

**ALLEN COUNTY COUNCIL MEETING MINUTES
DECEMBER 19, 2019
8:30 AM**

The Allen County Council met on Thursday, December 19, 2019 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, budget approval and any other business to come before Council.

Attending: Robert A. Armstrong, Joel M. Benz, Larry L. Brown, Kenneth C. Fries, Tom A. Harris, Kyle A. Kerley and Sharon L. Tucker.

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

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

Tom Harris: Good morning everyone. First on the agenda is the approval of the November 21, 2019 meeting minutes. Are there any additions or corrections?

Joel Benz: Move to approve the minutes as presented.

Kenny Fries: Second.

Tom Harris: 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. You have the financials through the end of November. As Tom was alluding to a little bit ago, the Miscellaneous Revenue was about eight percent higher through November and will probably creep closer to ten percent or slightly above that when we end the year. As a mix of extremely conservative estimates in some areas and historical revenues received in other categories and I would be happy to take any questions. In January, we have the annual report that we will provide with some reasoning as to why each category exceeded the estimate. We are sufficiently higher than estimates for 2019. The property tax revenue is 85%. We have processed the December settlements that the County has received after you take out the Circuit Breaker. Nothing unordinary there and that tends to be the case during good economic times and people have the funds to pay their property taxes as well as the Tax Sale sees lower properties in the sale and bidders as well as vice versa when the times are tough.

Tom Harris: Very good and with that seven percent represents what, approximately \$3 million more than what was anticipated? Am I looking at that right?

Nick Jordan: Yes, at this point in time.

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Tom Harris: I guess I rounded up a little bit but if it goes to 110% we might see...

Nick Jordan: Four million and that along with the actual cash balance year-to-date is around \$34 million compared to the estimate side which has \$19 million for appropriations and as there are no appropriations today there will be some expenditures through the rest of the year but there is a very good chance that we will see \$25 million to \$30 million as a beginning cash balance for 2020.

Tom Harris: Any idea on rollover?

Nick Jordan: Given the revenue and there have been 85% expenses through November, I think for sure that you will see two to three percent which would be \$3 million at the very least unless we have some very high expenses during December. At this point in time that is not the case. You will see as you flip through the other funds in the packet there are not any drastic changes. These Major Funds continue to have record high balances. I will note that LIT Public Safety that is on page six, there is about \$600,000 left for appropriation. The CCP will have some significant expenses coming in 2020 if not 2021. We will have those discussions next year. That is one of the places that we will pull the County's piece from and will drain the balance in that fund.

Tom Harris: Very good. Council, are there any questions? Bob.

Bob Armstrong: I notice on CUM CAP there is \$11.6 million for the remaining balance. Is it set out for anything?

Nick Jordan: I am going to be honest. I hear a lot of things but what I see every single month is the balance continuing to be what it is. Whether it is the elevators in the Rousseau Centre or the plaza around the Rousseau Centre on the piece that hasn't been finished, I hear that they are using it for A, B, C and D but all I can show you is what is presented here. Even after you take out the budget, there is still \$9 million left for appropriation. It would be the Commissioners to answer to what they intend to do with it.

Bob Armstrong: The same thing with LIT Economic Development. There is \$21.5 million in there.

Nick Jordan: I have sent it and will send it again after this meeting, a ten-year snapshot of these funds. One of the things I focused on was when you looked at the budget appropriation, the actual amount spent in CUM CAP they have spent 39% through year-to-date. When you look at a five-year window or ten-year or however far you want to go back it hasn't significantly changed. Highway will be around 70%. Those are the things that I have tried to put into context that we are not spending what was close to budgeted. That continues to build into that balance. To answer your question of what is the plan, I am not the policy maker in that regard.

Bob Armstrong: So, maybe it is something that we should bring them to the table because that is a pretty good chunk of money just in those two lines.

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Tom Harris: Council, generally we follow the economy a little bit. If the economy is healthy, it will probably be a two or three-year period if the economy would go south it might be a two-year lag before it starts to affect us.

Nick Jordan: The Assessors will assess 1/1/20, unless there is a tragic economy drop in the next two weeks, it is indicative of what happened in 2019. The assessment, those revenues will be received in 2021. I would anticipate another solid year.

Tom Harris: I guess all indications are that 2020 is looking strong in the economy but we are still looking at a couple of years of healthy revenues. Are there any other questions or comments?

Sharon Tucker: I make a motion that we accept the Auditor's financial report as presented.

Bob Armstrong: Second.

Tom Harris: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** Total appropriations out of the General Fund today are zero. Total appropriations in Other Funds are \$300,000. Is there any public comment this morning? Hearing none, we will move on with our agenda. Economic Development is next.

Rachel Black: Rachel Black, Allen County Economic Development.

Dawn Gallaway: Dawn Gallaway with Keller Development.

Rachel Black: As you can see on the agenda this morning, we have consideration of Resolution 2019-12-19-01 approving a Statement of Benefits for Keller Development, Inc. A little bit of background on who Keller Development is, they are a multi-family residential housing developer and general contractor. Their second company and Dawn can talk a little about that is New Generation Management. They are a multi-family property management that manages all of Keller Development's properties. The property that we are looking at for this tax abatement was zoned in August of 2019 into industrial to allow this company to build their headquarters. The property for this portion is 14.7 acres. The proposed project involves an investment of over \$2 million in real property and around \$26,000 in personal property. The real estate improvements include about 12,000 square foot building as well as three outbuildings for shop and storage uses. The estimated completion date for the project is March of 2021. The company plans to create three new jobs with salaries at \$132,000 and they currently have 88 employees with salaries around \$3.7 million. Based upon the review system, they are eligible for the five-year abatement on real property and the three-year abatement on personal property. If approved by you today, they would be saving about \$104,000 over that time while still paying around \$244,000. Dawn is here if you have any questions.

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Tom Harris: Good morning. Maybe you could talk to us a little bit about your organization.

Dawn Gallaway: Good morning and thank you for allowing me to say a few words. I have not been before County Council for a while and appreciate the opportunity to say a few things. Keller Development has been in Fort Wayne since 1957. The company was started by my grandparents and we are now a third-generation ownership. I am very proud to still be here and operating as our business is a general contractor and developer and now property management. We have over thirty multi-family affordable housing developments throughout the State of Indiana and just over half of them are in Allen County. We also started a property management company, New Generation Management that is operated by third generation family. We did that back in 2006 and I brought Tammy Brandt with me just in case you have any real specific questions. She does all of the day-to-day work for our property management company. That company was formed to help us maintain our properties and make sure they are kept up as we expect them to be and it has turned out to be a very good thing for us and our developments. It also is why we have 88 employees now. The bulk of our employees are on property management. We have about 25 operating our general contracting and development side of the business. We looked at properties for the last two years trying to find a new place for our headquarters. We have grown out of our current office. I always like to tell the story that we started off on John Street on the southeast side of Fort Wayne. We now have an affordable housing development there, Tamara Gardens Properties. We started in the garage of my grandparents' house. We slowly added on and added on and then finally moved northwest but now we have grown out of that space as well. We don't have a conference room and people are sharing offices now. When we started looking for property, we knew we wanted to stay in Allen County and we found this property off Till Road. We are excited about being able to develop that and are bringing sanitary sewer quite a ways. Once we do that it will help some others in the West Till Road area to be able to develop. We are pretty excited.

Tom Harris: Council, are there any questions?

Kenny Fries: How far out on Till Road is that?

Dawn Gallaway: It is near the roundabout.

Kenny Fries: East or west of the roundabout?

Dawn Gallaway: East. It has been for sale for quite some time.

Joel Benz: Right next to the railroad.

Dawn Gallaway: Right next to the railroad.

Kyle Kerley: What are the projected salary ranges of the three jobs that you are anticipating creating?

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Dawn Gallaway: We did an average of \$20 an hour with 40 hours a week. Those are for supervision for property management. They are supervising property management or maintenance personnel.

Tom Harris: I just wanted to say thank you for staying in Allen County.

Sharon Tucker: I see all of the eyes are looking at me. I will make a motion for the consideration of Resolution 2019-12-19-01 approving a Statement of Benefits for Keller Development, Inc.

Joel Benz: Second.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next is Clerk of Courts.

Chris Nancarrow: Chris Nancarrow, Clerk of the Courts.

Kara Simonoff: Kara Simonoff, HR Generalist.

Tracy Mitchener: Tracy Mitchener, HR Assistant Director.

Kara Simonoff: We are here amending the pay for the Chief Deputy from 75% to 85% of the Clerk of Courts salary to be \$78,497. This position was approved 2-0-1 at Personnel Committee. Unfortunately Sharon was absent. I will turn it over to Chris to explain a little further.

Chris Nancarrow: As I mentioned at Personnel Committee, I am extremely fortunate to have an extremely qualified and trustworthy Chief Deputy. She totally hit the ground running. I think the best way to frame this is to keep it in line with our strategic priorities that we are trying to work on as a County. We want well qualified employees and high customer service. With Desiree's background, she has brought both of those to the table. She has a Bachelor's Degree in Public Administration and a Law Degree and most importantly she has the Law License. If you look in the Federal Courts you will see for Clerks of the Court it is becoming a requirement to have that at the Federal level. My position and the Chief Deputy have that. Also, you have also heard the importance of having in-house attorneys and accessible attorneys, a couple of weeks ago we received a Federal subpoena and we were able to work on the responses in the interrogatories. We knocked it out that day and took it to our County Attorney and it only took a couple of minutes to go over it for some typos instead of paying the full amount for a County Attorney to look at. She has more practice experience than I do and brings that to the Courthouse also and has presented to the Bar Association about which best practices to use and what forms to use and not to use and keeps it in line with the customer service aspect of what we are trying to do as well. I don't have to teach her where to look for legal research. She knows the statutes and rules of court and if she doesn't know the answer, she knows where to look. That is extremely beneficial to have someone like that

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as my Deputy and the staff and Judges can trust her in my absence. If you have any other questions, I would be happy to answer them.

Tom Harris: Chris, do you have a Law Degree?

Chris Nancarrow: Yes, I do.

Tom Harris: Council, are there any other questions at this time?

Kenny Fries: Why did we decide on 85%? Why not 90% or 95%?

Chris Nancarrow: I figured it wouldn't be fair to other Chief Deputies that have been here longer.

Kenny Fries: You can always raise the bar.

Tom Harris: The other option to that is to do it over a period of time.

Sharon Tucker: I would like to make a motion for consideration of a salary ordinance amending the pay for the Chief Deputy to 85% of the Clerk of Courts salary to \$78,497, 37.5 hours per week, exempt.

Larry Brown: Second.

Tom Harris: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-1 (Armstrong).** Next is the Treasurer's Office.

Kyle Kerley: I will handle this one. The Treasurer's Office is simply asking for a transfer within the General Fund. Chandra and William talked to me about this and I told them they didn't need to come. On their 2019 capital worksheet they had put in a request for some new office chairs and some upgraded desks. They had some money left in their budget and so they are asking to transfer from Contractual to Furniture and Fixtures for \$3,000. Everything went through Purchasing and they have all of the quotes. The pricing actually came in considerably less than what they had originally requested.

Tom Harris: Council, are there other questions? Kyle, was that in the form of a motion?

Kyle Kerley: I would motion that we would approve the transfer of funds within the Treasurer's General Fund from Contractual in the amount of \$3,000 to Furniture and Fixtures.

Joel Benz: Second.

Tom Harris: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** Next up is Youth Services.

Chris Dunn: Chris Dunn, Executive Director of Youth Services.

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Kara Simonoff: We are here for the reclassification of the Youth Care Specialist/Caseworker from PAT 3/2, \$48,021, 40 hours per week, non-exempt to Case Manager, PAT 4/2, \$55,197, 40 hours per week, non-exempt. This position was approved 2-0-1 at Personnel Committee. This position was also reviewed by HR and due to the level of responsibility and the level of responsibilities added to this position, HR supports the increase. This position will be responsible for entering required information for each child directly to the State tracking all of the children at the Youth Services Center and reporting critical incidents and facilitating reviews quarterly with Caseworkers, supervising visitation and tracking all residents' diagnosis, length of stay and anything else while they are in the Center. I will pass it onto Chris to explain a little further.

Chris Dunn: With our recent accreditation that happened this past summer, this position has become integral in taking care of a lot of that work. I want to talk about our cost report that came back this year. It came back very favorable and we are going to increase our current per diem to \$440 per day per child. That is the highest it has ever been.

Tom Harris: What is it now?

Chris Dunn: It is \$340. Any increase in any salaries will affect our cost report and we will get a return on that. When this goes up, it will be entered. We are currently appealing our cost report because at the time, the three percent raise for the County had not been approved by Council and I couldn't put it in the cost report at the beginning of the year and now that it has been, we are appealing it and putting that in our cost report. I expect that \$440 to increase even more. That will bring in over \$300,000 next year. Currently our budget is \$2.3 million and we are at \$1.9 million in collections which is basically a difference of \$383,000. We are going to have one of our best years ever.

Tom Harris: This position changed on the basis of changed duties and responsibilities.

Chris Dunn: One of the things the State is expecting us to do is to upload documentation into their system, Kid Tracks, which shows that these children were actually in our care and this person does this every day. That is just one of the added responsibilities.

Tom Harris: Kara, if I can ask, I noticed this is a Manager's position at \$55,197 but is listed as non-exempt. We have taken a look at some of those non-exempt titles. Why non-exempt versus exempt?

Kara Simonoff: She is not really supervising the Caseworkers. There are really no supervisory duties but she is supervising visitation when the family comes into visit the child. She is supervising visitation but not the staff.

Tom Harris: That is one criteria but is not the only criteria that determines exempt.

Tracy Mitchener: She is managing the cases but not the people. It is the term of Manager of the cases.

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Tom Harris: The challenge that I have is broader than this position is that we have taken a look at some of those exempt versus non-exempt and there is a whole bunch of non-exempt at \$50,000 and \$60,000 that are eligible for overtime with managerial titles and I think we need to look at that. It just feels wrong. One of the things that I have talked to the Auditor about is taking a look at how much overtime has been paid out to those. If these are Manager level positions in the County and they are non-exempt but we are not paying overtime that is one thing. On the other hand, if we are paying a lot of overtime then we should really look at that as to if it is classified correctly.

Joel Benz: Just to tag onto that first, does this person work overtime?

Chris Dunn: They shouldn't have to. This is a good discussion and I am open to whatever the Council decides. I am inclined to agree that administrative positions do not get overtime.

Tom Harris: It is not necessarily administrative. There are a lot of administrative positions that could be non-exempt and could receive overtime but sometimes those managerial titles can take them out of being eligible for overtime.

Joel Benz: One of the things that we talked about in Personnel Committee was this accreditation that you got. Let's talk about how that is important for you and how this fits into that and why it is required.

Chris Dunn: We reviewed this accreditation back during Mitch Daniel's term in office. It was something that was important to the agency and something that I thought we should do. It would hold us to a higher standard but with all of the changes that came during his administration with James Payne taking over DCS it was going to be pricey. We tabled it then. Since that time, the Federal government came out with a requirement that all agencies serving residential across the United States have to have accreditation. This is happening in every State. We had to take it on and have been working on it for about three years. It is forcing us to make a lot of policy changes and to use best practices that are out there. They are overseeing us like the State does and the State is actually looking at reducing the number of audit reviews that they have at the agencies because we are all now going to be required to be accredited. One of the biggest reasons was the price tag. It was cheaper. The accreditation that we are receiving from them, all of the requirements are very similar to the other ones that are out there. Again, it has caused a lot of change at the agency. There are a lot of standards to constantly review and upgrade. They sent a team out in May who spent two full days going through the whole agency going through everything. They came back with we met everything they expected. The maximum length of accreditation they will give us is three years and we received the three years. Some places only got one year with a bigger plan of correction and we did not have that. We did have a recommendation of a list of things we needed to review. We have reviewed those and submitted a plan to meet those expectations. We really did well. I have to give a pat on the back to all of the staff at YSC for all of the hard work. This

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person is going to be integral in keeping an eye on all of that and making sure that we are meeting it.

Sharon Tucker: He hit on it but back in May, when the team came in, I was one of the people they requested to do an interview with on our involvement supporting them and there is a lot of additional work that has to be done. I do believe that the request is warranted but I wanted to clarify because when we say Case Manager, we are talking about managing the files and not managing individuals. This position is not supervising people. That is one thing that I wanted to make sure that we were fully aware of. It is not a managerial position but just a title. We could have called it Case Handler and it would have been the same responsibilities. The second thing is that I too am concerned at it being non-exempt as opposed to exempt because it does leave the opportunity for an exorbitant amount of overtime especially with the amount of paperwork that could come. We know with having our three year accreditation that the additional work that they are going to require to make sure we keep our accreditation. I would be in favor of approving it and adding exempt to it. That is how I would like to make my motion.

Tracy Mitchener: I want to say that I do not think that this position would qualify under the duties testing. I don't think that would probably be the best decision at this time.

Sharon Tucker: Under the duties testing?

Tracy Mitchener: Yes. There are several different things you have to look at under FLSA and this position would not qualify. Also, we have a ton of other Case Managers throughout the County that are also non-exempt and to make this one different is also a concern of mine.

Tom Harris: Sharon, what we might need to do is research it more. As the Auditor pointed out this morning, this is about 90% of the County employees are non-exempt.

Nick Jordan: Actually it is 93%. Of Chris's almost \$3 million budget, only \$71,000 was spent on overtime.

Sharon Tucker: That is more in the...

Chris Dunn: Youth Care Workers.

Tom Harris: It may be an illustration that we have been more liberal or lax in terms of our definitions of what qualifies or not and maybe we need to take a look at that across the board for all positions.

Sharon Tucker: Then to keep parity, I will make the motion for the consideration of a salary ordinance reclassifying the Youth Care Specialist/Caseworker, PAT 3/2, \$48,021, 40 hours per week, non-exempt to Case Manager, PAT 4/2, \$55,197, 40 hours per week, non-exempt.

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Bob Armstrong: Second.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Congratulations. I know those price increases are not something that are easy to pass up.

Nick Jordan: We only subsidize the operations at 20% to 25% and five years ago it would have been closer to 50%.

Tracy Mitchener: Thank you, Sharon, for everything that you have done. We will miss you a lot.

Tom Harris: Next up is Circuit Court.

Eric Zimmerman: Eric Zimmerman, Director of Court Services for Allen Circuit Court. I am here to request a transfer of funds. As you may recall during our 2020 budget hearing, I requested in addition to our budget for some furniture and fixtures. To remind you what this is for, it is to remodel eight workstations in Circuit Court, in the Courthouse, the total of five offices. Some cosmetic improvements, paint and carpet stretching but primarily to reduce some of the workstations and reconfigure how those employees work. Some will be a little larger for more counter space and some a little less. I was instructed at that time to see if we had any rollover money from 2019. I went back and looked over the budget and was able to realize some savings in our part-time line of about \$15,000 and that pretty much matches up with what the budget was for this estimate that was submitted by the County Maintenance Department. They would be doing these improvements. They will be built onsite and they will be doing all of the labor. I am here to request that the \$15,749 be moved from Extra Deputy Hire to Furniture and Fixtures.

Joel Benz: I have one comment. I appreciate you looking and finding it in your own budget. We did request that and I am a believer that if you are able to manage your stuff prudently then you should be rewarded. I will make a motion for approval of the transfer with the Circuit Court General Fund for \$15,749 from Extra Deputy Hire to Furniture and Fixtures.

Bob Armstrong: Second.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. A quick question, I know that there had been some challenges from the process of administration and you brought in a new person a year or two ago. How is that going at this point?

Eric Zimmerman: We are doing very well. We just met two weeks ago with the State Board of Accounts to make sure that we are on the right track and we are absolutely on the right track and will get a zero comment audit in 2020. We are not waiting until the audit at the end but working with them along the way. Our new person, Carol Strauss, has

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done a yeoman's job of working closely with them and I am very confident that we are going to fix the outstanding exceptions that have been noted the past few years.

Tom Harris: Next up is the Public Defender.

Michelle Kraus: Michelle Kraus, Outgoing Chief Public Defender.

William Lebrato: I am William Lebrato, Incoming Chief Public Defender.

Eric Ortiz: Eric Ortiz, Executive Director of the Public Defender's Office.

Michelle Kraus: We have a request for a couple of salary ordinances. We have a reclassification of a Chief Deputy position with the pay of \$82,124. We believe that since we will have a full-time Chief Public Defender starting in January that it is not necessary to have the Deputy Chief Public Defender. We would like to reclassify that as an Assistant Public Defender at \$71,611, exempt. Our intent is to put a new Deputy Public Defender in our Major Felony Division so that the Levels One through Five, murders, rapes and child molests, we have six Public Defenders there. Through the Public Defender Commission, we have to maintain caseload caps. All of our Major Felony Deputies are carrying at least two murder cases and some of them three. Adding a seventh person in the Major Felony Division will be able to bring down some of those caseload caps a little bit. We have had to go outside of that division to pass along some of these murder cases because they are so complex and take up so much time. We would like to move the money from the Chief Deputy position to a Level One through Five Major Felony. The second part is we would like to take the balance of that \$82,124 and reclassify, one of our divisions is the Drug Division that handles everything from a Level Six which is the lowest level of felony up to a Level One which is the highest level of felony. They only handle drug cases. We historically had two people there and at the beginning of the year we needed to move a third person in there to maintain these caseloads. We need to make sure that the third person is getting paid the same as everyone else. That would reclassify that position with a salary at \$63,899. Both of these salaries include the three percent raise that was approved.

Tom Harris: A quick question. You have an Assistant Public Defender that will be at \$71,611 and an Assistant Public Defender that will be at \$63,899. That is based on tenure or job responsibilities?

Michelle Kraus: Last year you approved a tiered structure. Major Felony is Level One through Five and includes murders. Those are the most complex and serious felonies. Those people get paid more because they are carrying the more complex and serious cases. Then it tiers down from there.

Tom Harris: I am not saying we will do this but it is for a point of discussion, do we call them something different or does it not make sense to do that?

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Michelle Kraus: They understand perfectly based upon the division they are in. One of the things I am working on before I leave is a policy manual. We all know who is in what division but we will have this policy manual and it will identify what those divisions are. Pay is based on those divisions which are based upon the caseloads, complexity and things like that.

Joel Benz: It is kind of clear as mud but I understand because we talked about this in Personnel Committee. What they are doing is basically shifting the money around. The second Assistant Public Defender going from \$55,595 to \$63,899 has been asked to come in and do the job already. She has been there since the beginning of the year.

Michelle Kraus: Maybe a good six months.

Joel Benz: Her job is basically doing the same thing as a couple of others and they are getting paid at a higher rate. She is just trying to shift the money around within her organization to fairly compensate these people. We went pretty in depth in the Personnel Committee and talked to some of the people involved and in my mind it is pretty justified.

Sharon Tucker: I don't have a problem with the ordinance and I will be supporting it. I do have a question but the difference in pay in the divisions and more of a suggestion to watch. If I am in the division with the non-murder cases and I move to the murder am I automatically increased in pay?

Michelle Kraus: Yes.

Sharon Tucker: If I go the other way, do I go down in income?

Michelle Kraus: Yes.

Sharon Tucker: Would that have a negative affect with our red-line policy?

Tom Harris: No, I don't believe so.

Sharon Tucker: They are all titled the same. That is why I am asking.

Larry Brown: Keep in mind that these individuals all have an outside practice.

Sharon Tucker: I am just trying to make sure that we, as a Council, don't run into issues.

Larry Brown: These positions are different because they have outside practices outside of the Public Defender position.

Kenny Fries: But really, the pay difference is listed in the job description.

Michelle Kraus: It is based upon the division they are in. Those Major Felonies, Level One through Five, because of the serious nature of those cases.

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Tom Harris: One thought and if this is detrimental internally, if there is an understanding that these are different positions you could do Assistant Public Defender One, Two or Three or something like that. That would help with clarity from the Auditor's and Council's perspective.

Nick Jordan: From our opinion, they mirror the Prosecutor's where there are 37 Deputy Prosecutors. There is no differentiation. They are Non-Classified. Prosecutor Richards shifts salaries every single year and not based on what you guys decide but based on her management. The Red-circle does not happen with the attorneys.

Larry Brown: Something else to add. Mickey, I don't remember where you said this but you pointed out that it is not unusual for a heavy duty case, murder and such, to require three years of time.

Michelle Kraus: There are certain qualifications that the Public Defender Commission requires in order to handle a murder case and you have to meet those qualifications. If our lawyers are not in compliance with those qualifications we don't get our reimbursements. We are very careful to make sure that the people handling those cases that we have to provide documentation to the Public Defender Commission. We start out with a young lawyer in Misdemeanor Court and they get years of experience. They have to have a certain number of trials before you can move up. The most qualified people we have with the best experience are handling those Major Felony cases. It is unlikely that somebody would step back. There have been a couple of occasions where people in Major Felony start to burn out. They get tired of handling these crazy cases and crazy people. We have switched with people for like maybe a year. Now that we are on this different pay structure, I don't anticipate seeing much of that.

Sharon Tucker: I would like to make a motion for consideration of a salary ordinance reclassifying the Chief Deputy, \$82,124 to Assistant Public Defender, \$71,611, exempt. And I would like to make a consideration of a salary ordinance reclassifying an Assistant Public Defender from \$55,595 to \$63,899, exempt.

Larry Brown: Second.

Joel Benz: I would like to add a comment. I know you are moving onto the Federal Courts and thank you for stepping into a difficult position and making the best of it, best of luck.

Tom Harris: I think all of Council was there a year or so ago when all of the changes were underway and William, welcome.

Michelle Kraus: It has been a ride. I have enjoyed it.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next up is Community Corrections.

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Danielle Edenfield: Danielle Edenfield, Assistant Director Allen County Community Corrections.

Kara Simonoff: Kara Simonoff, HR Generalist. We are here for the reclassification of the Substance Abuse Counselor from PAT 4/3, \$54,334, 37.5 hours per week, non-exempt to Program Facilitator, PAT 3/2, \$45,020, 37.5 hours per week, non-exempt. This position was approved at Personnel Committee 2-0-1. Due to amending their internal health screening processes, the Substance Abuse Counselor position is no longer needed and with the expansion of the classroom offerings within Community Corrections, they would like to add an additional Program Facilitator to help support the additional classroom. I will pass it onto Danielle to explain a little further.

Danielle Edenfield: Thank you for allowing us to come before you this morning on this fairly simple business matter. We learned on November 18, 2019 that the incumbent in this position intends to retire on January 31st, 2020. The HR staff worked with us quickly and allowed us to include this item on the November 20th Personnel Committee agenda. On that date we presented our need to reclassify the Substance Abuse Counselor position to an additional Program Facilitator position at Allen County Community Corrections. We are requesting a February 1st, 2020 after the incumbent's retirement. In 2016, Community Corrections created the CBT Marketplace Program and since that time, both the Marketplace and our offered classes have really grown. We remain committed to offer our classes in a fully risk-divided fashion per evidence based practices meaning all clients are fully assessed for risk and needs and then placed into our classes based on their risk level as well as their identified needs. Our increasing classes that we offer, in this fully risk divided way, have made the division a high priority for a new Program Facilitator. Thus we request reclassifying this position. I am happy to answer any questions.

Tom Harris: I understand that this position is actually going down in classification.

Danielle Edenfield: Yes, sir.

Nick Jordan: It is not being red-circled because the incumbent is retiring.

Jackie Scheuman: The ordinance needs to be effective after her date of retirement.

Nick Jordan: We did 2/1/2020.

Tom Harris: Council, are there any questions?

Sharon Tucker: I will move for consideration of a salary ordinance for Community Corrections reclassifying the Substance Abuse Counselor, PAT 4/3, \$54,334, 37.5 hours per week to Programs Facilitator, PAT 3/2, \$45,020, 37.5 hours per week, non-exempt. This is effective February 1, 2020.

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Bob Armstrong: Second.

Tom Harris: 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 Auditor.

Nick Jordan: On the agenda is a \$300,000 appropriation request. This is the Statewide 911 sends the money to the County and we pass those through to the CCP, Consolidated Communication, based on the interlocal. In 2019 we budgeted \$3.7 million. We passed through the hold harmless amount of \$2.4 million and we passed through almost \$400,000 from 2018. We then received the supplemental distribution of almost \$700,000. That exceeded the \$3.7 million that we had budgeted. All this is doing is allowing us to legally pass through the remaining \$200,000 and some to the CCP in 2019. IF not it would just get kicked to 2020 and potentially leave us short in 2020. The supplemental distribution was a positive thing was almost \$200,000 more than what we had received in the last couple of years. The fact that we didn't distribute two payments in 2018 set us above the \$3.7 million.

Joel Benz: I will make a motion for the appropriation in Statewide 911 Fund 837 for \$300,000 in Consolidated Communication.

Sharon Tucker: Second.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. The next on the agenda is the Discussion and Other Business and we have before us the appointment to the Regional Sewer District. Last month we had two names that came up.

Larry Brown: Tom Rotering and Jim Orr.

Tom Harris: Council, have you had a chance to review materials that came before you?

Larry Brown: I would like to recommend Jim Orr.

Tom Harris: Is that in the form of a motion that we do that?

Nick Jordan: If you can since you are going to take a vote on it.

Larry Brown: I will make a motion that Jim Orr be our representative for the Regional Sewer and Water District.

Sharon Tucker; I will second.

Larry Brown: I would like to follow that up with a comment. If you follow the newspaper, the Board or Commission or whatever the title, is feeling some heat. I think they need all of the experience possible and Jim Orr has been our representative and doing a bang up job. That is another reason for my recommendation.

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Joel Benz: The only comment I have is we appointed him and they terminated the head of their department and I didn't hear anything from our representative on it. That bothers me a little bit that something would get to that point and we wouldn't hear anything. That is what I am going to base my vote on.

Kenny Fries: Last month we asked to get resumes from both applicants. I didn't get one from Jim Orr. I got one from Tom Rotering.

Nick Jordan: That is my fault because I reached out to Tom Rotering but didn't know I was supposed to get one from Jim Orr.

Kenny Fries: I checked the minutes from the last meeting to make sure it was in there and I wondered why we didn't get them. I guess that explains it.

Sharon Tucker: I saw in today's paper about the shakeup that is going on there. It made me stop and think about some conversations that I've had about people coming to the table and giving us an update. I was doing a playback in my mind about how many times any of our Board Appointments have come to the table and really only at our request has anyone come to the table. I think one was me with the Library Board and Ozzie Mitson with the Alcohol Beverage Commission. I think the onus would be on us if we have any angst with anybody coming to report to us because we have not really ever put meat to the bones of requiring that they show up at the table. I have been trying to decide where does a lack of communication lie? In my five years, it has kind of been whenever we requested them to come. The second thing is each one of those Boards, we have put people in play because of their experience and because they have allowed us not to micromanage them. If that is the precedent that we have set, going forward we can change it but I don't the example should be set with Jim's position, especially since he has not expressed a desire to be removed.

Tom Harris: Bob, do you have any thoughts on that?

Bob Armstrong: Like Kenny said, the only thing is that I talked to Tom and I have not heard anything from Jim.

Tom Harris: When is their next meeting?

Nick Jordan: I am not sure when their next meeting is but as far as getting a new Director, I don't know if they are meeting sooner than what is normally scheduled.

Tom Harris: We have a motion and a second on the floor for Mr. Orr at this time. From a procedural standpoint, I suspect we vote on Mr. Orr first. We would move to another candidate if Mr. Orr does not pass. Is that fair for everyone at this point? **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion does not pass 3 (Tucker, Brown and Harris-4 (Fries, Benz, Kerley and Armstrong).**

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Kyle Kerley: I will motion that we appoint Tom Rotering to the Regional Sewer and Water District.

Kenny Fries: Second.

Tom Harris: We have a motion and a second.

Kenny Fries: I know Tom and I have his resume but I don't know Jim. He is probably a wonderful guy. I wish I would have had his resume. I guess that is why I am the way I am with Tom.

Larry Brown: I think the Commission President copied all of us on his expertise and background. He is a member of the management staff at Fox Contracting and has been for a number of years.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-2 (Tucker and Brown) – 1 (Harris abstained). I had asked, before we wrap, for Charity from HR to come before us. Let's talk about the job classification analysis for the year. One of the things that we thought about is how are we doing from an aggregate standpoint? We thought as an annual wrap-up it might be good to kind of review that. What can you share with us on that piece?

Charity Murphy: Charity Murphy, Allen County Human Resource Director. I was trying to get a figure on how many positions had been created with Kara's help or reclassified through Personnel and Council. That was around 80 positions.

Kara Simonoff: It is probably 45.

Charity Murphy: But that wasn't all of the positions that Kara would have evaluated over the course of the year. In the course of evaluating one position, there might be five in a small division and she will go and look at all of them to make sure that the one position relates properly in the scheme of how that division is set up. The total increases in salaries were just under \$1,957,125.

Tom Harris: So just \$1 million of reclassifications.

Charity Murphy: Correct or new positions.

Tom Harris: By the way, some of this information has been sent to us via email. Is that correct, Nick?

Nick Jordan: Yes everything was sent yesterday.

Tom Harris: We have not had a lot of time to review this, at this point. Go ahead and talk us through this and then we will have a chance to review it.

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Charity Murphy: When you do get a chance to look at that spreadsheet, it just walks you through the department that came up for review. It tells the new position, a reclassification and then it goes on to say the current job title, pay grade, salary and title change and what was passed at Personnel Committee. It is pretty self-explanatory. The last column is what the outcome was at full Council.

Tom Harris: We are probably going to have to dive into that a little bit. Thank you for that piece. The other piece that was submitted was the proposed 2020 schedule as far as re-evaluation. Help me understand that a little bit. This email was sent to everyone?

Kara Simonoff: I think it was just sent to you.

Nick Jordan: Did you only send one email yesterday? Charity's was forwarded to all but I didn't have Kara's.

Kara Simonoff: I just sent mine to Tom.

Tom Harris: Talk to us about that. In other words, you know that you are going to be looking at certain departments in 2020.

Kara Simonoff: Correct.

Tom Harris: This is your list of what departments you have identified. Help us to understand how you came up with that.

Kara Simonoff: Basically my wish list. On the first half of the spreadsheet that I sent over is basically the Allen County Departments review status currently. This past year I have gone through the files and matched up JAQ's and job descriptions seeing where the holes are and seeing when the departments were last fully reviewed. The first tab on the spreadsheet breaks it down to when it was last reviewed and then I kind of pulled a wish list. For example, Emergency Management has really never been reviewed. I want to hit those heavy hitters and reach out to those Department Heads. It is not in my control that we force them to review them but it would be nice to dive into them deeper and do the background research. There is also proven fact that job descriptions should be evaluated every three years. It is not going to be a yearly basis where I hit every single department and this is just a proposed evaluation. It also has to go through Charity and the Commissioners. I just separated them out and took them from the last time they were reviewed and put a schedule together and then figured I would recycle the schedule every three years.

Tom Harris: Council, in real time you just received that email. If you are able to pull that up, you now have it in front of you.

Kara Simonoff: There are tabs on the bottom.

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Tom Harris: See if you can bring it up as it might help the discussion a little bit. It is really just informational. I am not looking for any changes, necessarily. At this point, for us to understand, in the middle column it says No Formal Review Completed. You show Last Review Completed. Your wish list is the ones in blue?

Charity Murphy: You are talking about the second tab.

Tom Harris: The ones in blue tell us what that is again.

Kara Simonoff: Those are departments that have been approached every year to be reviewed in full and they choose not to review them. Those are the ones with no formal, actual sit down were done. In the past, as you see like the Assessor's Office someone has looked at all of the positions in that office. Like Charity mentioned, when someone comes to me about looking at a job description or reclassifying stuff, I will look at an entire department but we also have departments that come to us saying that we need to assess it.

Tom Harris: From a Council and aggregate perspective, when you say No Formal Review Completed, how far does that go back?

Charity Murphy: Before my time.

Larry Brown: Probably eleven years.

Charity Murphy: We are talking from every position. Some positions in each department have been looked at but there might not have been an entire review of the whole department.

Tom Harris: My question becomes if you had to prioritize and say these departments are first, second and third, it has not been done on here. Is that something that you guys could do?

Kara Simonoff: On the second tab is my proposed wish list. It is broken down into the three years. Next year I would like to tackle these ones and then the next year, these ones. Research has found in the compensation field that you review job descriptions every three years. That is especially for organizations that have larger departments. If you only have 20 positions, you will look at those every single year. We are trying to break them down every three years.

Tom Harris: So in your 2020 list, which ones have you not previously done?

Kara Simonoff: ACJC, Homeland Security, Circuit Court and the Jail.

Tom Harris: Council, one of our objectives might be that we provide the teeth or a little bit of enforcement to make sure it happens.

Kara Simonoff: Encouragement.

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Tom Harris: Encouragement is a beautiful word but you have had it in the past where these departments simply didn't want to do this. It would be wrong for us to just let this continue. We need to be thinking about this for next year.

Sharon Tucker: It is easy for me to say because I am not going to be here. The reality is that the only way we would be able to impose any full review outside of the Commissioners is to not provide any increases on the ones that are brought forward.

Tom Harris: In other words, Council has the financial ability to withhold, so down or not work cooperatively in the future.

Kyle Kerley: I was kind of thinking the same thing. If we would maybe institute a policy that if you haven't had a formal review completed in the last five years, we will not consider any reclassifications.

Tom Harris: The only challenge with that Kyle is that there are more departments than you can get done quickly.

Kyle Kerley: I am saying going forward. We would hold harmless anything in the past. The ones that have not had anything done, basically put them on the clock and say you have to get this done in 2020 or 2021.

Larry Brown: I will add to that some of the large offenders are here every year.

Sharon Tucker: Yes, if you look at the Sheriff, he has an asterisk on the Jail where they have not been reviewed but some of the Sheriff's Department has been reviewed. We just did a whole reorganization there and that would have been a perfect time for us to evaluate all of those. It can't be that many positions left in the Sheriff's actual department. We looked at the uniformed Officers and we just did a whole big revamp so how many more are left there? At some point in time we have to say work with us a little bit because they know we will fund the ones they want because they are not willing to work with HR to get the other ones done.

Tom Harris: The challenge, a little bit, is that some of the bigger departments are going to take some time to do that. Even as you start to tackle the Jail or ACJC, it is going to take some time to get through that. You might not be able to get to all of those offenders all next year. We need to allow some understanding.

Sharon Tucker: Here's the thing though, they can be scheduled out and planned. Right now they are not open to the idea. I assume that is where you are asking for our assistance because they are not even saying yes. They are just flat out saying they are not interested.

Kyle Kerley: We have a three-year schedule here and whether it sticks to three, maybe we go to four to ease the pressure on you guys. We can say that going forward if you

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don't do the evaluation or refuse to do it then you are not able to bring any requests before Council. That puts some teeth into it.

Kenny Fries: I think it is really important that the employees know this and buy into it. They are the ones who will be affected by it. The Supervisors and Elected Officials are not going to be affected by it. They may say that they are not going to do the review but the employees should know that they may not get the increases they are looking for if they don't get the reviews done. They are going to push to make sure the reviews get done.

Tom Harris: I think Council, along with HR, will work together on that.

Bob Armstrong: Does the Sheriff's Department have their own HR Department their own HR Director?

Kenny Fries: Yes, they do.

Charity Murphy: He would not be evaluating positions though.

Sharon Tucker: There are a couple of other ones. I used them as the example but if you look at the Coroner's Office that could take a smaller amount of time. They haven't had it done either.

Bob Armstrong: How many departments have their own HR Directors or whatever you want to call it?

Tom Harris: Two or maybe three.

Charity Murphy: A lot of departments have an HR person on staff but at different levels. No other department deals with compensation or would be evaluating positions at all. That would come strictly through our department. Some have a person that is a lot more hands on like the Sheriff's Department and does most of their other functions like FMLA, STD and all of that kind of paperwork. Some just has a person that does payroll and hours and onboarding.

Sharon Tucker: But any positioning and/or payroll come through you.

Charity Murphy: Any setting of compensation.

Tom Harris: Council, along with HR, maybe we can set some teeth, if you will. The FSLA, Council, the Federal government just recently said that we now have a new threshold of exempt and non-exempt pay would be \$35,568 and anybody above that could be exempt. They have to fall into certain criteria and anybody who is \$35,568 and lower would probably be non-exempt. Through that change with the Federal government, we started talking about how many people are exempt and non-exempt. It is a big, big number. In 2020, it might be an initiative to look at that.

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Charity Murphy: Since you have asked for that information, I have spent some time looking through it and I don't think that one will be very difficult to look at. It looks like there is a huge number of positions over the threshold but are still non-exempt and some of those like Confinement Officers and other Officers cannot be exempt. Those are easy to kind of throw out. Some of them might be over that threshold but because they are on Step 7. That position, at the base, is under it and those can be thrown out.

Tom Harris: I am probably more concerned for Managers at \$65,000. Then the next question is, how much overtime actually happens? It may not be an issue from a comp standpoint but it may be something that we need to look at.

Charity Murphy: I think once we keep dwindling down the numbers and get that handful of positions we can look at those.

Tom Harris: There is a legal concern as well.

Larry Brown: Might I suggest with Council's approval that the actual schedule be worked out with Personnel Committee.

Tom Harris: Very good.

Charity Murphy: The re-evaluation schedule along?

Larry Brown: We don't need to do that at this table.

Tom Harris: Another item is the Workers Compensation Analysis. Can we talk about that a little bit as well?

Charity Murphy: Yes.

Tom Harris: I think you have sent us a document on that too. Did Council get that one too or no?

Nick Jordan: If it was a spreadsheet, it was sent yesterday.

Tom Harris: Let's see if we can get to that sheet.

Nick Jordan: I sent that at 4:24 yesterday and it is called Worker's Comp Claim History. The email was titled Annual HR Wrap-up.

Larry Brown: I didn't get it. Oh wait a minute. Annual HR wrap-up but what is there is attorney fees.

Nick Jordan: That was the second one. You should have one before that.

Tom Harris: Did everybody get that?

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Kyle Kerley: When was it sent?

Tom Harris: Tuesday.

Nick Jordan: It was sent yesterday at 4:24. It was back to back and they both say Annual HR Wrap-Up.

Charity Murphy: I thought you sent the HR one earlier in the week.

Nick Jordan: To Tom. Tom was the only one on the original emails.

Tom Harris: You are all good now? Talk us through that. These are numbers that represent people being injured in the County and we are paying medical costs. It is strictly medical and is not pay.

Charity Murphy: This would include the whole picture. You will find in any Work Comp the medical is where the costs are driven up. It is not the loss of wages.

Tom Harris: So maybe just give us a broad look at 2018, 2017 and 2016. How are we doing in comparison of the last couple of years?

Charity Murphy: I think you can see all of the numbers back to 2009 and we don't need to go back that far but you can see that some of the trends are cyclical. There have been many years where we stayed pretty level around \$500,000. In 2017, we were close to \$1 million in claims. It went back down last year to around the \$500,000 mark. This year we are way up. Unfortunately we had a rough year. If you look all of the way back, the reason I said that it is kind of interesting to see some of the past figures is that in 2011 we were around \$850,000. Again, it goes up and down and I don't anticipate having a really low year especially with medical costs going up. There are two things for this year that have kind of created the situation we are in right now. One is definitely medical costs and two is the severity of injuries and those are obviously correlated. Our big ticket items and most expensive claims are orthopedic injuries. We have had a lot of them. We had many random claims. We had some in the County Assessor's Office, in the Clerk's Office and Adult Probation, claims that were accidents where somebody tripped and broke a bone and had to have orthopedic surgery. Some of those departments probably only had a couple of thousands of dollars in claims ever and now the claims are upwards of \$100,000.

Tom Harris: I am going to jump ahead a little bit. In terms of strategies for 2020, do we have a Safety Committee?

Charity Murphy: Yes, we got a new broker in 2019. We are still with the same company for Work Comp but our actual broker is different. They have taken on a very hands-on approach. They are also our broker for casualty lines and auto general liability. In having all of these lines, they have been able to implement some new programs and a revamped Safety Committee is one of them. We are meeting in early January to get that started. It will be quarterly meetings.

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Tom Harris: A rough idea of who is in that committee, is it all departments?

Charity Murphy: It will be a couple of representatives in management that take an interest in safety and are big advocates of safety in big departments. Commissioners, our Risk Manager and I and I think it would be great if a Council member would want to be on that committee.

Tom Harris: Unless there is someone else, I would have an interest in doing that. I have a little bit of experience in trying to track as well as trying to reduce accidents. These are dollars to us but they represent people getting hurt. We ought to be thinking about what we are doing as an employer to reduce people getting hurt. Bob.

Bob Armstrong: The only thing I have to say is when she spoke about who was going to be on it, we always leave out the people that need to be involved and that is the employee. Just because you put a Supervisor from Highway on there, we need working class people that are out there doing the work involved and not management people dictating the merits of what they are pushing.

Tom Harris: Do you know if the Highway Department has a Safety Team or Committee?

Bob Armstrong: I don't know.

Charity Murphy: I don't believe they do but that is part of this. You can't have too large of an Executive Safety Committee. We are hoping to push it out to smaller...

Tom Harris: What you could do is identify the major departments that are having the highest number of claims and then identify a Safety Team within and having employees on it. What gets measured and gets managed and if departments or employees don't know these numbers, we can help them understand that we had 25 accidents last year and let's make sure it is ten this year.

Bob Armstrong: When I first came on Council, I sat on an Accident Review Committee and I think that has just gone away. You have to hold the employees accountable.

Kenny Fries: The Sheriff's Department had one.

Bob Armstrong: That was very interesting because when one of the Operators at the Highway Department backed up and hit a Foreman's truck. We reviewed it and the actual short way of the story was why did the Foreman pull up into a construction zone and park right behind dump truck.

Tom Harris: You train, you teach...

Bob Armstrong: You have to talk it out and investigate it and come to a resolution on it.

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Tom Harris: And we are turning to Sharon here but an aggregate perspective is if we are having the same kinds of injuries, in the same kinds of departments that are where we ought to attack.

Sharon Tucker: Thirty years in the Commercial Insurance Industry, right here, Work Comp is always one of the things that increase the cost of insurance. Kudos to you guys for being proactive. I do think it would be beneficial to have someone from department staff and not management on those teams. The other thing is that the insurance carrier right now should be providing them with tools that they can do and see things that you can provide like little videos that people can watch that will help give them an internal view of what insurance does and how to be safe. One of the things that we push out all of the time is what happens if there is an active shooter. We don't think about those things but those things happen. Our carrier should be providing information and/or group seminars as part of your strategic planning. You can include that in to make sure employees have that information provided to them. The biggest impact will be having that open communication and having those voices at the table as well.

Larry Brown: To follow up on that in my industry, it is called Tool Box Talks and you keep the Tool Box Talks relevant to what the crew is doing. They do help.

Sharon Tucker: We grip and moan about it but in the event of a loss we know exactly what to do. The biggest thing we have found in the industry is not the fact that there was a slip and fall but there was a slip and fall and the employee maybe waited to report and then it grew into something much larger. If we had reported it right away, we could have done something about it and minimized the amount of damage that would have been done.

Tom Harris: I have also noticed over time if you don't attack safety issues, these numbers just keep growing.

Charity Murphy: I wanted to let you know that the Regenexx Program that has become part of our health insurance plan is also going to be part of our Work Comp treatment as an option. We are hoping that it will significantly cut some of those ortho costs.

Tom Harris: Thank you, Charity for putting this together. Council, I just wanted to make sure that everyone is aware of that and unless there is another Council member that is interested, I would be happy to serve or be part of that committee.

Bob Armstrong: I have a question. Could you give us a report for the last three or four years of how many jobs we have re-evaluated, reclassified and what I am looking at is red-circled, job description where they are making more than they should be making and so you red-circled them to cut their pay. Do you guys have any of that record stuff?

Charity Murphy: For just the ones that we red-circled? I will have to go through the list that we provided and highlight it for you.

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Bob Armstrong: Okay.

Tom Harris: We have one more piece to look at which is the Attorneys' costs. Nick, I think you maybe put that together. Council, see if you can find that one, maybe. It was also an email yesterday.

Bob Armstrong: Is that all looped into...

Nick Jordan: It was the second one.

Tom Harris: Council, if you want to take a look at the list, it was simply a look at the costs of the Attorneys. Kenny, I think you might have asked for this initially.

Kenny Fries: Is this what the Attorneys charged or what our payouts have been?

Nick Jordan: This is what we have paid to these Law Firms based on the Law Firms' billings. If you had one Attorney on his or her own behalf, they are not listed on here. We would have to go and search for them.

Kenny Fries: I think what I am more interested in is what liabilities we still have out there in lawsuits. I know we don't get the names in the lawsuits.

Nick Jordan: You want settlements.

Kenny Fries: Yes, I want to know the settlements. I would always say that we are not going to settle the case. Let's take them to court because it has a tendency to drive down their lawsuit. If you start settling everything, everybody else will sue you because they are going to get a settlement.

Nick Jordan: Do you also want the payments to Chris Myers?

Kenny Fries: Isn't he the only one that sues us?

Nick Jordan: Sometimes we pay out the actual individual and then pay Chris Myers. For example, the Jail had one that was \$600,000 and it is sitting. As those claimants come forward, we may pay them out.

Kenny Fries: Yes and there is a timeframe on that. They have a certain amount of time to get those.

Bob Armstrong: What he is asking for is kind of what I was. Back in the day, John Feighner would come to us every year and say here are all of the claims for the Sheriff's Department, what was settled and what was paid out. That is kind of what I am looking for. I look at the legislative agenda for the Commissioners and the last three or four meetings settled this with the Sheriff's Department. I don't care who it involves. I would like to know why did we settle and what was the amount. I haven't seen John Feighner come here in I don't know how long.

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Nick Jordan: In nine years, I have never seen it.

Kenny Fries: When I was the Sheriff, he would come and do it and would let Council know that in 2020 this is the liability that you have out there.

Tom Harris: That is another report that we could take a look at.

Nick Jordan: I will get with the Commissioners because we don't know that.

Charity Murphy: I can get outstanding lawsuits for you.

Tom Harris: I think that does it from that standpoint. Thank you, Charity, for putting some of that information together. One other item is the Façade Update and there were two or three Council members on that project. Are there any updates on that? Remind me who was on that committee?

Kyle Kerley: Sharon, Joel and I.

Tom Harris: Is there any update? The Department of Planning was going to take a look at how to implement the Façade Program.

Sharon Tucker: They are going to do some additional research for us to make sure our program mirrors some of the façade grants that are already going on within the City. Instead of reinventing the wheel, they are looking at some of the information that they have to see how our application can look similar to that application. When they do pull that together, there is an amount that we kind of agreed to see as a seed to the program to see how many applications we would get in before additional dollars were allocated to that.

Tom Harris: Any thoughts on a timeline of getting back together or some kind of resolution?

Joel Benz: I think we were planning to meet in January. We had hammered out some of the initial so that they could move forward. As far as implementing, it would not be until maybe next year.

Kyle Kerley: We would basically kick the program off in 2020 for 2021.

Sharon Tucker: We are missing the construction season right now. Those applications are being reviewed so that in March they are granted and then the construction season takes off and grows and we will miss that because we don't have our structure set up. We will be ready for mid-summer or early-fall to roll into 2021.

Tom Harris: Okay and the last thing I have is the update from the abatement meetings. A couple of members of City Council had asked for County Council to join in on a

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review of the abatement process. The City has decided to change their fees. You guys remember that sometimes people will forget to fill out forms and then they come back and we have to apply a fee or something. I think they have raised their fees as well as the filing fees. They asked if we were interested in doing so. We turned to the Department of Planning. The differences between City government and County government are that the City gets an extensive amount of abatement requests and the County does not get as many. The City has staff including Attorneys that do all of their paperwork for them. The County doesn't have that and depends on the Department of Planning Services and sour costs are a lot less. The thought from DPS is we would not raise the fees. City Council wanted to go ahead and move forward and they did so. Unless there is an interest from Council to pursue that further, our recommendation from DPS is not to move on that.

Sharon Tucker: Did they say why they needed us to move in tandem with them?

Joel Benz: They wanted us to stay in step, I think, so there is not disparity between the City and the County. If you invest in the City, you would pay this amount and in the County you would pay a different amount.

Tom Harris: One of the things in consideration was the filing fee that went to \$1,000.

Sharon Tucker: I saw \$1,500 somewhere.

Tom Harris: If I am ready to ask for a large abatement, is the \$1,500 going to make a difference? Am I going to move to the County and put my business in the County versus the City? In other words, is the difference that we are going to charge change behavior? I don't see it.

Joel Benz: I think that is something to visit another day.

Tom Harris: The last thing I want to say is Sharon, thank you. It has been a pleasure to work with you and all of the ribbing that you have taken. Thank you and best of luck to you.

Sharon Tucker: Thank you. I would like to say that I have enjoyed the Council that I have served with. It has changed and over five years, you make interesting friends politically. I have enjoyed you guys and given as much as I can the kudos to all of you because I don't think that you guys treated me any differently because our political standings are different. I think you guys embraced me well and appreciate that. Even Ken has been kind.

Kenny Fries: I didn't know our political standings were different.

Sharon Tucker: I wish you guys the best of luck my replacement. She won't be me. No, it will be great. It has been a pleasure getting my teeth cut on politics at County Council. It has been wonderful.

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Tom Harris: Council, are there any upcoming meetings or liaison updates at this time?
Bob.

Bob Armstrong: I have one question. In October, we had a discussion on the Advisory Committee and Kim was asked to put together a presentation or report or something on the Sheriff funding it or her funding it. I guess what I am asking for is that report done?

Tom Harris: To my understanding, the Commissioners had requested information from the Sheriff as well as Community Corrections. I think the information has been received by the Commissioners.

Joel Benz: I did see a little bit of that just because I happened to stop into Beth Lock's office. She is working on aggregating some stuff on that. She is really spending some time and digging down in trying to do a comparison. I think then it will be brought before us. From what I saw, it is very in depth.

Tom Harris: One final piece on the Faith in Indiana group, I think the Commissioners are about to send information on how the County will consider in looking at their request.

Kenny Fries: I met with them last week and will talk to them.

Tom Harris: Sharon, one final thought that you would like to read today?

Sharon Tucker: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of December 19, 2019.

Bob Armstrong: Second.

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

Bob Armstrong: Move to adjourn.

Sharon Tucker: Second.

Tom Harris: All in favor please signify by saying aye. Opposed like sign. The motion carries 6-0-1 (Brown absent).