

Nelson Peters: Just to be clear, what I am asking for on the Executive Assistant to the Chief of Staff is actually a PAT 8 and not a PAT 7.

Joel Benz: Charity, would you give us an overview of where we have come from and what the proposed changes would be?

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Charity Murphy: The Public Information Officer position was the first position to come up under the current Red-Circle Policy since I became the HR Director. I do not think, for several reasons, this is an appropriate Red-Circle Policy. What I hope we can do is change the policy to be that if an employee is Red-Circled through no fault of their own that the position is frozen at the rate that they are currently at. If they are frozen, they wouldn't be entitled to any increases including the cost of living, shift differentials, bonuses if it is one of the positions that have that or technical salary increases until such time the base salary meets or exceeds the level they are currently at. Like I said, there are multiple reasons for this policy and foremost if for employee retention and morale. It is very hard for departments to maintain employees if they are asking them if they have been here ten years and all of a sudden they hear that they are going to lose the salary. Yes, they are given a year but generally they are taking that year to find another job. That is very costly to a department and the employee as well. To the department, I don't have exact figures but the cost to hire and train, turnover is costly. That is another reason I don't like the policy. In 2011, when the current policy was established, there have been 29 positions that have been Red-Circled. There were a few positions that I couldn't find the data on where they went or how long it was until they left but at least half and I believe 17 of the 29 positions left or transferred. That is a very high turnover rate. I think this one would slow or stop that process. They would still feel valued and understand that it is not their fault or are doing a poor job. Those issues should be addressed as performance issues and this is because of outside factors. The other reason is we do value getting employees on the grid and in this particular instance this was a Special Occupation that getting on the grid moved back in salary. Being on the grid has benefits because these employees are given longevity increases whereas when they are in Special OCC, they are not entitled to those longevity increases. They stay at that level unless their Department Head comes before Council to ask for an increase. In the past, we have had departments that know a position is going to be Red-Circled and so they just opt not to bring them. Let's say there is a person that has been in that position for twenty years and they know that it is going to go back. The department is not in favor of saying that you have been a loyal employee for 20 years, you are in a protected status and we are just going to go ahead and take pay away from you when you are doing the same thing you were doing yesterday. They have just opted not to bring that one. The thought is that when that person retires or leaves then we will get it correctly classified. That doesn't always happen because it is up to the department to bring that situation to us. That would fix this problem. It would be correctly classified now and that person would not lose any pay. If they left, the new employee would be at the correct level.

Joel Benz: In essence, the past policy has been really a result of changes in the HR direction and where people were put on the grid. I feel that we have spent a lot of time trying to fix those issues. This allows us to continue to do a better job of fixing them. I am going to ask Councilman Brown for a little historical perspective because he was on Council when they discussed it. I think the policy that is currently in place was because there were some positions that were out of whack and needed corrected. Hopefully over time we have somewhat corrected those. Moving forward, I would like to bring those remaining positions in line. Councilman Brown, can you shed a little light on where things were at?

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Larry Brown: If you read the minutes from 2011 that Nick shared with us as well as the two different policies, it was done for a very good reason at that point in time. It still left a gray area and that is if the reduction was exactly ten percent then it could be interpreted to be two years or one year. The reading is ten percent or less or over ten percent. What if it is exactly ten percent? I think that wording needs to be fine-tuned.

Eric Tippmann: I thought Tera fixed that later in one of her comments.

Nick Jordan: Yes, the way it is now is ten percent or less is one year and then more than ten percent it is two years. That was addressed at that time period.

Larry Brown: At the time it seemed like the right thing to do. I want to say it was in the Courts but I am not sure. There were positions that were overclassified and there was going to be a substantial pay reduction and it was deemed appropriate at the time that it be done over two years. The thing I wanted to ask Charity and/or the HR team, do you think a Red-Circle policy is best when it is black and white like is being proposed or a little more gray so that it could be adjusted to fit individual circumstances? The Red-Circle deals not with the job but with the individual. It is about the incumbent. No two incumbents are the same. Job descriptions are job descriptions. You evaluate that job description accordingly. The Red-Circle Policy is about the incumbent. My question is, do you feel it should be black and white or should it be gray that gives administrative staff a little more flexibility?

Charity Murphy: I like flexibility. I like the opportunity to take every situation into account and make the best decision. I am also in favor of having written policies in place so that the policy can't be taken advantage of. I don't like the idea of having a situation that is just black or white. I like there to be some interpretive ability there. I don't know how you do that in a written policy. That is why I had a proposal and it was a small proposal because there are situations that will be different. Say, for instance, a department decides they need to reorganize the entire department and jobs are going to fundamentally change. This is just a few essential functions falling off. They fundamentally change. That may be a situation where the job is totally eliminated and they apply for a new position. There is leeway in there even though it may be the same person. That is why I didn't try to put every single situation that could occur into the policy. I am open to other suggestions or thoughts on how to alter that policy.

Larry Brown: Tom, I am interested in your opinion.

Tom Harris: Thank you. I signed this as well in 2011. I have been in HR for 25 plus years and this policy is something that the private sector does. I have set these up in private sector companies. Lincoln Life had a policy similar to this. When you make these adjustments, you have to have this come to be. While I agree that the concept of gray it can become a liability that we do it for one person and not somebody else and I kind of like this policy from that standpoint. If we didn't have this, would all of the people on

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Special OCC's now choose to become on the grid? All of a sudden they are going to gain some ground on the longevity clause.

Larry Brown: Maybe not.

Tom Harris: If you had a Red-Circle Policy, they would want to stay where they are on Special OCC. If you don't have a Red-Circle Policy, they could say they don't want to go to the grid. What I am saying is if we were to eliminate this process, I think it would cause another lineup of things to happen that we don't want to happen. I like this policy and I think it is fair.

Joel Benz: You are saying the current policy?

Tom Harris: Yes. I understand the idea that people do turnover but we are talking about equity of a job and should we be paying that person. We are saying we are going to let you retain this for another twelve months and then it drops and then another twelve months we do that again. It is not like we are eliminating it immediately. The point is that we are giving it some time for that incumbent.

Larry Brown: If the reduction is 9.9%, it is twelve months.

Tom Harris: The point is that it is not happening tomorrow. We are letting them be paid for a job that we say should be paid less and we are going to let you stay in that job for twelve months.

Larry Brown: Charity is saying, to reiterate, during those twelve months they will be looking for a different job most likely. Retraining and turnover and all of that are costly to the department.

Tom Harris: And I do understand that but to the taxpayers of the County, we are paying someone more for a job than we should.

Larry Brown: But you are going to pay, if that is your thinking...

Tom Harris: If they don't leave... You are on the assumption that they are going to leave, right?

Joel Benz: That is a big if.

Tom Harris: And not all of them have.

Nelson Peters: Can I just add one thing? I know for a fact and I am not going to disclose which ones at this point, there are people coming to get jobs reclassified from Special OCC to the grid because they know it is likely to a reduction. I honestly think you would encourage more departments to come to have those Special OCC positions placed on the grid if indeed you were to adopt the policy that is being proposed.

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Sharon Tucker: Is that a good thing though? If they come from Special OCC's to the grid, they take maybe a small reduction for however long the time period is and then they go to step increases which increases them in the long run.

Nelson Peters: It depends on what your goal is. As an old HR guy, I think it is to create equity or establish equity. The more people you can get paid off the same sheet the greater chance of establishing internal equity across the board.

Sharon Tucker: Charity, I have this question. You said in your proposal that this one that we are looking at could be Red-Circled for four years if we take your proposal and implement it.

Charity Murphy: It may be less because the base salary may get cost of living increases and so the base will go up but he won't go up.

Sharon Tucker: Let's just say it is two years or three years. Do you not think that in two to three years of not getting a raise an individual wouldn't be looking for another job?

Charity Murphy: I think it is the best way to get equity without decreasing the salary. It is not the perfect solution. The perfect solution is what some company's do which is to freeze the base salary but continue to give them cost of living increases. In this situation it takes longer time for that base salary to catch up to where that person is. I'll say too, I did a lot of research on market trends right now with Red-Circle Policies and this is more of the way that companies are handling the Red-Circle Policy. They are not taking away an incumbent's pay. Possibly that is how it was done in 2011 because the market was very different then. Most companies, for many of the reasons I articulated are doing one of two things, freezing an employee's pay or continuing to allow them to have cost of living increases but never increasing the base salary.

Sharon Tucker: I am not a fan of decreasing anybody's pay when it comes to that. I like how Caywood did his because the position is empty. I don't like decreasing pay because we don't remove job responsibilities. When we talk about increasing the job, we ask about what responsibilities have been added to the job but we don't decrease the responsibilities when we change the pay.

Joel Benz: Councilman Busch.

Justin Busch: I think HR is more of a compromise. I kind of share the sentiments of Councilman Tucker that you look at the time of plenty where we raised salaries and brought them to a market value and now you are looking at an individual who has been doing the job and thinks he is doing it well and the thing is not performance based but we are going to dock your pay by \$5,000. We are a team here and we are all making the same money but we determine tomorrow that Councilman Harris is going to take a \$5,000 decrease. The morale, as a whole, I have a problem right now of decreasing someone's salary through no fault of their own and so I will be supporting the measure.

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Bob Armstrong: Supporting?

Justin Busch: The new Red-Circle Policy. Freezing the pay until it catches up instead of a year by saying you are going to lose money through no fault of your own.

Joel Benz: Would you care to make that in the form of a motion?

Justin Busch: That is the form of a motion to approve the resolution of the Red-Circle Policy.

Larry Brown: Basically it says that the salary will stay frozen until cost of living and steps catch up and then they are back on the grid. I will second that motion.

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

Nick Jordan: Can I just add for the record for Resolution 2018-03-15-01?

Joel Benz: The motion passes 5-1(Harris)-1(Armstrong abstained). Now that we have that out of the way, let's move back the original requests. I think we will take these one by one here. Start with the Controller.

Larry Brown: The question that is a good question, if we passed and accepted this new Red-Circle Policy, how does that affect current Red-Circled positions?

Tom Harris: That would have been good a minute ago.

Charity Murphy: My hope was that if there are any, I don't know where some of them are, if they are here or have left. My hope would be that we could freeze them at the level they were at.

Larry Brown: So the new policy would be retroactive, so to speak.

Sharon Tucker: I guess Jackie would be able to answer but wouldn't that be effective today but if you make it retroactive but you have someone who is on the second year of the drop, do we go back to increase that?

Jackie Scheuman: There is only one person on Red-Circle. There is no one other than Bob who is Red-Circled at this point. That was approved at the last meeting. If you tell me to include that under the new policy, we can do that.

Nick Jordan: Make a motion to make it retroactive to January 1, 2018.

Justin Busch: I would like to amend my motion to make it retroactive to 1/1/18.

Joel Benz: The comments are that there is only one person who is currently Red-Circled.

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Larry Brown: I will second it.

Sharon Tucker: Can we since we already voted on it?

Joel Benz: Make a second motion.

Justin Busch: I am going to make a motion that Resolution 2018-03-15-01 be retroactive to 1/1/18.

Larry Brown: Second.

Joel Benz: All in favor say aye, those opposed, like sign. The motion passes 4-2(Harris and Tucker)-1(Armstrong abstained).

Sharon Tucker: I am going on record that I am in opposition of that. I didn't say it loudly enough.

Joel Benz: I think at this point that we have kind of beaten these up and down. I want to point out this is one that is not coming from Special Occupation. I am certainly in favor of any of these that are moving onto the PAT grid. I think it is important that we do this from an internal equity point. Is there any further discussion related to the Controller?

Tom Harris: I will move for the request for a salary ordinance reclassifying the Controller from PAT 4/2 to PAT 5/2, \$46,970 to \$51,667, 37.5 hours per week.

Justin Busch: Second.

Joel Benz: We have a motion and a second.

Sharon Tucker: You pointed out that this is not coming off of Special OCC's but is an increase for PAT.

Joel Benz: Correct and I believe that Commissioner Peters pointed out that this is an internal equity issue for his staff.

Nelson Peters: Correct.

Joel Benz: All in favor say aye, those opposed, like sign. The motion passes 6-1(Armstrong). The second one here is the request for a salary ordinance for the Director of Governmental Affairs. I wanted to point out here that Commissioner Peters took a little bit of a chance bringing the Special OCC's to us because he had one that was going down and I do think it was a measure of good faith that he said he would come as a department and having these reclassified in the hopes that it would encourage other departments to come forward. I think he was making a bit of a bold move here to set some policy by going out on a limb, so to speak. Potentially one of his employees could

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go down by opening himself up to evaluation. I appreciate your move and do hope that other departments follow suit and come before us so we can get this internal equity dispute resolved.

Larry Brown: Move for approval of the request for reclassification of the Director of Government Affairs from SPEC OCC to PAT 6/5, \$60,215 to \$67,586, 37.5 hours per week.

Justin Busch: Second.

Joel Benz: We have a motion and a second. Is there any further discussion? All in favor say aye, those opposed, like sign. The motion passes 5-2(Tippmann and Armstrong). The third item on the agenda is the Executive Assistant to Chief of Staff. I think it has been long enough since we went over this but Commissioner Peters is requesting this to go to a PAT 8. The proposal from HR is PAT 7. It came through Personnel Committee and we discussed it a little bit of time. I appreciate, Nelson, you going to battle for your guy. All things considered, I think the individual in that position and we are not talking about an individual I believe that is the right place for this to be scored, at this point. I concur with HR's recommendation of a PAT 7.

Larry Brown: That is not their recommendation.

Joel Benz: That is their recommendation.

Larry Brown: That is what it says but she clearly stated it scored at a PAT 8.

Joel Benz: She said it scored their but the recommendation was PAT 7.

Eric Tippmann: I will make a motion that the request reclassifying the Executive Assistant to Chief of Staff, PAT 6/5 to PAT 8/5, \$67,586 to \$82,482, 37.5 hours per week.

Joel Benz: We have a motion. Do we have a second?

Larry Brown: Slow down the bus here. I am still trying to process this.

Eric Tippmann: In the future when there is only one Executive instead of three Commissioners, this is going to be an important position.

Bob Armstrong: Are we going to Red-Circle them?

Tom Harris: We will look at the wage increase at that point because we will be saving the other two Commissioners' salaries.

Eric Tippmann: That will be one of our legislative agenda items.

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Larry Brown: I have tried to follow. We have an HR Department and we rely on our HR Department, why not follow their recommendation? That is why I asked pointed questions about what is HR's recommendation and now that we have a motion to not follow HR's recommendation...

Sharon Tucker: He put it in for eight.

Larry Brown: I know and that is not HR's recommendation. Maybe what it scored at but not the recommendation.

Eric Tippmann: They did a calculation...

Larry Brown: I understand that I am being real technical. Sitting on the Personnel Committee, this issue comes up every single time. Somebody always tries to justify a different outcome than what HR scored the position.

Larry Brown: I struggle.

Bob Armstrong: So do we and so is the answer we hire a consultant because you know everybody has an opinion.

Joel Benz: I for one believe that HR does a good job. They do their homework on other positions and they felt like that this should be a seven. We have a motion on the floor.

Larry Brown: One last comment. I disagree. I sat in that Personnel Committee meeting and it was incumbent driven. And that's why it came through as a seven instead of an eight, strictly because the incumbent requested it.

Tom Harris. Technically there is no second at this point and so I don't know if there is a need for further discussion.

Joel Benz: There is no second and so the motion dies. Is there any further motion on this item?

Tom Harris: I will move to request a salary ordinance reclassifying the Executive Assistant to Chief of Staff, PAT 6/5 to PAT 7/5, \$67,586 to \$76,372, 37.5 hours per week.

Justin Busch: Second.

Joel Benz: Councilman Brown, do you have something further to add?

Larry Brown: No.

Joel Benz: All in favor say aye, those opposed, like sign. The motion passes 4-3(Armstrong, Tucker and Tippmann). Then the final item is the PIO.

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Nick Jordan: Make sure you are getting those to sign. I am just making sure they are all going around. On the final one, cross out March 15, 2019 since it stops at Red-Circle.

Tom Harris: I will make a motion for request of a salary ordinance reclassifying the Public Information Officer from SPEC OCC to PAT 4/5, \$59,423 to \$54,373, 37.5 hours per week and Red-Circled.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-3(Armstrong, Tippmann and Tucker). I think at this point this Council is in need of a slight recession. We will meet back here at 10:45. Okay, Department 54, Youth Services Center.

Nick Jordan: They are not here because I told them I would handle this. It is just an accounting measure transferring from Utilities to Office and Computer Equipment to replace a scanner and laptop. You have to do this in a public meeting and there are two more of these coming up.

Joel Benz: Councilman Tucker, as the liaison, do you have anything to add?

Sharon Tucker: No, we talked about this and I told them there was no reason to come. I will make a motion for the transfer of \$1,200 from Utilities to Office and Computer Equipment.

Larry Brown: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Superior Court is the next item on our agenda.

Charles Pratt: Charles Pratt, Allen Superior Court Family Relations Division.

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

Tom Fox: Tom Fox, you know me.

Joel Benz: Thank you for taking the time to come and discuss this with us. I know there are a lot of changes occurring in your neck of the woods.

Charles Pratt: I don't know if it is mine to announce but we have received word from the Governor's Office that Andrea Trevino, who is a Magistrate in the Circuit Court, has been appointed by the Governor to replace Dan Heath. I am sure there will be some official announcement but I have had enough emails flying around while you were having your prior discussions and am pretty certain that is an accurate report.

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Joel Benz: We wish her the best of luck and I am sure we will be seeing her in the not too distant future. We have before us some requests for several reclassifications and changes within the Court. Would you care to explain those?

John McGauley: We will start with number one because it is probably the biggest ask that we have on your agenda today. It is for the creation of a new position that we have been working very diligently for in the last three plus years to avoid needing to make this request. We have done a lot of reengineering of staff, reorganization and even a position elimination a little while back to try to surge resources into a division that is getting busier by the day. I brought some statistics with me and just the number of new filings that have gone into Judge Pratt's Court in the time that I have been there. I am talking 2014 to present it has gone up 36%. Some of his most complicated cases, Juvenile CHINS cases, are up 30%. Termination of parental rights has gone up 50%. Divorces are almost as much at 47%. The problem we have is having the staff resources to take care of the paperwork and the product that needs to be generated on a timely basis to handle this caseload. We have tried everything we could over the past few years to deal with this without asking for a new position but it simply isn't working. We are able to realize small gains here and there only when we have the opportunity to surge resources into the division. We can borrow somebody here and there from time to time to help us catch up but when we lose those resources back to where we borrowed them from we start to get behind again. It is not something we want to do or have happen on a long term basis. We are here to ask for a new position. We had considered asking for an additional Court Reporter because on any given day, we have four Courtrooms in operation and three Court Reporters. The less expensive way to do this would be to ask for an addition to our front line of Customer Service and Court Service Representatives in the Family Division. It is a substantially less costly position and in our internal discussions we decided it would be the fairest option to ourselves and a more palatable ask to Council.

Charles Pratt: One of the problems we have is, for example yesterday Magistrate Morgan, Magistrate Hartzler and I were each running full Courts. When we run a full Court in Child in Needs of Services cases, we are each generating between eight and eleven hearings in the morning and eight to eleven in the afternoon. All of those are orders that are multipage orders that have to be timely issued so that the parents and Department of Child Services understand what the directive in terms of services is. Most of the people that can type those orders are Court Reporters, for example, are in the Courtroom. With the addition of how Odyssey Case Management Services works, all of the queues come from electronic filing and my Court Reporter probably spends 40% of her day just processing those queues to get them clerically taken care of. Some of that work didn't happen on the Court side. To make for a perfect storm, we get the opioid crisis and everything else that has been happening culturally in our communities, we are at the point where we are hiring part-time help with some excess funds to get this done. That may seem to be a band-aid that would work but my problem is that with the case management systems into which all of these orders must be input, you can't do what it was like when I started in law and hire someone who can type. That doesn't happen anymore. You have to understand the entire case management process and how to input the orders, how to process things and put in the data. That can mean a couple to three

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weeks of training just for part-time and by that time, we are even further behind. We have discussed what we really need is a typist. I mean that in elevating the person's position. That is an extremely important spot to make sure we are giving timely orders, make sure we are being efficient and with the additional person I believe we can do some efficiencies with it in regard to our mediation process by which we can have that person in those rooms issuing orders much more quickly. There are some cost efficiencies that may be realized. We are already spending a great deal out of Part-time Hire just so I can breathe air at the top of the water.

John McGauley: We can't sit here and put numbers to this right now but there are cost impacts to the backlog that the Judge is referring to that we think will have a demonstrable effect on other parts of our budget. It might not be a 100% wash of what we are asking you for here today but I made this commitment some time ago to our liaison, Councilman Benz, we will come back to you and prove this. We will come back and prove that this amount of additional help had an impact on our bottom line and our ability to turn around the work product of the division. We think it will be immediate and dramatic and very helpful to everyone involved and we are more than willing to come back here and prove it.

Joel Benz: I want to pick that apart a little bit because when you came to me and talked about this, we talked about the delays that are caused by this. Individuals that are under your jurisdiction have to come back in for additional paperwork which creates a snowball effect. Instead of being caught up, getting your paperwork and being sent on your way you now have a three or four week delay and in that time period you are coming back in creating additional cost for the Court, right?

Charles Pratt: Yes.

Joel Benz: That is where you are saying you are going to see...

Charles Pratt: One of the areas.

John McGauley: And it also impacts the Department of Child Services because they are so intimately involved in what we do in the Family Relations Division. This will have an effect on everybody that works there.

Charles Pratt: Just to give a concrete example. I have a Wardship Termination Order and it doesn't get out right away and a month goes by, there is a State Guideline requirement that the Case Manager still has to go out and visit the family. If they don't have that physical order that says Wardship is terminated, because of the backlog, they are going to send a Case Manager out to the home just to comply with law. If we can get these things out, as we should, then that cost would not occur. That would not be on the County budget but it sure would be impacting DCS.

Tom Harris: Has any of those happened up to this point?

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Charles Pratt: Yes.

Tom Harris: You have already had some fines or fees?

Charles Pratt: Not fines or fees but the fact that DCS has to send a Case Manager to a home on a case that I verbally, in open Court have closed.

Tom Harris: This position is not a Court Reporter.

Charles Pratt: No, it is a staff typist.

John McGauley: This is essentially a clone of the job description we have of five Court Services Representatives in the division now. We can multitask this person at a point when we get caught up. We don't want this position to be just a typist but needs to be a typist until we get this backlog caught up and help us keep caught up.

Charles Pratt: I prefer this to a Court Reporter because I need someone who can stay at it at the desk and power out the orders.

John McGauley: And is about \$5,000 to \$8,000 cheaper.

Joel Benz: Councilman Tippmann.

Eric Tippmann: Will this do away with the part-time help and if so, how much of that would be covered in the budget?

John McGauley: What we are doing now is bringing people in when we have the ability out of the Part-Time Help line. It will remove that expense. Will it eliminate the line? I don't think so. That has been a part of our budget for quite a while.

Charles Pratt: This will also help us in terms of vacations and unexpected absences. I am down two today and I was down two yesterday. That brings things to a halt because I don't have anybody to cover. I have no flex at all.

John McGauley: To put a little more meat on the bones, some of the statistics that I read to you earlier, I said that total filings just in his Court are up 36%. That is 600 cases just in the past three years.

Charles Pratt: We had a rise in CHINS cases of about 200 just in 2016. That corresponds to termination of parental rights. What you need to know it's just not like in a Child in Need of Services case we have another review every three to four months.

Eric Tippmann: Do you assign the attorneys at the Child...

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Charles Pratt: Public Defenders are done through the Public Defenders' Office. We appoint and then the Public Defenders' Office takes care of that budget and I appoint the Guardian Ad Litem or CASA as is mandated by law.

Eric Tippmann: The only reason I bring that up is because it is another expense.

Charles Pratt: The Public Defenders' Office is doing some things to streamline with my office and making some significant changes that I think you will hear about later. We are looking at how we can streamline some cost to further enhance CASA because that would ultimately be a cost benefit to the County. That is down the road a little bit.

Tom Harris: One further question. Is there any chance to move these funds out of Extra Deputy Hire?

John McGauley: Our Extra Deputy Hire is for the entirety of Superior Court.

Tom Harris: I understand but if you are hiring people now to do some of this and this position would be a new position with benefits and all of that. This would eliminate or at least reduce the need to pull from Extra Deputy Hire.

John McGauley: Not historically.

Tom Harris: Maybe half of it.

John McGauley: That is how we are handling it now. Historically, we need that line. I can't tell you, sitting here in March, if we can give up that much of it for the year across the board. I can tell you that we are doing that now based on a bit of an educated hunch that we could come to you and ask for this position. We won't have to do this in perpetuity and so that we can re-devote those resources to the rest of Superior Court sometime in the near future. We are taking a bit of a chance.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Just a couple of questions for you. One is that I remember the number of times that you guys have come and made adjustments without asking for funds. I would imagine that things are getting a little tighter. In 2016 we had talked about the number of times that you came down in 2015 and then kind of backed off. You have done everything you needed to do and I support and understand why the addition is needed this time. I am curious as to knowing that you need the funds and knowing that you have the request here why there was no request for the funds to be allocated today. I wished I would have asked that question from other people.

John McGauley: We indicated on the Personnel Committee request form that we needed the funds. Do we need the money in March? No. Can we afford this out of our budget of what we have extra knowing that we are doing things like paying our Law Clerks that we recently got without additional funding? I can't sit here and tell you that we can fund this

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out of reserves for the entirety of the year and in fact, I doubt it but we did indicate that I thought we needed to fund this.

Sharon Tucker: Okay, I think my concern is not so much for you and for all of these requests that have come is that we are approving them and the departments will come back with you approved this and now we need the money. We have to keep that in mind when we make the approval that is going to be used five months down the line when we tend to forget that we did approve it and now we have to give them the money.

Tom Harris: You have pleasantly surprised us many times with some great news and maybe when you come back to tell us that you did find some money to actually cover this it would be a beautiful thing and we look forward to it.

John McGauley: If I can pull that off, I will be the first one at the table that day.

Joel Benz: Council, is there any further discussion? If not, I will entertain a motion.

Sharon Tucker: I will make a motion for the request of a salary ordinance establishing the pay for the Court Services Representative at OSS 4/2, \$35,349, non-exempt at 37.5 hours per week.

Bob Armstrong: Second.

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

John McGauley: We thank you and we will come back and report on this.

Eric Tippmann: I have to warn you a little bit. It is dangerous to be sincere unless you are also stupid.

John McGauley: I will reevaluate what that means.

Eric Tippmann: It was Samuel Clemens. Why couldn't I remember that?

John McGauley: It may give me some indication of what that means that I am still sitting here.

Tom Fox: The next two items are under the Court's budget but are actually supervised by the Sheriff's Department. We have the Sheriff's Department representatives to discuss these. Item number two is to reclassify the Court Security Supervisor from POLE 2 to POLE 5 and item number three is to reclassify the Court Security Officers. This reflects increased responsibilities and brings them into alignment with the Confinement Officers and the Supervisor would be brought in line with the Shift Lieutenant at the Jail.

Brad Kohrman: Morning, Brad Kohrman, Deputy Chief Administration, Sheriff's Department.

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Rocky Stotts: Rocky Stotts, Court Security Supervisor.

Brad Kohrman: I appreciate the time this morning. As Tom just said, this is a joint request officially coming from Allen Superior Court but also coming from our department. It is kind of a hybrid. Back in 1994 when Court Security was started, the decision was made by the powers that the cost would be shared between the Courts and the Sheriff's Department. The way that has worked out today, out of the fourteen positions, eight are paid by the Courts and the remaining six are paid by the Sheriff. I want to say that Judge Gull had planned on being here today to make the presentation but she is tied up in a trial. We will do the best we can to fill in for her. I know time is of an essence for you today and so we will keep this brief. A real quick review, Court Security began in 1994 under Sheriff Joe Squadrito. I was on the other side of the department at that time but I do remember there was something that happened at a Courthouse in Indiana. I can't tell you where it was or specifically what it was but something happened that shook people up to realize they needed to secure our Courts. Now, with the day and age we live in, I think it is pretty well understood. What they did at that time, the Council and Commissioners made the decision to go ahead and start this unit. They bought the equipment and basically they brought Confinement Officers from the Jail to man the unit. These Officers received additional training, 40 hour pre-basic and firearms training because these positions are armed. As time progressed, things changed and to tell you today that Rocky's Officers are responsible for the safety and security of three buildings, the Courthouse, the Court Annex and the Meeks Justice Center. The point needs to be made that when this was started 23 years ago, they were using Jailers to fill these positions and they were all classified as POLE 2. As time progressed, at some point the Confinement Officers at the Jail were increased to POLE 3. Just recently the Security Officers at ACJC were all reclassified to POLE 3. That was the first thing that came to our attention. When we have had openings, which is not very often and we have only had one since Rocky took over this position, it is tough because what we want to do, again being armed positions and being responsible for every person that is in these buildings. We would like to first look at the Jail with the experienced Officers there and pick the best of the best from over there. Being a POLE 2 where Confinement is now POLE 3, it is pretty tough to talk someone into coming over. We have had some people do it but we are at a detriment. In number three there, we are asking for the reclassification for these Officers to be brought up to equity with the Confinement Officers and the Officers out at ACJC. Relative to number two, the reclassification of the Court Security Supervisor who is currently a POLE 2, when we worked with HR and they did their diligence with the JAQ, this job has totally evolved over the years. When it started back in 1994, there wasn't even a Court Security Supervisor. As time went on and in a short manner, they figured they needed someone just to handle the books. They took one of the Court Security Officers and made him a Supervisor and he basically handled the vacations, overtime and things like that. This position has totally evolved and as we looked at it from the responsibilities and the tasks at hand, it came down that really it is on par and in fact personally I think it is slightly above what the three Lieutenants at the Jail do over there. They are classified at POLE 5. That is why we came with POLE 5. With that if you have any questions. I asked Rocky to come because he has the inside knowledge for these

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positions. If you have any questions for either of us, we will be more than happy to try to answer them.

Joel Benz: Councilman Tippmann, go ahead.

Eric Tippmann: Brad, what was that last comment about there is already people doing a similar job?

Brad Kohrman: When we looked at the three Jail Lieutenants, they are POLE 5 and each runs a shift. We tried to look at the County and particularly our department where there are similar jobs. When I looked at the tasks and similar responsibilities here and compared it to the Lieutenants at the Jail, this job is right on par with those Lieutenants.

Eric Tippmann: How many people do they oversee, for example?

Brad Kohrman: They have maybe 21 people per shift but they also have a full-time Sergeant and two Corporals. You are looking at five or six people in your span of control. This position has thirteen and I will add there have been very preliminary discussions with people in the Commissioners' Office, this has not gone as a formal proposal yet, but there are other security positions, for example the part-time people at the Rousseau Centre. They are kind of out there on their own now and have fallen under the Maintenance group since Mr. Burrus left. We have people there and people in Probation and the Prosecutor's Office. Everybody has their own security and it would be wise to at least investigate for efficiency's sake to bring them all under the Court Security umbrella with the training and the things we do there. If that happens, it is only going to add to the problems. Currently it is thirteen people under one person.

Joel Benz: Councilman Harris.

Tom Harris: I think the challenge in this position in some ways is similar to the mental health piece this morning. How do you know you are being effective in this arena? I guess the error that is made here is if you don't have security, bad things ultimately happen. We can hire 500 guys or gals to do security and then we know we have been effective. There is a line in there that says we don't need 500 and so what is that magic number? In particular, these positions being paid more, there is an internal equity piece to it but you are trying to make sure you don't have a lot of turnover and these folks are moving all the time. The comment that I have said to you guys is that one concern is we have spent a lot of money on infrastructure and security at ACJC and yet half that building is now empty. The State wants to continue to keep youth from going into an ACJC and comes up with other measures and other ways. At some point, do we look at the amount of money that we are spending in ACJC that are requiring these kinds of roles? Do we think about moving some of those funds this way? This area, from the public perspective continues to get more risky. Basically anybody can walk into the Courthouse and they showed me the number of weapons and things that are collected daily by these Court Security Officers. We pick up the news and watch TV and all over the country there are weird things happening in the Courthouses. I have kind of rambled a

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little bit but there are a lot of different aspects to this that are worth thinking about, I guess.

John McGauley: This may be where I can add some context as being a customer of the Court Security. Weird things happen in our Courthouse almost on a weekly basis. They are called on to respond to something difficult on the second or third floor on almost a weekly basis, maybe even more often than that. With the dynamics involved with some of the family division matters that happen, children being removed from the custody of their parents, the criminal proceedings that are going on there are fights and threats and people who momentarily lose their minds. The Court Security Team gets called on regularly.

Tom Harris: So my previous thought, comment or question was how do you know you are efficient?

Brad Kohrman: It's like we do police-wise. Full circle, you will never know what you have stopped or what you have done. I can tell you that the three years I have been in my current position, I have seen it. This is the first time I have been on the administrative side. It's changing, the temperament, the attitudes of people and Rocky's Officers have made two arrests in the last two days. It is just from belligerent, disorderly people in the courtroom setting. You don't know if they don't step in and handle the situation, they have been in knockdown and drag out take people to the ground as gently as you can and cuff them. It is a different breed and I can tell you that in my thirty years, it is a different animal that our Officers are being forced to deal with than we did thirty years ago. Some of that might be the opioid problems. If we had time, and I know you guys have had a long meeting and have a lot more to go, I could tell you all of the things that we have instituted since Rocky took this position. He is a 35-year veteran of the State Police and he has done an awful lot to professionalize, train and do what needs to be done. Part of that is we took a trip to the Statehouse and where Rocky was assigned running the Detectives for the northern part of the State. We went down and audited their security in all of their buildings with 240,000 square feet. When I compared what they are doing in security as to what we are doing, we are way ahead. It's unbelievable what we've got and there are plans for more.

Sharon Tucker: In essence, you guys are just coming for parity and making it equitable for the departments.

Brad Kohrman: It is equity for Confinement and ACJC.

Sharon Tucker: And you need not additional funds?

Brad Kohrman: I will mirror exactly what John stated. I talked to the Sheriff and he feels confident that we can find the funds for the remainder of 2018. I have told you folks before that I can never say positively but we will do our darned best to do it.

Sharon Tucker: With that I would like to make a motion for the request a salary ordinance reclassifying the Court Security Officers(4) from POLE 2/2 to 3/2, \$36,919 to

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\$41,482; (1) from POLE 2/3 to 3/3, \$38,765 to \$43,556; (2) from POLE 2/4 to 3/4, \$40,703 to \$45,734; (4) from POLE 2/5 to 3/5, \$42,738 to \$48,021; (1) from POLE 2/6 to 3/6, \$44,448 to \$49,942 and (1) from POLE 2/7 to 3/7, \$46,226 to \$51,939. All non-exempt 40 hours per week.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. Is there any further discussion? All in favor say aye, those opposed, like sign. The motion passes 6-1 (Tippmann).

Nick Jordan: I don't think they covered number two. You did number three.

Joel Benz: Item number two.

Sharon Tucker: I would like to make a request for the salary ordinance reclassifying the Court Security Supervisor from POLE 3/2 to POLE 5/2, \$41,482 to \$54,823, non-exempt at 40 hours per week.

Justin Busch: Second.

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

Tom Harris: We hope to see you again, Brad, before the April timeline.

Sharon Tucker: Thank you for your service.

Nick Jordan: The next one is just a transfer. Please change the figure to \$3,490. It is not increasing their budget but changing from Supplies to Office and Computer Equipment. For accounting we like the equipment to come from the 400 Series and that is why it is transferring from the 200 Series, Supplies to the 400 Series for Office and Computer Equipment.

Justin Busch: I would like to make a motion to move \$3,490 from Supplies to Office and Computer Equipment.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next is Department 45, Soil and Water.

Nick Jordan: This is for a grant and they would like to pay the part-time person and their current salary ordinance is \$9 to \$15 and they would like to change the range to be from \$9 to \$25. They would like to pay that person a little more than the \$15 that is currently the ceiling. It comes out of their grant and the salary ordinance reads the General Fund and the grant fund. I just do that for consistency.

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Tom Harris: I will move for consideration of a salary ordinance amending the pay for Soil and Water Conservation District part-time with a range from \$9 to \$25.

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(Tucker abstained).

Nick Jordan: This is actually mine. It is requesting appropriation in the Ineligible Deductions Fund 838. Numbers one and two are tied together. It is for our financial reporting system. We have gotten some new software for the reporting aspect and this includes the purchase of the software and the training. The training was for up to 20 some people over various days and the expenses tied to that training. The third piece is to replace one of our multifunction printers. It is going on ten years old. I would like to replace that one with a new one, The per-page printing cost is about half of what we are currently paying and so you have the initial offset of about \$6,000 and then you pay .0055 per page and is about half of what we are paying. On our smaller printers, I am paying about \$1,800 a year for toner cartridges. If possible, I may purchase another machine because it would be more efficient than spending \$1,800 for toners on the smaller ones. It seems that every single month we are buying a toner cartridge. One of the machines is definitely a replacement and the second one is a possibility. After we get the replacement, everybody can test the jobs to make sure they still work and then we may go to the second multifunction machine. Hopefully the cheaper cost of the per-page would offset some of the initial capital investment. I know that \$6,100 will be spent and potentially the remainder will roll back into that fund. This is the Ineligible Deductions Fund and that is related to the Homestead Audit is where that money comes from. That pays the individual that does the audit as well as it paid for a third party contractor that we don't use anymore.

Tom Harris: That is also another trend that is going on where we are eliminating a number of small printers and going for more massive printers. Not necessarily in the County, although you are doing that but I have seen that in other places. I will move for the appropriation in the Auditor's Ineligible Deductions Fund 838 for Software at \$2,800, Contractual for \$16,000 and Office and Computer Equipment for \$15,000 for a total of \$33,800.

Justin Busch: Second.

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

Eric Zimmerman: Good morning, Council. My name is Eric Zimmerman and I am the Chief Probation Officer and Court Administrator for Circuit Court.

Jamie Mann: Jamie Mann, Chief Probation Officer for Superior Court.

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Charity Murphy: Charity Murphy, HR.

Tom Fox: Tom Fox, back again. This came up at the Personnel Committee meeting last year, I think in September, regarding compensation for Probation Officers. Currently the County pays at the State minimum scale that is established by the State of Indiana for Probation Officers. For some time it has been obvious there is an inequality that exists between Probation Officers and Case Managers, for example, in Community Corrections. They are essentially doing the same job. Personnel Committee directed Human Resources to get with Eric and Jamie to try to come up with a proposal that would alleviate this problem and create a more equitable solution. I think you had this in your packet. The State has an eight step scale and the County has a seven step scale and we kind of had to fudge a little bit and create a step three in the proposal so that it would jive with the State scale. Basically what we are proposing is that the County would compensate the Probation Officers at the same rate as the Case Managers in Community Corrections which are PAT 4 until Step Seven and Eight which had to be bumped up a little bit to create enough space from the proposed increases and the other levels.

Charity Murphy: They stayed above the State minimum.

Tom Harris: A point of question. This is a matter of discussion today but not necessarily any voting or resolution. Is that correct?

Joel Benz: That is my understanding.

Tom Harris: Is that correct? You are not anticipating any action from Council today on this?

Eric Zimmerman: We thought it was. We went to the Personnel Committee meeting. There was an internal discussion amongst us and I felt it was related to the discussion you've had today about internal equity across the board. Obviously it wasn't put on the agenda as such so however we have to proceed, we are certainly willing to discuss the concept. I think the concept may have been discussed at length already this morning. Certainly from my perspective as the Chief Probation Officer, most of this increase is at the front end of the pay scale. I think the information that Jamie handed out was related to starting wage at ACJC. Community Corrections, as was mentioned by Tom, employs Case Managers. That is another name for a Probation Officer. You can see the difference in the starting pay. \$36,000 is the minimum pay for Probation Officers and the high \$40,000's for a PAT 4. I will articulate that the PAT 4 was based on a fair market assessment of what a four-year college degree person should make. It's difficult for me as a recruiter of top talent to be sitting at a career fair next to Community Corrections offering a starting wage of \$36,000 and the people next door to me doing the same job with actually less requirements of retainment of that job as far as ongoing certification and continuing education. And they start at \$48,000. It is difficult to attract the brightest and best. There is kind of a salary increase all along the board and let me just quickly address the distinction in the minimum salary grid for Indiana is kind of a compromise

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between all 92 Counties. Realizing and recognizing that give or take 86 Counties are more rural and there are five or six Counties that are a little larger. I will reiterate the job is not getting any simpler when it deals in criminal justice. The demands that are placed on these Officers, the consequence of failure to act is significant and I would think that the discussion that you had this morning about internal equity, I don't want to lose people to Case Managers that I have trained for a year or two. As soon as there is a job opening in Community Corrections, they move. I think it comes down to just a fairness issue of what we are compensating our young college graduates and the amount of debt that they come out with from school. This will make a significant difference in my ability to attract good people and retain good people. If you do the math over the course of five or six years, what this increase would demonstrate is almost life changing for a college degreed person to be paid at this level.

Jamie Mann: I would second everything that Eric says. Not only County equity but then when I look at what I am paying my employees at ACJC, out of 170 employees, these are the most populated or most employed positions. I have Maintenance and Office Managers that are making more money than a bachelor degreed Probation Officer.

Eric Tippmann: But not starting pay.

Jamie Mann: Starting pay. These are the positions that are most populated at ACJC and my Probation Officers are paid the third least. I've got Court Reporters and Maintenance Assistants that are making more money than a Probation Officer. Realistically, the natural progression of a Criminal Justice graduate would be they go to school, they come out, they are employed as a POLE 2 Youth Care Worker starting at \$17.0669 an hour and we like to harvest employees from the Detention Center. We can get a good idea of their work ethic, how they relate to kids and how professional they are. At the six-month mark, which I don't have on here but the POLE grid bumps to \$17.74 and at six months, the Youth Care worker is making more than a starting Probation Officer. I am harvesting people from the Detention Center that are going to take a pay cut to get into Probation. It's backwards.

Eric Tippmann: What is the range for Probation Officers from starting to your most?

Eric Zimmerman: The range goes from \$17.33 an hour to \$31.89.

Nick Jordan: It is in your packet on page 70. Yes, it starts at about \$17.34 to \$31.89.

Jamie Mann: For a twenty-year Officer.

Nick Jordan: There are some stipends you can earn.

Eric Tippmann: Are those automatic as a promotion? How do they move between the steps?

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Eric Zimmerman: By longevity. The minimum salary grid, what the data showed is that Probation Officers were highly transient in the first four to five years of their career. They could get a little bit of experience and move elsewhere more easily. At the State level, we wanted to keep those individuals around for four or five years and then the grid kind of slows down between five and ten and ten and fifteen and fifteen and twenty.

Tom Fox: In five years, if you have a Master's Degree, you can get an additional five percent.

Eric Zimmerman: There is some educational boost in there.

Eric Tippmann: I wish there was a way to leave the original starting pay and promote the people who are tip-top faster.

Eric Zimmerman: Unfortunately there just is not, I can speak for my department that we have a lot more people that are digging the ditches than managing the ditch diggers. There is not that much opportunity. It takes about five years, in my experience, to really train a good Probation Officer, to understand all of the nuances of the position. Once you get them trained in that capacity and they can so easily move to another Criminal Justice profession, so I have spent five years training them and they are not making a whole lot more than they did when they started. It is significantly less than counterparts at five years in the Criminal Justice professions.

Bob Armstrong: The other departments appreciate you taking five years of your time to train them.

Jamie Mann: I am having issues even attracting good Probation Officers. They have to pass a certification test. One of the last guys I hired failed it twice and we had to let him go. We are not getting the best candidates. We need to be able to pay them more.

Eric Tippmann: That was the problem with the Jail, right? We had Confinement Officers and we realized that to spend any more was not going to retain them. That was the argument put forth to us last year.

Nick Jordan: For the Jail and the Confinement Officers.

Eric Tippmann: It wouldn't matter if it was \$390,000. Just those positions...

Eric Zimmerman: We have high... (Interrupted)

Bob Armstrong: Could one of the reasons for not being able to get people is the Bachelor's degree is something that you have to have? Is it too high or is it State?

Eric Zimmerman: It is a State mandate.

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Charity Murphy: Community Corrections is getting good candidates. They are the ones we look at and focus most on internal equity. They have had some openings recently and they are getting good candidates.

Sharon Tucker: I am with Councilman Tippmann though. I think that is kind of an off argument that if you even throw more money at it, which may or may not be justified, it is not going to determine that the candidate with more money I am going to apply. I think that is part of the weeding out process that you have to go through when you are looking for the candidates.

Charity Murphy: I agree there is some degree of that but I also think that if you have two open positions, where one is being paid \$12,000 more, they are going to have an easier time of getting the good qualified candidates. The good qualified candidate, if they are going for both jobs, is going to pick the one that is \$12,000 more. Logically, there may be other factors but I would.

Joel Benz: We have, in some ways, created this problem. We adjusted the PAT grid which is Community Corrections and we haven't done anything with the UPROB grid. What they are proposing, I think, is an adjustment but mostly on the front end of it and leaving the rest of it pretty much flat. His point is that once he gets them in, he feels that he gets them trained and they will stay but the problem is he has guys at the top end moving on and he is not able to replenish them on the front end. In contradiction to what you are saying, I do think that this is a wage issue. You have to have a Bachelor's degree and you can see that it falls below an OSS 4 which is an Office Manager.

Sharon Tucker: Are you talking about for ACJC or Eric?

Eric Zimmerman: They would all be the same from OSS. All of the other employees are on a County grid. The Probation Officers are the only ones who are not. The UPROB is kind of a hybrid.

Sharon Tucker: Eric, you are saying that after five years, your team is not leaving anymore.

Eric Zimmerman: I am not saying that. What I do know empirically is that after you get them trained, you still need to incentivize them to stick around because if money after five years is your primary motivator, you are probably not going to stick around the County. You are going to go to the Federal government or into other capacities as a Criminal Justice professional. When someone gets out of school and in their young 20's, a lot of them are coming out with mortgage payments for school. They are coming out with \$600 and \$700 a month payments of school debt. Five years in they are generally starting their family. Other things are more important to them. The benefits kick in and the longevity pay. They can see their future and they know if they are good at this. I don't have to incentivize them as much but with that said, I think we talk a lot about living wages and a lot about attracting and keeping best. A lot of the top five that people stick

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around their employment for is the salary they are earning. To say it doesn't matter would probably not be true but it is not as important.

Sharon Tucker: Okay, so as a County, we can't determine a person's pay based on their college debt.

Eric Zimmerman: No that is just the reality of the situation. That is why most of this, as I articulated, is internal equity. It is attracting people to our department when you are paying, down the street, \$12,000 more to start.

Joel Benz: Councilman Harris.

Tom Harris: If I ask all of the questions that have gelled up here, we would be here about three more hours.

Nick Jordan: You can table it.

Tom Harris: I guess that is where I am headed. What I wanted to make a motion on is to be able to table this so I can ask three hours' worth of questions. Then we can come back and if need be and is chosen by Council, can make this retroactive or something.

Joel Benz: Okay.

Tom Harris: So I make that motion.

Sharon Tucker: I will second it but I also want us to keep in mind where the funds will come from. I know that Adult Probation will need assistance. I voted no for this in HR Committee and I asked that they be separated. I support the increase and I know the Adult Probation needs the funds. I also know that ACJC rolls over and doesn't necessarily need the funds even if we decide to give them the increase. The funds should be able to come out of their current budget. That is something that while we table it, is something to think about.

Jamie Mann: We can't sustain the whole increase. I did not have that information with me at Personnel Committee.

Sharon Tucker: So your increase would be larger than \$400,000?

Jamie Mann: If we were to project, it would be \$193,501 worth an increase to our budget. If we were to use an average or historical figure for rollover based on the past five years, we would be over budget in \$19,440.

Nick Jordan: You said that the \$193,000 is your piece?

Jamie Mann: Yes.

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Nick Jordan: You have rolled over \$465,000, \$244,000, \$289,000 and \$318,000 in the last four years. That is what I was telling Wendy.

Jamie Mann: Wendy did this for me.

Nick Jordan: I challenged her to find it and then if she couldn't, you could come back.

Joel Benz: I think this bears further discussion and I think today is not going to be the time period for it. I will go for the question that we table this for now and bring you back to the next meeting to discuss this further. **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.**

Eric Zimmerman: Certainly, if you collectively or individually have questions, I will make myself available and try to address this inequity that we have.

Joel Benz: Next, I believe the County Attorney has some items on this revolving loan.

Bob Armstrong: I have a question. Never mind, it confused me.

Bill Fishering: I am Bill Fishering, County Attorney.

Chris Cloud: Chris Cloud, Commissioners' Office. We are here today to discuss a new economic development tool that was introduced last year with some changes to State law revolving loan fund. I will turn it over to County Attorney Fishering on behalf of the Commissioners and Redevelopment Commission to explain what the revolving loan fund is. Then we can get into the specific sign-off that we are asking for today. There is no money being asked for today but the concurrence of the process. To explain what the revolving loan fund is, I'll let Bill describe it.

Bill Fishering: Let me start with the Redevelopment Commission has gone through a number of stages in its movement towards trying to assist the business community in developing locally. We originally started putting together just bare ground south of the GM Plant where we bought a bunch of ground there. We went from that to what is commonly referred to as Shovel Ready Sites. Shovel Ready Sites have all of the utilities and other infrastructure available to the property for a development. The reason for that change was because it would speed up the ability of a company that wanted to come to town and be able to do it without having to install of the infrastructure. That proved fairly successful with both of south of GM and the large complex there and out by the airport where there are at least three developments going on. The most notable one is the Walmart Dairy. The next step in that progression is buildings that are ready for immediate occupancy. About three years ago, the Redevelopment Commission put out RFP's to have people look at that for the ground south of General Motors. None of those three RFP's was deemed to be what we were looking for from a cost or risk management program. One of the problems that we suffer here that many other places do not is we don't have any existing TIF zones that are generating income that we have money currently available to do improvements. We have to come up with it somewhere else and

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then recoup it through TIF. Examples of that would be Diebold Road and some of the other road projects we have done where we have advanced it out of other funds and recouped. Last summer, PB Development came to us and suggested they were willing to build a shell building next to the GM Plant which meant the requirements for our original Requests for Proposals for 100,000 square feet of new structure. At a minimum that proposal was for \$5.2 million building. They requested the Commissioners assist them through providing carrying costs of up to \$1,040,000. The Commissioners reviewed that and agreed to go along with that process perceiving it as much less risky as the other ones we had received three years earlier. It is on ground owned by PB Development and not on County ground which would have been south of Lafayette Center Road. Luckily, one of the changes in the law that occurred a year ago when the State reconfigured all of your income taxes into a new setting was an allowance to do revolving loans. That is found in Title Five and is a substitution for the old bonding process, which for those of you that know what is going on downtown with the Boutique Hotel, which the County is also participating in; they are using the old bonding process. That is much slower and much more expensive to provide the funds for that hotel. That is the City's choice and we don't have much say in that but that is the way they decided to go. I think principally because they had no partners in that. They have the CIB and us and the City of Fort Wayne Redevelopment Commission. The new law allows for a revolving loan fund and we have been through the preliminary review of that ordinance. Like the ordinance that we were following, we are designation the Redevelopment Commission to be the administrator of that fund for us so they would take all applications and do all of the administrative work of collecting the money and disbursing the money and making sure things were done. However, and this is really not an exception, but the revolving loan fund does require the approval of County Council before a loan can be made. This is similar to TIF leases and other matters which all require the fiscal body's approval before moving into that. Before you today is the approval of what would be a TIF loan and a revolving loan to PB Development in the amount not to exceed \$1,040,000 to be disbursed over four years and to be repaid from TIF revenue until it is repaid. It's anticipated that you have already granted an abatement for this project and so there would be no TIF revenue until that abatement starts to recede as a full abatement for the first five years or something.

Nick Jordan: Three or five, either one.

Bill Fishing: It is not the ten, nine, eight of the olden days. It would be a delayed recovery period. I would be happy to answer any questions about the loan and/or revolving loan process.

Joel Benz: Councilwoman Tucker, go ahead.

Sharon Tucker: Just to make sure I understand right, the Commissioners gave them \$1 million assistance.

Bill Fishing: They agreed but have not done it yet.

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Sharon Tucker: So they have a commitment for \$1 million assistance. The Council gave them a four to five year phase-in. The revolving loan would give them and the County body would get zero dollars for how long?

Nick Jordan: You gave them a ten-year phase-in. The first three years are at 100% and then it goes to 95%, 80% and drops at 15% thereafter. Over the whole ten-year period, in the initial investment of just the real property was estimated at 2017 rates at \$93,000 in taxes. Even over a ten-year period, just the initial estimates would generate a little less than \$1 million over the ten years.

Sharon Tucker: With the revolving loan, we wouldn't collect any TIF dollars until after the abatement time has phased out, correct?

Bill Fishering: As the abatement phases out, you begin to collect TIF dollars.

Nick Jordan: At the initial investment, even after the abatement phases out, you would collect \$300,000 dollars of the initial \$5.2 million investment. That is no personal property and I don't think the TIF resolution was set up to collect personal property. Just this one structure that will be in the TIF District at \$5.2 million, the taxes over the ten years based on the initial projection is \$299,000 after you factor in the abatement.

Sharon Tucker: Correct me if I am wrong but this is on the empty shell building, right?

Bill Fishering: Yes.

Sharon Tucker: This has no employees, nothing coming, just the building.

Bill Fishering: Absolutely true.

Sharon Tucker: And these are all of the requests that they are asking for.

Bill Fishering: Yes.

Sharon Tucker: If there is a default or they can't fill the building or something happens, what is the County getting in return?

Bill Fishering: The real estate taxes are a first lien on property which goes around bankruptcy and in essence, they can never bankrupt their way out of paying the taxes. At some point, you will recoup the entire \$1,040,000.

Sharon Tucker: You just don't have an idea of when.

Bill Fishering: No because that is the maximum loan. I think I or Elissa sent everybody a copy of the documents and if they get renters during that period that loan drops off and we don't have the full amount exposed. It is also important to know that when someone comes in and improves this shell building that assessment will go up.

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Nick Jordan: As long as they don't ask for an abatement.

Sharon Tucker: I was going to say the same thing.

Bill Fishering: We don't control that. You guys control that but it is absolutely true. But it is anticipated that the value of the building will increase as the people who want to occupy it come in.

Sharon Tucker: Okay, thank you.

Joel Benz: Councilman Brown.

Larry Brown: I understand and man, it took a while. This flowchart...

Bill Fishering: The flowchart is terribly complicated.

Larry Brown: I finally get it. Initially, what fund does the money come from?

Chris Cloud: We have had a line in CEDIT for at least five years for shell building thinking it was going to be for the three RFP's in the beginning. We anticipated using CEDIT funds for this expenditure.

Larry Brown: Okay.

Chris Cloud: That is why we are not asking you for any money. We assumed that CEDIT would be the source.

Larry Brown: Another tool in the toolbox.

Justin Busch: That is what CEDIT is supposed to be there for, right?

Larry Brown: Yes.

Joel Benz: I do have one question and the abatement that we approved. The abatement that we approved is scheduled for ten years. It is basically not dependent on someone moving into that building.

Nick Jordan: No, you have the abatement for PB Development putting up the structure. Whatever the assessed value of the shell is determined to be, you have already approved the abatement. Potentially at the compliance hearing each year, if you didn't like the investment that was input then you can take compliance action. Right now it is just on the initial shell building.

Joel Benz: Thank you. Councilman Harris.

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Tom Harris: What other Counties are doing this? This is new to the General Assembly, right?

Bill Fishering: Revolving loan is new. Shell buildings are done in Whitley and Wells and Wells is quite large. Whitley is about our size. But for the revolving fund, is anybody else doing that? Are we first?

Bill Fishering: We are not first because we copied another County's ordinance to set it up.

Tom Harris: What other County?

Bill Fishering: I can send it to you but something like Morgan.

Tom Harris: The intent is to be able to have this tool in the toolbox. The money in CEDIT has been prepared for this. How many additional of these kinds of things would we enter into or consider?

Chris Cloud: I think that would be totally dependent on how much of the money they actually ended up needing. If PB was able to find a renter in six months and they only need a couple hundred grand, we would use it again. It is similar to the way that the City and County used the City's Community Development Corporation. It makes small term business loans and they get paid back and they take the money they made on the interest to give out even more loans. We gave \$500,000 contribution eight or nine years ago and it's now up to \$600,000 and some in value. This would be the same thing here. We try it once and if it works, the money comes back in and we...

Tom Harris: But in essence we are competing with other lenders. Is that fair?

Bill Fishering: Actually, we are subsidizing through the payment of cash flow to the lender.

Chris Cloud: We are paying the interest on the mortgage.

Larry Brown: I would like to add, as you are thinking about this, any developer and especially this developer is not in the business of holding onto empty buildings. They've got a lot of skin in the game and it is in their very best interest to get it done and get it occupied, get it sold and move onto the next one.

Bill Fishering: I would like to add that the big difference between this proposal and the ones we got before were the requirement into other proposals that we do undetermined costs of maintenance and some other things. We thought the risk was just too great because we had no idea exactly what you maybe would have been involved in. In this case, we know the maximum term as far as when we have to pass it out. We don't know when we will get it back but it is tax back and we will get it back.

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Tom Harris: In the future with this tool in the toolbox, it will be the Redevelopment Commission coming before Council or the Commissioners coming before Council?

Bill Fishering: The Redevelopment Commission administers the revolving loan and so to the extent that approval of it has to be done and is required by the statute, I would guess it would be the Redevelopment Commission making the appearance.

Nick Jordan: As long as it is back to the point that if they don't use it all. If they are below the \$1,040,000, you don't have to come back because it is already in the revolving loan fund. It is just putting the money initially into the fund.

Tom Harris: For additional projects then.

Bill Fishering: If there were additional projects, the Commissioners would have to fund it through CEDIT which you have approved for economic development.

Tom Harris: In other words, you have a million in there and the next project, would someone have to come before us?

Bill Fishering: Oh, yes. Every loan has to come before you.

Chris Cloud: Not for additional appropriation but for concurrence of the loan.

Bill Fishering: In this case, you have already approved the appropriation.

Sharon Tucker: Where is this PB going? I wasn't here at the October meeting when they abated this?

Bill Fishering: Fogwell and Lafayette Center by GM.

Sharon Tucker: That area is already growing up and we are going to turn it into a TIF District so we can collect our money back?

Bill Fishering: Yes.

Nick Jordan: This is the fourth TIF District. That is water under the bridge now.

Sharon Tucker: And it is a TIF District to collect our money back which we don't know when we would be able to collect after the abatement is done.

Nick Jordan: These would have been good questions in October when the abatement was coming.

Sharon Tucker: I wasn't here. I wished I would have been here.

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Nick Jordan: The alternative, if you didn't like this scenario, the million bucks is already in CEDIT and if the revolving loan fund wasn't created, the alternative is this route which may cost more than the revolving loan route. Everything else was done last fall.

Tom Harris: We are approving the fund...

Bill Fishering: And the loan. You have to approve the loan.

Tom Harris: We are establishing two things. One is we are creating the fund and are also doing the PB Development loan.

Chris Cloud: Had you all not granted the abatement, what Nick was saying was full taxes in ten years would have paid it back. This is clearly a long-term investment thing should they need the maximum amount. If they don't, that's it. When local government gets involved in development, this is risk but it is low term risk in the fact that they have to pay their taxes. Someone has to pay the taxes whether it is the next owner or them, someone is paying the taxes. This is economic development. We have tried several other things and if this does not work and ends up being a headache, we get our money back and we don't do it again.

Sharon Tucker: I respect that but part of my goal of being elected was to make sure that we make wise decisions. My questions are to be able to come to a wise decision for the County.

Chris Cloud: I think the other thing is before you grant abatements, what the project is and who the person is does matter. It is not about picking winners and losers but if a company was constantly defaulting on loans and game saying they want free money, if no bank would give it to them you wouldn't do it. It is not a preference for one developer over another but when developers in our community have successful long hauls come before you for abatements, they tend to be successful because they have a good track record. Part of it for us is, as a community, we want the best that we have in our community to be successful because it makes us all successful. We don't necessarily want to arbitrarily a step up over their competition. I am not a fan of handing out money to the private sector I like the loan a lot better than grants. I think we have gone against the grant model of just giving money over.

Joel Benz: Councilman Armstrong.

Bob Armstrong: The property that we are talking about just that property is going to be in a TIF zone.

Chris Cloud: Correct.

Bob Armstrong: I will pony back with you that anyone who is investing like this is not building the building to sit on it.

Joel Benz: Councilman Tippmann.

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Eric Tippmann: This process seems a little bit backwards. What if we had this package and we take it to all developers and tell them this is our package and we start it at less? We define what we want, a shell building right here and this is our package and we can find out what developer would take that package rather than this way of going where they already have the land and we do it that way. It seems that there are other steps that you could have done this.

Bill Fishing: We did try the other approach three years ago. We had RFP's and three responses for ground in Stonebridge. We reviewed all of those and found none of those proposals to be attractive from a risk standpoint and what they wanted us to contribute to the project. The big risk problem in those proposals was the ongoing cost of maintenance of the area that they wanted us to absorb without having any definite amount to it. This proposal is different because they already own the land. That pretty well boxes us out of being able to say who wants to build on the other guy's land? In order to do it the way you suggest, we would have to buy their land first and then go through the process. Buying their land turns out to be a risk also if nobody want to build the building after we buy it.

Eric Tippmann: We already have land available in our own park that is already developed with infrastructure.

Bill Fishing: And that is the one we tried to do three years ago and got no successful or we had three bids and none of them did we find to be well placed.

Joel Benz: I know this is a fairly thick issue and I know Councilman Busch needs to leave here.

Justin Busch: I view this as a pilot program as well and we have talked about the shell building the same way. I also look at it as another tool for economic development. We also get to see all of the loans come back to the table. We are looking at \$1.5 million that is currently sitting in CEDIT not doing anything for economic development.

Joel Benz: I would rather have a loan than a grant.

Justin Busch: Absolutely.

Joel Benz: Is that in the form of a motion? We are guaranteed to get the money back.

Justin Busch: Yes it is.

Larry Brown: Second.

Eric Tippmann: There is no guarantee.

Justin Busch: There is some mitigated risk, you are correct.

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Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-1(Tucker). Are there any recent or upcoming meetings that we need to be aware of or liaison meetings?

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 March 15, 2018.

Justin Busch: Second.

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

Sharon Tucker: Move to adjourn.

Bob Armstrong: Second.

Joel Benz: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0. There being no further business the meeting was adjourned at 12:12.