

**ALLEN COUNTY COUNCIL MEETING MINUTES
FEBRUARY 21, 2019
8:30 AM**

The Allen County Council met on Thursday, February 21, 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 January 17, 2019 meeting minutes. Are there any additions or corrections?

Joel Benz: Move to approve the minutes from January 17, 2019.

Larry Brown: 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. In your packet, you will see the financials through January 31st. There is nothing major to report at this time. Miscellaneous Revenue is trending right along the one-month timeline. You won't see any property taxes in until May. If you have any questions, I can take them but every major fund that you see are very healthy.

Larry Brown: I have a question. I never noticed this before and I am trying to find it. I am pretty sure it is Rainy Day. Under Department, it says Commissioners.

Nick Jordan: I believe, under law, they are the ones that set that fund up. Just like every fund, it requires appropriation.

Larry Brown: Okay.

Nick Jordan: Being the legislative body, unless the fund is created by statute, the Commissioners are the ones who create the fund. In this instance, since it is not tied to a specific department that is why we have the Commissioners' Department. Historically,

ALLEN COUNTY COUNCIL MEETING MINUTES

Council has taken the lead on using Rainy Day, when it has been used. Most recently, it was used for Highway trucks twice. I think it was also used for security for ACJC.

Larry Brown: And one other thing, I was looking just to confirm, typically or traditionally we loaned out of Rainy Day for cash flow. Where does that appear?

Nick Jordan: We haven't done it for two...

Larry Brown: Never mind.

Nick Jordan: It would be on the first on the General Fund financial but we haven't done it for two or three years. What we are trying to do, if you look at the General Fund financial, I have earmarked so to speak of \$6 million to eliminate that Rainy Day Fund loan. That is keeping that \$6 million in there so it never goes into the negative.

Larry Brown: Okay.

Nick Jordan: That is where it would be if we did it.

Sharon Tucker: I will make a motion to accept the financial report as presented.

Larry Brown: Second.

Tom Harris: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. For total appropriations requested in the General Fund, we have \$33,743 and total appropriations in Other Funds are \$223,467. At this time, we open it up for public comment. If there is anyone who would like to speak at this time, please come forward. Please introduce yourself.

Vickie Hadley: Vickie Hadley, Health and Human Science Extension Educator and the County Extension Director and the Facilitator for the local Food Council.

Stephanie Henry: Stephanie Henry, I am with the local Food Council.

Vickie Hadley: On the table this morning, I put postcards for you. We have our local Food Forum coming up. This is our actual fifth one that we have had and so I encourage you to participate in that. You will see that there are three opportunities. On March 18th, we have a forum from nine to three. We have a guest speaker coming and we have many breakout sessions. Our focus is local food and some of the initiatives going on and we are also talking about ways to get local food into our food deserts and also hopefully reduce the obesity that is within the community. We have a social hour from three to five and an opportunity to meet with some of our local food vendors. There is an after party from five to seven. There is a lot of opportunities to talk to people that are very passionate about this. A comprehensive plan is being addressed before too long and it is time for it to be reviewed. We know that urban Ag is something that is missing from that and we are trying to prepare to get ready for that. On the back of the card are many of our partners

ALLEN COUNTY COUNCIL MEETING MINUTES

who play a key role in putting on the Food Forum. Northeast Indiana Local Food Network is the one who is organizing many of the events this year. The registration form is at their website neifood.org. You can go for all day, nine to seven or take the forum or social hour or after party.

Stephanie Henry: We would really encourage you to come to the morning session. The keynote presenter is going to be the former Deputy Director from USDA and her presentation is something I don't think you want to miss as well as a really fantastic locally sourced lunch.

Tom Harris: Is this the first time?

Vickie Hadley: This is our fifth one. We used to call it the Food Summit and when we expanded it to include other opportunities, we called it the Food Forum.

Kenny Fries: Is this at the Extension Office or where is it?

Vickie Hadley: It is held at the Fort Wayne Walb Union. Our goal is to get 200 people to participate.

Tom Harris: Vickie and Stephanie, thank you very much. Seeing no other public comments, we will move forward on the agenda. Next up is Economic Development and the tax abatement analysis 2018 update.

Elissa McGauley: Elissa McGauley, Director of Redevelopment for the Department of Planning Services.

Rachel Black: Rachel Black, Economic Development Allen County.

Elissa McGauley: We were here last month reviewing some updates and amendments to the Property Tax Abatement Policy. This month we are back again. On an annual basis, we put together a report that summarizes the prior year's activities in regards to property tax abatement requests. This does not only include the things that Allen County Council approved but also other cities and towns. As you know, Department of Planning Services administers those programs for Hometown, Grabill, New Haven, Monroeville and Woodburn. The numbers in this report reflects those. I will let Rachel take it away since she is the one who prepared the report. I am here to listen and answer any questions you might have.

Rachel Black: I am going to give a brief summary of the report. As you are probably aware, the program was established in 1982. We have had 346 tax abatements during that time. There was \$3.8 billion for investment in both real and personal property. For 2018, there were twelve companies that filed for tax abatement with real improvements at \$69.2 million and personal property investment of \$45.8 million. As far as the breakdown for our cities, towns and unincorporated Allen County, there was one in Woodburn, four in New Haven, one in Grabill and six approved by this Council for unincorporated Allen

ALLEN COUNTY COUNCIL MEETING MINUTES

County. As far as jobs, companies pledged to retain 2,521 jobs and create 1,475 jobs. A brief summary on compliance, which I had already gone over last year, there were 45 companies that filed and 24 relevant to this Council and as some of you may recall, there were two that were late in filing and one that did not meet requirements and one that did not file. Of those four companies, one withdrew and no longer wanted to receive tax abatement. The other three came before this Council and explained their situation and were approved to continue on. Lastly was the Tax Abatement Development Fund which is provided in the application. Companies can elect to give back a portion of their savings to the fund. The fund was established in 1994 and is voluntary. If they do contribute, it is part of additional points that they can add within the point system. Thirteen companies who received a deduction had committed to contributing back a percentage of their savings and for 2018 that totaled \$48,399. As of December of last year, the fund balance was \$839,780. For 2018, seven of the twelve elected to contribute. As far as the summary that is all I have for you. If you have any questions, Elissa and I would be happy to answer them.

Tom Harris: Just on that last piece, the seven of the twelve, if they are receiving enough points they could voluntary even if they received enough points. That is kind of irrelevant, right? They either choose to be in the program or choose not on the voluntary component, right?

Rachel Black: Yes.

Tom Harris: It doesn't really matter what they did in terms of points. I was trying to think if that made a difference.

Elissa McGauley: In some cases it could bump them from a seven to a ten and so that might be advantageous to them.

Tom Harris: So, when you look at seven out of the twelve, it may have been that it wouldn't have been advantageous for the other five.

Elissa McGauley: Correct. Like you said, it is voluntary but in some cases it might be that they are taking advantage of the points and getting a few more years of deduction.

Tom Harris: Okay. Also, one of the things we look at from Council's perspective is on page ten which is the annual average wages in terms of how we have done. Council, one of the things we will kind of want to continue to watch, this program is kind of built around major objectives and one of the objectives is to try to make sure to raise that average wage in the County. This gives us some indication of how we are doing with that. Maybe we need to continue to focus in that area a little more.

Larry Brown: Follow up on that statement, on page 11 is the Compliance with Statement of Benefits for 2017 payable 2018. If you do the math, retained jobs were 26,994. Do the math and that is just over \$79,000 on average. I don't think that is correct.

ALLEN COUNTY COUNCIL MEETING MINUTES

Rachel Black: I will look at that. It is all done on spreadsheets.

Larry Brown: I would expect it to be more like \$40,000. The good side is on the created jobs, 3,601 jobs created with salary of \$206 million that comes out to just over \$57,000. If this is going to go public, I was not President. Joel Benz was President. Page one or page two or whatever.

Tom Harris: That would be a good correction. Council, are there any other comments or thoughts on the report? Good report, overall. It is great insight on this program and what we do in terms of the phase-in and the objectives of the phase-in process.

Elissa McGauley: I will remind you that last month, when we had made some adjustments to the point system, we promised that we would do an annual review. We will probably be back to you mid-year after the budget to see if there needs to be any tweaks to the point system or job section or investment section or others.

Tom Harris: Elissa and I had a chance to talk earlier this week and Council, we have the ability to modify the point system at any time. Not on an annual basis but anytime that we choose to. As we continue to watch the competitiveness and unemployment rate and various things going on with the economy, we do have the ability to come back to this and stiffen or lighten the point system and make the most sense. We will continue to follow your lead a little bit in terms of what is best for the economy. Thank you. Next on the agenda is a presentation from the Greater Fort Wayne Chamber.

John Urbahns: Good morning, John Urbahns, President and CEO of Greater Fort Wayne, Inc.

Ellen Cutter: Vice President of Economic Development of Greater Fort Wayne, Inc.

Tom Harris: Welcome to both of you and congratulations, John, in this new position.

John Urbahns: Thank you. Ellen took over my role as Economic Development in just the last couple of weeks. I appreciate the opportunity to spend a few minutes with you this morning. This ties right in on the presentation you just had on the tax abatement policy. A lot of projects that we have worked have gone through the process as well. I want you all to know that we view Greater Fort Wayne, Inc. as collaboration for the entire community. It is Fort Wayne, unincorporated Allen County, New Haven, Woodburn, Monroeville and all of the communities within the County. That is our focus and we will talk about that this morning. Our mission is very simple. It is about building a nationally recognized economy here. You talked about increasing the wages. The way we see it is grow jobs and grow wages and therefore grow the economy which makes it a better place for everybody in our community. Why do we do it? It is really about the people and the capital within our community both tracking and retaining that. It is about trying to keep the capital we have, attract capital from outside of our community, keep the people we have and attract people to our community. The workforce is the number one issue facing our businesses as we go out and talk to them. It is about helping to grow

ALLEN COUNTY COUNCIL MEETING MINUTES

that employment base within our community. I talked about a collaborative approach and we work very closely with the staff of the County, the staff of the City, the staff of New Haven and we have quarterly meetings where we talk about keeping things moving forward. What we try to do is celebrate and support our local businesses through our business retention program. We try to get out and talk to 500 businesses a year and talk about what their challenges are and the growth opportunities that they have. We try to help them connect with issues they are having. We talk about improving the community's quality and competitiveness. If we are looking to attract people, we need to make sure that they have a low cost of business environment but also have a high quality of community where people are interested in coming to. We need to develop an inclusive workforce and develop next generation leaders and that is what we are trying to do in some of our programs like Leadership Fort Wayne and the Fellows Program and the Disability Program that I will talk about in a little bit. And obviously working with your staff and other staffs to attract new businesses and talent and capital to the community, our core of what we focus on. I think a lot of people think that we are very focused on downtown Fort Wayne but we are working within the community. We spent the last couple of years really working to develop tighter relationships with the New Allen Alliance and working with them through the Stellar Process which they ultimately received the designation through the State. You all supported the projects that they had. It is about improving all of the communities within Allen County. Some of the other things that we are heavily involved with is the Purdue Extension. We have staff that is on the Board out there and works closely with Vickie and the team and has gotten out and made a lot of inroads in the rural part of the community. They are talking with farmers and Ag business involved with the Food Summit and things like that. We are making sure that we are hitting all of the industries within Allen County and not just the ones that people may typically think about. The results, over the last couple of years if you look back to 2017, there were 28 deals that we were involved with. Elissa and Rachel talked about projects that came through the process. About ten of those were outside of the City of Fort Wayne. About one-third of the projects were outside of incorporated Fort Wayne. There were a little over 1,800 new jobs. The important piece to look at there was the new annual payroll. There was \$81 million of new payroll each year. We talked about the tax phase-in process and they are bringing new revenue to the table. This is new revenue going into people's pockets. It is revenue being spent at local restaurants, buying cars, houses, goods and services. It is also revenue generating increased business tax dollars for the local communities and the County. This is new revenue that will be there every year. If you look at last year, we have been on a good run for the last few years. The economy has been going great and it is a great time to be in this role. There were 33 deals last year. About a third of them were in unincorporated Allen County. There were just under 2,500 new jobs which translated into around \$115 million of new annual payroll that is going into the local economy to support smaller business, supporting goods and services and increasing the tax base that you are all helping to invest in the community. And there was about \$340 million of investment has occurred. That has helped to create a situation that the County has talked about for the last two years. We have about a billion dollars in building permits. That is an activity that is creating jobs in the community. A lot of these projects show that the economy is going very well. Here are a few of the recent expansions, General Motors, the Walmart facility out on Bluffton Road and the

ALLEN COUNTY COUNCIL MEETING MINUTES

work to acquire property at Stonebridge and has really paid dividends on the projects that we have been able to attract as a community. I will point out that there is a lot of foreign investment that is taking place. If you look at ElringKlinger on the list, it is a German automotive company that went into one of the spec buildings. Faurecia is a French company that went onto Airport Expressway. There is a lot of foreign direct investment that is going on as well as local companies. I mentioned one of the biggest things we are focused on is workforce. A couple of things that are new that we are trying is one, working with the AWS Foundation to bring on a Disability Coordinator. If you look at the unemployment rate is hovering around three percent or just over three percent. If you have a disability, it is double digits. We have brought on a Disability Coordinator that is working with local businesses to work with them on opportunities to hire people with disabilities. He has been very successful and has been out meeting with different businesses and talking about the things they may need to look at and how they can change their jobs to incorporate people with disabilities into the workforce. We are seeing dividends paid there. The other thing we are focused on, there is a group called the Gateway Coalition that has been around for about four years. It is a group of businesses that have been working with educators on skilled labor and construction trades to get employers out talking to students and guidance counselors about opportunities in skilled trades, construction and manufacturing. We have a lot of jobs in those categories and there has been such a push for college, college, college and some folks get lost in that. They have asked us to take that program on as a GFW program and we will be bringing it in-house in the next couple of months. One of our staff will be acting as a facilitator in getting businesses out in front of high school students to talk about things other than college. We would also work to get counselors in the summer time to do an externship for week long in a business so they can understand the needs of the employers as they start to help kids figure out where they are headed. These are a couple of things that we are going to be getting into more this year to try to make a difference and help our employers and residents.

Tom Harris: Very good and thank you. One of the things we generally like to ask is what is your biggest challenge that you see for Greater Fort Wayne?

John Urbahns: I think the biggest challenge is the workforce side for the community. From an organization perspective, I am working to make sure that we make this a very collaborative organization and that we are working together. I know one of the challenges that we had was that our Board meeting conflicted with this meeting. We have changed that and will now be meeting at a different time so that we can make sure all of our partners will be able to participate. We need everybody to be involved. I mentioned the economy is going well and things are great right now. We need to continue to push forward and take bold stances and work together as a community. We can do more working together and that is what I hope to see moving forward.

Tom Harris: One of the critiques that we hear occasionally is the emphasis on downtown Fort Wayne and not enough emphasis on unincorporated Allen County. What specific kinds of things are you doing? Perception equals reality.

ALLEN COUNTY COUNCIL MEETING MINUTES

John Urbahns: I think the perception is partly because of the projects that have occurred downtown are big and it is about scale. A project in downtown Fort Wayne is going to be much bigger than a project in downtown New Haven or Woodburn. Getting out and helping those communities with the Stellar Program and making sure that we can provide the assistance we need to be providing to help them get projects done. It could be helping them find a developer for a building rather than an entire block. The great thing is that even in the region, Allen County has been viewed as the 800 pound gorilla. We work together very much, regionally, but in the last couple of years we have gotten calls from Berne, Kendallville and Angola asking for help and how to structure a deal. We will sit down and help them figure it out. We are not going there to do the work but we will sit there and help them understand how we have been able to do things. At the end of the day, the economy doesn't know the city limits line or the county line. We have had a lot of people in northwest Ohio that have asked us what we are doing. There is a magic happening in Allen County. We have been talking with people in Van Wert, Lima, Bryan and Defiance and they are asking what are you doing and how are you doing it. At the end of the day, they are part of our workforce. If workforce is our issue, workforce doesn't care where they are. If they are within 60 miles of their job, they are within the drive to Allen County. We are pulling a lot of workers in for that. We need to make sure that we are helping everyone along the way but our focus is Allen County.

Tom Harris: One other thing is what I hear from small businesses is that there is not as many members in small business, active members in the Chamber and Chambers deal with this all the time of meeting the needs with the larger Chamber members versus the small members. How are you going after more members and maybe smaller business and such?

John Urbahns: We still have over 1,300 members and if you look, the vast majority of our members are smaller businesses. If you look at the funding that goes in from the business sector side, 72 are kind of larger contributors but there are 1,200 plus that are traditional members. We are having networking events and providing opportunities for them. They also understand that the work we are doing to grow the economy and jobs, they are understand that the \$115 million in new wages are dollars that they can go after. It is dollars to help support their business. I think there is a better understanding even since when we started that what is good for the community is also good for me.

Tom Harris: Council, do you have any questions or comments?

Sharon Tucker: I have a question. John, with the development and growth especially with what is going on in the northern part of the city, is there someone on your team that is on the Transportation Board like with Citilink to help? A lot of what I see, especially now, you mentioned several different cities but Hoagland, Woodburn, Monroeville and there is not a lot of economic development going on out there that I am aware of. I know you said there were some small projects that you might be helping with and they are part of the alliance that was just awarded the Stellar Award. How do we help so that the jobs that are being created and are outside of their community, how do we help individuals get

ALLEN COUNTY COUNCIL MEETING MINUTES

to those jobs? Do you have any representation on that because that would be a part of development by making sure that people can get to the jobs.

John Urbahns: We do not have representation from Citilink on our Board and we are losing a staff member to be the Director of Community Transportation Network. He will provide a great service to the community there. I know Citilink is going through their plan and they have interviewed us and we have talked to them about those challenges. It is a challenge when you talk about density and public transportation and getting to communities that don't have the same scale of people. That is something that we can talk about.

Sharon Tucker: I would love to because even with Walmart's Milk facility, I spoke this last week with people that are in cold weather walking. The bus can only go so far and then they are walking the rest of the way. We are creating a great opportunities for employment but I think we are slipping on the opportunity to get people to the employment.

John Urbahns: We have Community Transportation Network and I have talked to Blue Jacket and some of the transportation they are providing and there are some unique things starting but it is not widespread enough. Part of the collaboration is having the conversations like this and trying to identify areas that we can focus on. I would be happy to have more conversation about that.

Sharon Tucker: Thank you.

Tom Harris: Has GFW taken a position on House Bill 1402, by any chance? That is the Innkeepers piece?

John Urbahns: We support the efforts of Visit Fort Wayne. The way it is structured now, it will be a County Council decision.

Tom Harris: Are you also in favor of increasing the tax?

John Urbahns: I think it is that tourism has become an industry unto itself. I think Visit Fort Wayne has done a great job expanding the number of people coming to our community. One thing to think about with the Innkeepers Tax is that it is a tax that is being paid by the people that are coming here and aren't living here. I was down to testify on some bills at the Statehouse last week and I got a room in Indianapolis for one night and I knew what my rate was and that I was going to pay a certain amount in Innkeepers Tax and it was probably twice as much as I would have paid here. If you look at the number and talk to Dan O'Connell and his team in Visit Fort Wayne, the amount of conferences that are coming here, they are used to paying a higher rate in Indy and other communities than they are paying here and so it is still a good deal here. I am confident that Dan wouldn't propose or you pass something that would negatively impact the convention business here.

ALLEN COUNTY COUNCIL MEETING MINUTES

Kenny Fries: I have a couple of questions. What is the number of staff currently working for you and the salary?

John Urbahns: We have 20 staff but I couldn't tell the average. That is something that we can get for you.

Kenny Fries: I would be interested in that. I was in law enforcement and people would take credit when the crime rate went down and I would say that they also needed to take the blame when the crime rate went up. It is great to take credit for all of this economic development that has happened but what do you do when the economy goes down? Do we lay the blame at Greater Fort Wayne for not doing their job?

John Urbahns: I am not looking to take credit for it. These are community wins. These are not Greater Fort Wayne wins. This is on all of us that things are going well and it will be on all of us when things are going bad. I am not looking to take credit for it. I am just reporting that this is what we have been able to do together to help grow the economy. If things start to go bad in the economy, we need to look at what we are doing and work together on that. If things aren't working right, let's get together and work with the City staff and the County staff and understand what we need to change up and say this isn't quite working right and let's work together. Greater Fort Wayne is all of us and not just the staff.

Kenny Fries: At some point, you should pat yourself on the back and say that you are doing a good job.

John Urbahns: I think we are doing a good job but the great thing is the working together. We know when we bring somebody in, we know the partners that we are working with at the County and the City. I think it is a pat on the back for all of us.

Tom Harris: Council, any other questions or comments? Thank you very much for your report. Next on the agenda is the Election Board.

Beth Dlug: Good morning, Council. I am Beth Dlug with the Election Board. I am here to ask for an appropriation to purchase a copier. It has been on our Capital expense survey since 2013. We originally thought we were going to get one in 2016 and we have just kept pushing it back saying that we could get by with it but it is gone now.

Larry Brown: I appreciate the fact that you brought to our attention that it has been on your radar for so long. It makes it a no-brainer.

Tom Harris: Thank you for keeping it as long as you did.

Sharon Tucker: I think if they didn't have to copy frivolous reports, it would have lasted much longer. I will make a motion for approval of the appropriation in Campaign Enforcement Fund 295 for Office and Computer Equipment in the amount of \$4,399.

ALLEN COUNTY COUNCIL MEETING MINUTES

Kenny Fries: 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 ACJC.

Wendy Kyler: Wendy Kyler, Budget Analyst for Allen County Juvenile Center.

Shane Armstrong: Shane Armstrong, Director at Allen County Juvenile Center. We are here to go over a replay of what we did last month. If we can start with the vehicle, we had this discussion to appropriate another vehicle. The day prior to last month's meeting, we found out the vehicle was redlined and we had the discussion then. Basically, we can revisit that. We are asking to appropriate additional funds of \$31,542 to replace our 2002 Jeep Liberty with a 2019 Dodge Durango.

Tom Harris: Was that due to an accident or age of the vehicle.

Shane Armstrong: The age of the vehicle and it was redlined by the Service standards it was way overdue for public service. I think it went in for a window situation and at that point in time, Mr. McCoy redlined it.

Tom Harris: This vehicle transports youth?

Shane Armstrong: Yes. It transports youth or family, depending on the needs.

Larry Brown: Was this a hand-me-down from another department or did you purchase it new?

Shane Armstrong: I believe this was a hand-me-down.

Joel Benz: I see on the report that parts are not available and the rockers are rusted.

Shane Armstrong: We try to drive the wheels off at Allen County Juvenile Center.

Sharon Tucker: I will make a motion for a reduction in Council General Fund for the amount of \$31,542 and an appropriation in ACJC General Fund for a vehicle for \$31,542.

Larry Brown: Second.

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

Shane Armstrong: The next one we would like to appropriate from the Check and Connect Grant. We received an award from ICJI for \$217,333 so that we can move forward with the expansion of our Check and Connect Mentor program.

ALLEN COUNTY COUNCIL MEETING MINUTES

Sharon Tucker: We gave you guys permission to apply and this is just the money coming in now to appropriate, right?

Shane Armstrong: Correct.

Sharon Tucker: I will make a motion for the approval of the appropriation in the Check and Connect Fund 872 for \$200,596 for Extra Deputy Hire and \$16,737 for FICA and a total of \$217,333.

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.

Nick Jordan: With that \$217,333, they need a salary ordinance in order to pay the people. It is from \$10 to \$50 to match the other salary ordinances that they have in their other funds and the General Fund. The range is actually \$18 to \$39 per hour but this gives them flexibility versus coming back again.

Sharon Tucker: I will make a motion for consideration of a salary ordinance establishing the pay for Extra Deputy Hire with a range of \$10 to \$50 per hour.

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 Superior Court.

John McGauley: Good morning, Council. John McGauley, Court Administrator for Superior Court. This is going to be a lot less interesting than my colleagues from ACJC. This is essentially a list of repairs and replacements. The most expensive piece of this is about a \$900 digital dictation system. We have some other items on here, a scanner for the CASA Program as well as a new wireless access point for them. Since they moved to the fourth floor of the Rousseau Centre and they do a tremendous amount of training for their volunteers and need a good solid wireless internet signal. This is a recommendation that came from County IT to place an additional wireless access point there. A lot of what we have on the list here today is a lot of things that came about after our Capital survey that we turned in for the budget last year. As you know, we had a tremendous amount of movement of Judicial Officers at the end of year. Several retirements and several new appointments and a couple of new Magistrates came in. Some of this is essentially just bits and pieces of office furniture to get those folks set up. The scanner for CASA is something that we held off on because IT doesn't like to add peripherals but this is something that they needed because they are regularly entering records and information into the case management system. We eventually said yes and put it on our request for today.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: John, a quick question. Did you have a rollover back to the General Fund this year?

John McGauley: We did but I don't know exactly what that was. It was probably pretty modest.

Tom Harris: The reason I ask that is one of the thoughts...

Nick Jordan: It was \$19,660.

Tom Harris: In the case of having extra funds last year, you had \$19,000. One of the things we may be discussing in a little bit is that a lot of requests that come to Council could be taken care of by the use of funds within your own established budgets. A lot of times departments come to us asking for additional funding when they know and we know that by the end of the year they are going to have a tremendous amount of rollover. One of the thoughts might be to use existing funds. What are your thoughts on that? I know you come forward on different requests. What are your thoughts about using other funds to do these things?

John McGauley: I just had this conversation recently with our liaison. We are willing to do that most of the time. We have been told when we have tried to take things out of the 200 Series and 300 Series, they are capital and we need to bring them to you. That is a reasonable request and certainly something we would be able and willing to do.

Sharon Tucker: I have a question. John, I noticed on here that you guys are purchasing a stand-up desk. Is that the way you are going?

John McGauley: Yes that is only as it is a legitimate request. Those things are expensive. We have provided those in a number primarily for Court Reporters who spend a lot of time sitting at their desks. That one, in particular, is for Judge DeGroot's Court Reporter. They just relocated over to the third floor of the Courthouse from the Small Claims Division. We are trying to be very picky about those. We installed one with the help of County Maintenance on the second floor in the Family Relations Division because the DCS folks spend a lot of time standing up. That was something that we could build as a permanent fixture on a wall. This one that we are asking for is for a desk.

Sharon Tucker: Okay. I think this is something that we should keep in mind because it is a new wave that is going on. They are very, very expensive. I have one at home but I know when one person has one, it will get the snowball going.

John McGauley: We have said no a lot, also because of the expense involved. We rolled out a lot of these to Court Reporters maybe two years ago using year end rollover money.

Sharon Tucker: Move for approval of appropriation reduction in Council General Fund for \$2,201 from Other Capital to Appropriation in Superior Court General Fund in the amount of \$956 for Furniture and Fixtures and \$1,245 for Office and Computer Equipment for a total of \$2,201.

ALLEN COUNTY COUNCIL MEETING MINUTES

Larry Brown: Second.

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

Sharon Tucker: Let's do a motion to approve the appropriation in CASA Fund 224 for Office and Computer Equipment in the amount of \$1,703.

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.

Larry Brown: While we are waiting on whoever is going to represent IT, it is almost micromanagement but a department using their remaining funds may have to come before us for a transfer.

Nick Jordan: In that instance, he could have easily done that because it still has to come here for a transfer from the 200 Series or 300 Series to go into the 400 Series. Those still have to come before Council. A lot of those ones, because it is my office that will reject it and say this isn't a supply or a service, it is a capital purchase and I will handle those. That could easily be done instead of an appropriation but as a transfer. The 100 Series is the most prevalent of having extra money at the end of the year when you look at the unspent. If they are going to look at the salary money to 200, 300 or 400 Series, it has to come before Council. I asked State Board to alleviate that but you can't.

Joel Benz: Mr. McGauley and I had a discussion about maybe how we could get around it but that is probably more discussion.

Nick Jordan: I always tell them that I am more than happy to handle it because I am going to be here anyway but as long as they talk to the liaison in advance.

Tom Harris: I see it as a little bit of both mindsets. It is a little more efficient but is it good practice for them to be able to maneuver funds without us really knowing or having a better insight or discussion of what they are doing. There are two sides to that equation if we pull back and allow that maneuver.

Nick Jordan: You can't. It is not your choice. It is State law that they have to bring it.

Tom Harris: They have to bring it for the transfer?

Nick Jordan: Yes.

Tom Harris: I understand that but we are not having as much dialogue if they are not requesting it. Council, think about that because it might be something that we entertain...

ALLEN COUNTY COUNCIL MEETING MINUTES

Larry Brown: A dollar threshold. Maybe it is \$5,000 or whatever threshold. I don't know what number you would use. There is a big difference between a copier and a scanner versus a vehicle.

Tom Harris: Nick has pointed out that a lot of these departments all come in at the end of the year with lots of rollover and so they have the funds within their department to take care of their own needs. The State system is designed to pull them forward for discussion on each of those. Does it make sense to keep pulling it from the General Fund when they have the funds within their own department and then at the end of the year they give it back to the General Fund anyway? Next on the agenda is the IT Department.

Kyle Kerley: I told Ed he didn't need to come for this request. Fund 789 is where entities like New Haven and the Airport Authority paid their annual access fee to have access to GIS data and that fund hasn't been accessed since 2012. The Auditor had noticed that it had been reported and reported and suggested that they spend that money and close out that account. They asked to use those funds for printing expenses.

Nick Jordan: It has already been spent. There are probably close to ten of these kinds of funds, the Coroner has a couple of them, and we continue to carry balances that are meaningless year over year and so I encourage them to spend it so we can close these out. There are some that are 44 cents. There will be a few others this year but that we have over 200 funds and I can't stand it.

Kyle Kerley: I will make a motion for the appropriation in Enhanced Access Fund 789 for \$32 in Printing.

Kenny Fries: Second.

Tom Harris: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** We have a representative from the Commissioners' Office on what is happening down south at the General Assembly.

Beth Lock: Good morning, Council. I am Beth Lock, Director of Government Affairs for Allen County. It has been a busy session and I don't feel like I am caught up. The good news is that committee deadline is this week. The House deadline was on Tuesday and the Senate committee deadline is today. Next week, everything will have to pass out of the House second and third reading which means of the 1,500 bills authored; about two-thirds of them will die. It will be great because I am currently tracking about 500 bills. I want to talk about a few things on some of the work we have done defensively and talk about where we are at with the agenda we presented in December. I want to talk about a few bills that will impact you guys directly and maybe some more work that needs to be done in session. In December we talked a little bit and we have probably talked the last three, four or five years on criminal sentencing reform. It continues to be something that we monitor and advocate for in our discussions. The House budget was just released this past week and they amend that from the Governor's budget. One of the two things that we would be looking at specifically would be recovery works funding and the

ALLEN COUNTY COUNCIL MEETING MINUTES

reimbursement rate for inmates at the jail. Recovery works funding, if you remember, was implemented in 2015 when they passed House Enrollment Act 1006 and pushed the Level 6 felony offenders to us. The first year they put in \$30 million. The second, in 2017, they put in \$40 million and this year they kept it steady at \$40 million. Candidly I feel it is significantly underfunded. I had a conversation with someone in the Governor's Office that works within the arena of monitoring a lot of the substance abuse and mitigating that across the State of Indiana. We had a pretty lengthy dialogue of about thirty minutes regarding recovery works. I presented our case however there are always philosophical differences when you begin to talk about those things. As of right now, recovery works has not been cut in funding but it has not increased in funding. Essentially that allows an offender that is released from jail or participating in our alternative programs to receive services from Park Center or Bowen Center. The second thing is that the Sheriff's Association was lobbying for \$55 a day in reimbursement and that change has not been in place. It is \$35 a day and has not been changed in over 20 years. The House budget came out and they have raised it to \$37.50 which is significantly lower than the \$55. That is going to be something that we will continue to talk about as things move through the Senate to see if there is any chance of raising that. That is not the best news but I have other good news. If you guys remember, last year we came before you on the opioid pilot we were doing. We had two bills moving this year. One was the technical corrections bill that passed out of committee yesterday, unanimously and it is just making sure that all of the legal language deadlines in the bill match with the scope we have with the State so there is no discrepancies in how we administer the pilot and how it rolls out over the next four years. I also had a bill appropriating another million dollars without match money to the pilot. It did pass out of Health and Provider Services but did not receive a hearing in appropriations. I have been told they will work to put that in the budget in the second half. That extra million is not in concrete but we will be working on that going forward. As it relates to our agenda, Stacey O'Day was actively pursuing some legislation regarding the Over 65 Deduction. There are two bills moving that have passed both Houses. House Bill 1010 and Senate Bill 280 and so that part of our agenda is moving very swiftly. John Caywood had brought to our attention the ability for apprentice plumbers to work in the field prior to getting all of their classes done. As long as they are registered to be signed up for classes, they can work under a Journeyman. That passed under House Bill 1171. The other two remaining things on the agenda were concerning parcel consolidation and I know Nick has reached out to a couple of our Senators and we will be following up with those in the second half of the session. A few of the bills that we have really taken an interest in to protect an unfunded mandate is House Bill 570 regarding election cyber security. This bill is a Secretary of State bill and essentially would require us to create a paper trail audit on all of our elections. The impact to the County would be a \$1.2 million immediate fiscal impact.

Tom Harris: Immediate as in?

Beth Lock: We would have to purchase machines. The machines would be next to our current voting machines and when an individual casts their cast vote button, it would print out who they voted for and then if it is correct, they would press the cast vote button

ALLEN COUNTY COUNCIL MEETING MINUTES

again. You have to buy the machines and it would be for every single machine that we have. Also we would have the upkeep and maintenance on those.

Tom Harris: If I understand right that is complying with a federal piece that is requiring that.

Beth Lock: I don't know that it is a federal requirement. I can double check to see if it is.

Tom Harris: Okay but when you said immediate, it would be in terms of when the bill would be effective. It may not be effective until?

Beth Lock: July one but I think they would be pushing it over for two years.

Tom Harris: They would be underway this year or next year on trying to purchase those, right?

Kyle Kerley: I think it would be before the next Presidential election.

Beth Lock: Yes, so that would be 2020. In addition, the bill required all of our precinct places to comply with a DHS check list. In talking with Bernie Beier, he said this is a high level check list security measure. He said that even if the County had this it would take millions to implement it and this is basically for military bases. Even though it is a "may" provision and it says the precinct entity just has to comply to the best of their ability, Beth Dlug and I were talking and she said she is already having a hard time keeping precincts and finding voting locations and now I have to give them a 20-page check list and say try to comply with this if you can. We worked diligently with Senator Brown on this. I know Beth Dlug has had conversations with the Secretary of State's Office as well as Senator Houchin and the bill has left the Senate but they are very aware of our concerns. They have not just heard from Allen County but also a number of Clerks across the State.

Tom Harris: Likelihood of passage?

Beth Lock: It is on the third reading in the Senate. I believe it will pass but I will know in the next few days. I think there is more work that will be done on it.

Sharon Tucker: Do you think this is their way of trying to push us to voting centers?

Beth Lock: I don't know if it is the way to push to voting centers. I think they are trying to make sure that there is election cyber security but I think they have kind of missed the boat on this. Let me say this too, one of the things we have talked about is the third component of this bill is requiring us to distribute our electronic polling books in a specific way that Beth says is not feasible for an urban County. In a smaller County where you have smaller precincts or vote centers, you can distribute everything over a one-day period of time but she said in Allen County it is impossible. The other component of the bill is trying to come up with the plan that can be submitted to the

ALLEN COUNTY COUNCIL MEETING MINUTES

Secretary of State to say that this is how our elections are secure now in Allen County and let us do it the way we are doing it. That is what we have been lobbying on that bill. It will be interesting on how it plays out.

Tom Harris: One of the critiques or concerns that I have heard on this particular bill is that the printout of how you voted is a little bit dangerous and is supposed to be confidential, right? Now you would have a piece of paper that shows how you voted and that is something that we have held dear and are trying to protect. There are people that feel this is inappropriate.

Beth Lock: That is interesting. I will say that the paper trail is behind like a glass case and they can't tear it off. To your point there are some that would feel that the confidentiality is breached. I emailed all of you a couple of weeks ago regarding two of the option bills that I have seen come forward. The Innkeepers Tax is one of those and Councilman Armstrong had called me about the Park Boards bill. I have talked with Jeff Baxter about the Park Board bill and some of his concerns. As the bill is currently drafted, you can keep your Park Board the same or after July 1 this body could choose to reorganize the Park Board. It would take away the appointments through Circuit Court and Judge Felts would have no problem with that. It would give two to the Council. It would increase the Commissioners' appointments on the Park Board by one. The third would be if you wanted an Ex Officio member to serve on the Board. It would move the Board from seven to five. But again that is a local option. I told Jeff it is going to be up to the County Council if they actually want to do that. I don't know if the bill will receive a hearing in the Senate because it is still a little bit controversial for some people.

Tom Harris: It appears to be an issue for some Counties and not for many.

Beth Lock: It is kind of interesting in that there are a number of bills that move through that are isolated incidents but then have this unfortunate impact on a number of others. For the last few years the Redevelopment Commission has been under attack to have a School Board appointment. The way that they have worded the language would be such that in Allen County Redevelopment Commission, we would have to appoint someone from Fort Wayne Community Schools but we represent four different school districts and TIF's and why should it just be Fort Wayne Community Schools? It also opens a Pandora's Box of do I have to put an Airport Authority or a library or another political subdivision on the Redevelopment Commission? Thankfully those bills have not passed. Elissa and I have played defense on those bills. It is a flurry of bills down there.

Tom Harris: Township caved. That one fell.

Beth Lock: That did fall.

Tom Harris: From a Council perspective, they were trying to get a lot of that weight placed on Council to where we would have to make decisions on behalf of the Townships.

ALLEN COUNTY COUNCIL MEETING MINUTES

Beth Lock: It was a pretty significant vote. There is also a vote coming up on another bill, 1625, and that bill would be an unfunded mandate to the County. It would require that before the Board of Commissioners would look at any ordinance that would impact housing costs, whether it is comprehensive plan, ordinance, highway ordinance, drain ordinance or zoning ordinance we would have to create this housing impact study to say how much that regulation is going to affect housing cost. There are a ton of parameters in it. The intent behind the bill is making sure that government does not overregulate and cause housing costs to go up. The unfunded burden, particularly to Allen County, would be significant because we would be creating these impact studies right and left. That has not left the House yet and keeps getting passed on third readings. My hope is that it will not pass in the House but we will see in a few days.

Tom Harris: One of the things is that there are so many bills that are going to die. As we start to get serious as to which ones are alive and which ones need focus on from Council, how can we assist you or what should we be involved in?

Beth Lock: Sure. Next week we will know what has passed and what hasn't. I will go through and do a comprehensive list of what we have alive and where we need to prioritize. I always send out a midsession update. I would be happy to do one specifically for Council bills if you guys would like that.

Tom Harris: Yes.

Beth Lock: I know you are the fiscal body and I will not only look at it from the perspective of local options but also because of fiscal impact. I know there have been a couple of LIT bills that have moved through. I have a comprehensive list but I have to read through them and see where they are at once they pass. We want to make sure there are no unintended consequences. Some of the income tax reform measures that go through, I know Nick has some strong opinions about those.

Nick Jordan: House Bill 1453 is another good one that increases the reimbursement for Public Defender on the Misdemeanor side and is very positive for Allen County.

Tom Harris: That one is still alive?

Beth Lock: Yes.

Tom Harris: I don't know that we have taken an assertive or aggressive role but we have been available. I would say that if there are things pertaining to County Council, we would be interested in making sure our voices are heard.

Beth Lock: I will make sure that happens in the second half, for sure.

Tom Harris: Council, are there any other questions or comments? Beth, thank you. Council, we are at the Discussion and Other Business to Come Before Council. I will mention that Kyle, Joel and I were at the AIC Legislative meetings in Indianapolis. We

ALLEN COUNTY COUNCIL MEETING MINUTES

were getting updates in terms of different bills and things that are happening down there. The good news is, from my perspective, most of those bills die. Our focus then comes in the coming weeks. There are some coming before us that haven't necessarily been this direct in that Council has the responsibility and authority to make decisions in certain areas and we ought to understand those before they are voted on. With that are there any other thoughts on that visit?

Joel Benz: Kyle and I went to a breakout session on infrastructure development internet access and it is a big deal for some of the smaller Counties that don't have it. Here, we have pretty good access. I have received several emails about access and having poor service. Kind of the outer doughnut area and that session was pretty good on giving us some thoughts on things the County could do to facilitate some of those businesses moving forward with infrastructure development. I am looking forward to putting some of that into practice.

Tom Harris: While they were attending that I went to the session on marijuana. The concern is that we have a State north of us and States on both sides of us that are legalizing it and how does that start to impact us and Indiana law. When someone in Michigan is allowed to use it in a recreational basis and drives just over the border, now they are illegal. From an employment standpoint, we have people working in Allen County that live in Ohio. If Ohio allows certain things, how does that impact us as employers and employees working in this State? It was a bit scary in terms of discussing the CBD issue as well but the concerns of long-term effects and what it can do as well as what it will do legislatively. The studies have been done with Colorado and Oregon and they said that some of the individuals in Colorado said that if they did it again, they wouldn't go there. That is because the State Legislature is spending all of their time on bills and regulations around the allowance of marijuana in their State. It is taking all of their time to deal with marijuana issues. Are there any other discussion business or liaison reports?

Sharon Tucker: Just to remind, I am sure there was a deadline to respond but tonight Hoagland will be hosting the Hoagland Government Legislation Dinner. Cocktail hour starts at six and dinner at seven.

Tom Harris: I am planning on being in attendance. Any other reports or updates?

Larry Brown: An update on Community Corrections. They continue to struggle with their facility being overcrowded. They have gone through a recent reconstruction of staff and management practices and procedures. The last report I got was that everything was working very smoothly. They are still overcrowded and are doing the best they can while the Commissioners try to decide what to do. They know what they are going to do but they don't know where and what the cost is going to be. I will share with you that every meeting I attend, the price goes up fifteen to twenty percent each meeting. It is going to be expensive.

Tom Harris: We have big ticket items, as we all know, floating out there if you will circling this process and we need to be aware that while our funds are looking strong, the

ALLEN COUNTY COUNCIL MEETING MINUTES

demands out there are such that we could wipe out a number of those funds if we tried hard enough. Anything else?

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 January 17, 2019.

Kyle Kerley: Second.

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

Sharon Tucker: Move to adjourn.

Kenny Fries: Second.

Tom Harris: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0.