

**ALLEN COUNTY COUNCIL MEETING MINUTES  
OCTOBER 15, 2020  
8:30 AM**

The Allen County Council met on Thursday, October 15, 2020 at 8:30 am in the Chambers 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, Sheila Curry-Campbell, Kenneth C. Fries, Tom A. Harris, Kyle A. Kerley and Christopher A. Spurr.

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

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

**Joel Benz:** Good morning everyone. First on the agenda is the approval of the September 17, 2020 meeting minutes. Are there any additions or corrections?

**Tom Harris:** Move to approve the minutes from September 17, 2020.

**Bob Armstrong:** Second.

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

**Nick Jordan:** Good morning, Council. In your packet you see the financials through the end of September. There is not a significant change from last month. Miscellaneous Revenue is a percent and a half behind the year-to-date timeframe which isn't unexpected. Some of the distributions are quarterly or semi-annually and things like that. We will have the budget adoption at the end of the meeting. I can take any questions that you have now. If not, I will highlight at that time out net assessed value going into next year. The last two years it has been above six percent growth and will have that again going into 2021. It is indicative of the local real estate market and increases in property values.

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

**Sheila Curry-Campbell:** Second.

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

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Kyle Kerley:** I have a change to the agenda. The IT Department has asked to be removed.

**Joel Benz:** Yes. This morning, total appropriations in the General Fund are \$156,530, that is going to be changed a little bit and in Other Funds is \$357,470. At this point, I will open it up for public comment. Nick, do you have any of the sheets? Stand by while Nick collects those. I believe we also have some emails that will be read. Go ahead and introduce yourself and then I will give you a couple of minutes to speak.

**Andy Kurzen:** Andy Kurzen and I live in Fort Wayne. First of all I want to say thank you for keeping this forum open for voices to be heard and reading comments that are emailed. Even if some of the things that are said don't directly relate to your specific functions, it is appreciated. I am mainly here to ask you to vote no on increasing the budgets of the Jail, the Sheriff and the Prosecutor. Protests in downtown Fort Wayne started as an outcry against an unjust criminal justice system elsewhere but the response of the protests by the criminal justice system in Allen County and which you all have a say in woke many of us up to the injustice here. Violent responses by law enforcement including the Sheriff's Department have gone largely unchecked except by lawsuits. Excessive incarceration of protestors in Allen County Lockup exposed a dehumanizing environment of our Jail, injustice of the cash bail system, the Prosecutor's relentless pursuit of misdemeanor charges against protestors many of which were ultimately dropped. It revealed a wasted use of time and resources. I will admit until one of my friends was wrongfully arrested while protesting, I could comfortably ignore these injustices because I wasn't personally affected by them. My guess is that most of the people who run the City and County have similarly not been subjected to these systems or to the feelings of powerlessness and hopelessness that comes from interacting with them. Whether to do with power or privilege or both, far too many of us are blinded to these injustices which affect all races and classes but are disproportionately affected are black and brown and poor neighbors. That is at the heart of the continuing activism in Fort Wayne. Change must come and it can start with you by not increasing funding to any criminal justice budgets that are not actively seeking to right the injustices. Thank you.

**Joel Benz:** Thanks for your comments. Thank you for your humble attitude too. I appreciate it.

**Sheila Curry-Campbell:** Thank you Andy. He is a very humble gentleman and I love you, Andy.

**Nick Jordan:** There are a few that were submitted by email. The first is from Jorge Fernandez. My address is 7465 Lakeridge Dr. and my name is Jorge Fernandez This is a public comment for Oct 15 county council meeting: I oppose any increase for Prosecuting Attorney office for 2021 budget from 2020 budget and the Sherriff's controlled offices part of budget should be lowered by \$1.5 million as that is about how much the Work-Release, which he is no longer responsible for cost.

## ALLEN COUNTY COUNCIL MEETING MINUTES

The next one is from Phillip Maughmer. Hello I am Phillip Michael Edward Maughmer writing in regards to Karen Richard's budget increase. She sites one of her reasons as being the police not being able to protect us as well as protests. Firstly it is incredibly illogical and un-American to cite citizens enacting their first amendment rights as a reason to further increase the budget. This fine nation was founded on the very act of protest and it's irresponsible to even consider increasing taxes on citizens for practicing their civil right to protest.

It plants seeds of fascism, whether consciously or subconsciously. It is subversive to the citizens right to protest and 1st amendment rights of free speech. Second time and time again study after study around the nation and the world it has been proven crime rates decrease with increase funding to schooling, better education equals minds better equipped to navigate the oft difficult world of finances and economics and less apt to view crime as a last resort, it is not befitting an American to disdain his fellow neighbor rather than pick him up and provide opportunity. Now it is my understanding that this budget increase is connected to FWPD, consistently over the past few years we have watched education get cut while the police department increase, meanwhile crime has continued to get worse. Karen Richard's ludicrous dangerous and illogical reasons for a budget increase are the exact reasons why FWPD has not been able to do its job effectively. Continually cutting education while increasing other sectors is what contributes to increase poverty and crime rates. I would argue a budget decrease with reallocation to increase funding for education. Thank you, Phillip Michael Edward Maughmer, 1405 N Harrison St, 46808 260-205-9085.

Sarah Kindel: Please do not approve the budget increase for Karen Richards. I have three points that I would like to make on this.1. Before giving any organization a budget increase, it's important that they show evidence of their antiracist and antibias practices. We cannot continue to fund elected officials that do not provide a commitment to a just and equal community for all citizens in Allen County. Diversity and inclusion training is not enough anymore. In what ways has Karen Richards and her staff actively practiced antiracism within their professional and personal lives? What commitment and services do they already provide to ensuring equity in our community for Black, Indigenous, and other People of Color? Does their data show any disproportions among race? Have they shared this information already with the community? Citizens would like to know the prosecutor's office's commitment to serving all residents in Allen County and how they are also working towards dismantling local racism and white supremacy.2. Instead of investing in our criminal justice system, I urge that our council shifts the focus to financially investing in our local preventative and restorative justice organizations such as counseling, life skills, education, etc. If we invest in our community first, crime will decrease. 3. I ask for more transparency from the prosecutor's office before approving any budget increase. Many citizens have lost their trust in elected officials. Providing an itemized list of how any funds would be utilized by the prosecutor should be made public and the community should have a voice as to whether they would support this or not. As an educator, it is heartbreaking to see the proposal of this amount of money when I know our children are still so enormously underfunded in education. I'd be interested in knowing the salaries in the prosecutor's office compared to our local educators' salaries. Let's work on building a better community for all rather than investing in a historically and systematically racist American criminal justice system. Sincerely, Sarah Wheaton,

## ALLEN COUNTY COUNCIL MEETING MINUTES

4931 Hartford Drive, Fort Wayne, Indiana, 46835. I have one from Christian Wolf that is quite long.

**Chris Spurr:** Isn't that involved in pending litigation? I believe there is pending litigation on that and I don't know if it is appropriate.

**Nick Jordan:** The email speaks to similar topics of the other ones that opposed the budget increases for the County Prosecutor, Karen Richards but I have no clue that he is involved in litigation.

**Chris Spurr:** You are free to read it if you want but I believe there is pending litigation.

**Joel Benz:** Let's move onto the next one.

**Nick Jordan:** Don't read it? That's all I have.

**Joel Benz:** I have one from Judy Weaver. I will forward it to you

**Nick Jordan:** Judy Weaver: Council members, the Allen County Prosecutor budget is not ready to be voted on! It is time for transparency and discussion. The people of Allen County need time to digest this budget, ask questions of Ms. Richards and of the County Council. Do not make the mistake of approving this budget without ample input from Allen County residents. The trust from our city/county residents of local government is much too fragile to charge ahead with approving this budget. You might ultimately approve, but please do not go forward without hard conversations with our city/county residents. You could undo some of the good will others are trying to implement. Do not approve this budget. Thank you, Judy Weaver, Fort Wayne, IN.

**Joel Benz:** Thank you, Auditor, for being our reader on those. I don't see any other public comment and so I will close that portion of our meeting. First item on the agenda is a Board Appointment Update. We have Mitch Sheppard and Stephanie Veit from Parks and Recreation. Is it annual or bi-annual?

**Mitch Sheppard:** I believe it is a four-year term. Thank you for inviting us to speak with you. My name is Mitch Sheppard and I live at 4101 Old Mill Road. I thank you for your appointment. I am humbled and honored to be able to serve as the President of the County Park Board.

**Stephanie Veit:** My name is Stephanie Veit and I live at 3326 Firethorne Court and I am serving my second four-year term on the Allen County Park Board. Thank you for that appointment. Mitch and I would like to start this morning with our annual overview that we typically give to the Board. We thought we would start with COVID which has obviously taken a huge chunk of the year. COVID and the Allen County Park Department, the virus has created many challenges. The attendance at the parks at the beginning of March was actually quite good. As the pandemic started, early on the department took necessary steps to provide the public with a safe and clean environment

## ALLEN COUNTY COUNCIL MEETING MINUTES

as the State Parks never closed and provided a healthy and safe place for people to get out and exercise and breathe some fresh air during the stay at home order. The Nature Centers were closed to the public but restrooms were provided through alternative means and were available all days from 10 a.m. to 6 p.m. Our Nature Centers remain closed to visitors but they may schedule appointments for rental reservations, program registrations and purchase of annual passes. All rentals through March, April and May were cancelled and renters were offered a chance to reschedule their reservations or refund their fees or deposits. Many chose to reschedule but some were not comfortable with the situation and requested refunds. To date, the department has refunded approximately \$7,000 in rental income. The rentals since the State started reopening have done very well despite the reduced capacities that we are under. Metea Park used to have a capacity of 200 and is down to about 112 to allow for social distancing. Programs were cancelled and refunds for registrations were refunded upon request. Since reopening, we have started operating outdoor programming with appropriate precautions and attendance was very good for outside programs. Employees while not essential worked from home and offices throughout. Part-time and full-time employees maintained proper protocol and spent most of the two months quarantined and catching up on some much needed projects. The Nature Center was painted and the trails were cleaned up and curriculum updates were done. The Education staff came up with self-guided tours and scavenger hunts that allowed people to download and print and come out to the County parks and still use them. The staff also created a You Tube channel for virtual hikes and other information. All in all, the silver lining of that is that we had some positive impact on the County parks system.

**Mitch Sheppard:** It is a great big silver lining. I have been involved with the parks for 26 years now and I can tell you that there has never been a time where the ability to step outside and enjoy nature has been more important to our community. We also take care of less exciting and necessary things. Let's talk about the Fox Island Park septic system. The entire system started to fail in late 2018 and early 2019. The existing system was undersized and even if the system had been repairable, it would not have allowed for any expansion. The ability to expand upon rentable spaces is how we fund our operations. A complete redesign was completed and all approvals and permits have been obtained. The project is currently out for public bid at an estimated cost of over \$300,000. Bids are due October 20<sup>th</sup>. The project will be funded through our Non-Reverting Operating Fund and the Commissioners have generously agreed to assist with almost half of the money needed. Thank you to the Commissioners' Office for this. We hope to be back up and functioning without having to be overly concerned about the use of the necessary. Thank you.

**Stephanie Veit:** Another park that we don't talk a lot about is our Payton County Park. The Board has owned that park for 40 years and it is in dire need of some updating. Some of you may remember that we had requested the approval to apply for a Land and Conservation Fund Grant which we were awarded. It was a \$400,000 matching grant administered through the Indiana Department of Resources. Our match will come from our Non-Reverting Operating Fund but the department must encumber the entire amount and then receive reimbursements as payments are made. The project was put on hold

## ALLEN COUNTY COUNCIL MEETING MINUTES

until we were relatively confident that we could cover the cost for this project and the septic system that Mitch just touched on. We have since resumed the engineering and design drawings and hope to bid this project out in the spring of 2021. This project will include something that we are very, very excited about. A half mile paved trail loop that will connect Payton Park to the Pufferbelly Trail. Right now it sits out on its own. It will hopefully get quite a bit more use as we connect it to the trail system. A new playground and some shelter improvements. The shelter was put up with no foundation and so some foundation installation of some permanently mounted picnic tables and a newly located parking lot that will serve as a trail hub for the Pufferbelly Trail.

**Tom Harris:** I wanted to ask, is there a timeline on when that connection is going to happen?

**Stephanie Veit:** We would like to bid it in the spring of 2021 and start construction in 2021.

**Mitch Sheppard:** The actual connection part will happen on both sides of construction. The area of the park system that is not as well-known as some others is the Deer Run Wilderness area. As we talk about the benefits of the parks to our community, above and beyond respite and the enjoyment of nature, there are also wonderful benefits to training and development that can come from spending time in nature with your peers and colleagues. Deer Run offers that service. The Park Board manages this property, owned by the Commissioners, and formerly operated through Superior Court. We contract with Perceptions, LLC to operate the challenge course and zip lines. The goal is to operate with the revenue neutral property. We are not quite at that goal but we are making progress each year. The quality of the training is extremely high and I would encourage all members of Council to seriously consider making an appointment and going out there. They offer afternoons or you can do a full day and you can do up to three days, if you wish. The training is customized to the user group. If you are looking at team building or conflict management, that's great. If you are looking at a meditative situation on teaching your staff how do deal with stress, we would love to see you for that. We are honored to be able to operate this property as we believe it is a wonderful County asset.

**Stephanie Veit:** The last thing, as many capital improvements need to be made in the parks system, we have some roof replacements that need to be done and we would like to make some trails more accessible. Parking lot improvements and expansion, road resurfacing, signage, observation tower replacement that needs to be done are not always great looking projects but are projects that need to be done. At the Park Board, we are committed to diligently vetting our needs with the resources that we have and appropriately working through those projects and challenges that we have. Mitch and I would be happy to answer any questions. We have Jeff Baxter available to answer any questions, as needed.

**Mitch Sheppard:** A moment on those resources, thank you all very much for continuing to fund the salaries that operate those parks while we work diligently to provide the other

## ALLEN COUNTY COUNCIL MEETING MINUTES

funding necessary to keep the system up and running. It is a noble endeavor and you should be very proud of what your park system is doing.

**Kenny Fries:** I would like to say that with Deer Run, when I was on the SWAT Team many years ago, we went there and spent several days and it is a great program. I encourage anyone who gets a chance to go up there and participate in that. It is really well worth it.

**Tom Harris:** I was going to say congratulations to the Board and your service as Board members and to Jeff and the entire staff. You do a tremendous job. Interested to understand some of those capital improvements, what are the plans for 2021? We are all watching the pandemic and how it impacts things. Are you planning to expand some of the things that didn't happen this year? Are you in a holding pattern?

**Mitch Sheppard:** I will walk on Jeff's thunder a little bit. First of all we have to get back into business and we have to get back into it safely. I believe some of the new things that we brought on are going to be around for quite some time. Some of the electronically deliverable tour guides and materials that have gone out to the community have actually been pretty well received. I believe some of those things will be continued. We really look forward to getting back to our in-person and up close and personal in nature programming. I am not aware of any major expansions but I will look over my shoulder...

**Jeff Baxter:** As far as programming goes. Jeff Baxter, Superintendent of Parks for Allen County Parks and Recreation. As far as our programming goes, we are going to try to expand that as much as we can with the protocols that need to be in place. As Mitch and Stephanie both mentioned, it has almost been a positive thing for us that people had to be self-quarantined and stay at home. They needed a place to get out to and we provided that place. The homeschooling program was very good before and now you are not technically homeschooling but the kids are at home learning. Sometimes you need a place to get out and do that and we have increased that a little bit. We are doing as much as we can virtually but we do have some limitations on our internet abilities at Fox Island since we are way out in the boondocks out there. We run as much as we can at Metea. Zoom classes, virtual hikes, we have a few of those on You Tube right now. Those were really popular back in March, April and May. As people got out more, our beaches were overwhelmed.

**Tom Harris:** I would just encourage whatever you can do to continue to grow at Deer Run. As you know, I had a chance to work out there and it is an incredible thing for the County and most people don't know about it. The opportunity to grow the service and maybe the land, I think would be a great asset.

**Jeff Baxter:** We are constantly keeping an eye on land. We are deficient in other areas too. Deer Run is a wonderful program and Michael is working very hard on that. He actually ran a few challenge camps this summer which was not easy with distancing and

## ALLEN COUNTY COUNCIL MEETING MINUTES

everything. I told him if he could figure out how to team build with six-foot distancing, he might be a rich man someday.

**Joel Benz:** It has not been an easy year for you to adapt. I appreciate you trying to keep with the times, so to speak. Thank you for your report this morning. Allen County Airport Authority is next.

**Robin Strasser:** I am Robin Strasser, Director of Administration and Finance for the Airport Authority.

**Doug Robertson:** I am Doug Robertson, Controller for the Airport Authority.

**Robin Strasser:** Thank you. We are here today regarding an additional appropriation for Taxiway Charlie Rehabilitation Project. We had planned to do this next year and the FAA decided they wanted to fund it this year. We got busy and worked with our engineers and got everything in place so we could bid that out. We started that in February when we learned they wanted to move it to this year. In March, when COVID hit and with the CARES Act, the FAA grants this year are funded at 100%. While we hadn't planned to do it this year because we didn't have it in our budget this year, they gave us over \$4.2 million for this rehabilitation project. This is needed for safety reasons and to keep our airport running efficiently.

**Joel Benz:** Council, are there any questions? I know you have had a lot going on out there.

**Tom Harris:** I will move for Allen County Airport Authority Additional Appropriation for Taxiway Charlie Project in the amount of \$4,259,545.

**Chris Spurr:** Second.

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

**Sheila Curry-Campbell:** Is today the deadline for the tour out there?

**Robin Strasser:** I am not sure about the deadline but I am sure we can make an exception, if you missed it.

**Joel Benz:** Next on the agenda is the Building Department.

**Nelson Peters:** Good morning, Council, Nelson Peters, Allen County Commissioner. What the Auditor is passing out is a scoresheet that we have been using since about February, 2018. It assigns a point value for vehicles that we believe need to be replaced. Under this program, there have been 44 vehicles replaced since 2018. I am here today to request, good news is not seven vehicles but four. Three are Escapes and one Explorer for the Building Department. Those are vehicles that were scored in dire need of

## ALLEN COUNTY COUNCIL MEETING MINUTES

replacement. One of them is so dire that it hit a deer and is inoperable. With your indulgence, I would respectfully request approval of those four vehicles.

**Tom Harris:** What is the amount change?

**Nelson Peters:** There are really two ways to go about this. The four vehicles total about \$92,836. It has been suggested that \$29,142 comes out of the Unsafe Building Fund. We have not had an attorney weigh in yet. I am looking at about seven potential uses for that fund and I don't see anything that specifically speaks to vehicle replacement. Out of the seven, they do sort of nibble around the edge. With a stretch and I am not an attorney and I don't even play one on TV, we might be able to suggest that the fund could support the \$29,142 for the Explorer. That would take the request from \$156,530 to \$63,693.

**Chris Spurr:** Did you all receive the attachment that I sent regarding option three?

**Tom Harris:** You might speak to that.

**Chris Spurr:** To go along with what Commissioner Peters just said, it is our understanding that the Explorer that has been requested would be paid out of the Unsafe Building Fund and currently, as it stands, Mr. Jordan we don't see any issue with that?

**Nick Jordan:** As Commissioner Peters noted, it is not explicit in saying you can get a vehicle but it touches on, I can't remember the number of uses, on the fund. Arguably, if you don't have the vehicle, it is hard to perform some of the uses of the fund.

**Chris Spurr:** Sure. And then the other bit of the information, as Commissioner Peters said, there would be three Ford Escapes that are 4 X 2 whereas the Explorer is an all-wheel drive vehicle. That is what the \$63,693. Is there any further discussion, Mr. President?

**Tom Harris:** I have a question.

**Joel Benz:** I just want to point out that this would have been a prime opportunity for us to have had an attorney here that we don't have in place yet. Councilman Kerley, I think for the remainder of the year, we need to get that figured out. We have already budgeted for it. Go ahead Councilman Harris.

**Tom Harris:** So the \$63,693 includes the \$29,142?

**Nelson Peters:** No. It would actually be \$92,836 but if you peel out \$29,142.25 it is \$63,693.75.

**Tom Harris:** Commissioner, you might explain a little bit about that fund for the citizens to understand that.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Nelson Peters:** The fund says that it can be used for expenses incurred in carrying out the purposes of dealing with unsafe buildings. The cost of obtaining reliable information about the identity and location of each person who owns property interest in unsafe premises, examination of all unsafe buildings, survey necessary to determine unsafe location and dimensions of real property on which an unsafe building is located. Giving notice, orders, statements, decisions, setting up hearings and that type of thing basically for dilapidated properties allows the Building Department to go in and figure out a way to eradicate or rehabilitate them.

**Tom Harris:** This is for the citizens to understand that this is when violations happen within the Building Department and they have to pay fines. Those fines go into this fund and the fund can pay for certain things within that department.

**Nelson Peters:** Correct.

**Tom Harris:** This is similar to what we have done in the Sheriff's Department when they want to buy additional cars. We have said to look at some of the different fees and things that come within your own department. This fund is relatively new, right? It has not been around for ten years or something?

**Nelson Peters:** It has been around for a number of years. Again, we are more than happy to utilize some of the internal funds as long as we don't run into any legal entanglements.

**Chris Spurr:** I would also like to say, for the record, I believe that we have talked about this over the last couple of months and I have been on the phone with the Building Department for quite a bit. The original request, in accordance with the scoresheets, was a request for seven vehicles. I have spoken with him at length and given the situation we are in with dynamic change and we don't know what is going to happen, they have since revised their request to four vehicles. In my opinion it is a reasonable request. I will move to approve the \$63,693 from the General Fund and the additional \$29,142 from the Unsafe Building Fund.

**Tom Harris:** Second.

**Nick Jordan:** To clarify that is a reduction in County Council General Fund in the amount of \$63,693 and an appropriation in the Building Department for the same amount.

**Joel Benz:** I will say that I am a little uncomfortable. I would rather that we had some legal advice prior to pulling something out of the Building Fund.

**Nick Jordan:** You don't appropriate the Unsafe Building Fund. They can do that after the fact and if it is determined that the Unsafe Building Fund cannot pay for it, they can come back and ask.

**Tom Harris:** For the record, you are actually approving three vehicles and not four.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Chris Spurr:** Yes, the three. We are approving four but the fourth vehicle cost will come from the Unsafe Building Fund.

**Joel Benz:** We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 4-3 (Kerley, Benz, Fries).

**Kenny Fries:** My concern is the \$29,142. I would do the whole option two and then they can buy one out of the Fund if it is legal.

**Sheila Curry-Campbell:** I do appreciate your work on that. I thought you did an awesome job leading that.

**Joel Benz:** Moving on to Human Resources.

**Charity Murphy:** Good morning, Charity Murphy, Allen County Human Resources Director. Mindy Waldron is here to present the bulk of her request. She said she had a conversation that she has a presentation at one of the high schools and is on her way right now. I have talked to her and she said we could push this item off until she gets here.

**Joel Benz:** Yes, I had forgotten that she had asked about that. We will move on and come back to that later. Superior Court is one that I had spoken with John McGauley and he asked me to handle this one. This is one where they have already received the grant that we approved and they are asking to have the money appropriated into their Law Clerk Fund for Consulting Services in the amount of \$35,865.

**Tom Harris:** I will move for approval of the appropriation in Commercial Court Law Clerk Fund 852 in the amount of \$35,865.

**Sheila Curry-Campbell:** Second.

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

**Bill Hartman:** Bill Hartman, Allen County Highway Department. With me is Kim Yagodinski, our Controller and Lynn Kaiser, our Fleet Manager. We are requesting to appropriate \$321,605 to purchase a new Gradall. An opportunity has arisen where we can buy this for \$321,605 and that is about a \$50,000 savings over a new model. This is a 2019 model that was ordered by the State of Kentucky and was not picked up. We have two Gradall's that are 2002 or 2004 models that are requiring a lot of maintenance. Our intention is to purchase this one, use it in our South Garage on Tillman Road. Transfer the other old one to the North Garage and use it as a backup because they seem to be down quite a bit until we get another one purchased on next year's budget. As you might imagine, even if we order it in January, it might be September or October before we even get it. It is an opportunity to save money and get a more reliable piece of equipment directly into service.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Tom Harris:** You might explain a little bit what that is.

**Bill Hartman:** It travels and excavates. It is like a traveling backhoe and has a very wide and flat bucket. It is great for ditch cleaning and we also use it to replace culverts. It has a grapple and we can use it to remove trees. Sometimes large trees get blown down in the middle of the night and you can use that to move it off the road. It is a very useful piece of equipment.

**Sheila Curry-Campbell:** What is the life expectancy?

**Lynn Kaiser:** Normal life expectancy is about ten to twelve years. Ours are going on eighteen. The two units we have now have around 9,000 hours on them. We had purchased those used and refurbished them. That was before me but that is what happened. We are at our wits end on them now. They need to be replaced.

**Sheila Curry-Campbell:** The one that Kentucky left, is that brand new?

**Lynn Kaiser:** It is a 2019, brand new and they never took delivery of it and it has three miles on it.

**Bill Hartman:** Lynn and Rob Davis, the North Barn Supervisor, went over and inspected it. They ran it a little bit to make sure it meets our specifications and requirements.

**Lynn Kaiser:** And it does. I negotiated an extra year warranty on it and so we should be covered for two years.

**Sheila Curry-Campbell:** Did training come with that warranty also?

**Lynn Kaiser:** Yes.

**Sheila Curry-Campbell:** All right, thank you.

**Chris Spurr:** I have a question about the additional request for \$9,000 for a fixed thumb. Is that correct?

**Bill Hartman:** Yes.

**Chris Spurr:** Could you elaborate on that? It is my understanding that a hydraulic thumb is much more appropriate and useful than what a fixed device would be. I am just wondering why, if the unit comes with a hydraulic thumb, why is there a necessity for a fixed thumb?

**Lynn Kaiser:** It doesn't come with a hydraulic thumb. They don't make that for a Gradall. The difference between the two is that it is on a backhoe and you can curl the bucket and clamp your thumb. On this, you put a fixed bottom and you put the thumb on

## ALLEN COUNTY COUNCIL MEETING MINUTES

the ram used to tilt the bucket and then it clamps from the top and not from the bottom. That is a specific Gradall attachment.

**Chris Spurr:** In my original communication, I was wrong in assuming that it did come with a hydraulic thumb.

**Lynn Kaiser:** Right. They just don't make them for Gradall. I wanted to keep the old grapple because it is still good but it doesn't fit that new model.

**Chris Spurr:** That clears it up. So there is no grapple assembly on the new purchase.

**Lynn Kaiser:** Correct. It comes with a 60-inch ditching bucket which we use all of the time. We use the thumb for tree work or setting in big pipe.

**Chris Spurr:** Thanks for the clarification. I didn't understand the need for redundancy.

**Tom Harris:** This amount is coming out of the Street Fund?

**Kim Yagodinski:** Yes, the LR & S Fund 255.

**Tom Harris:** How does that balance look? This was listed with your capital expenditures.

**Kim Yagodinski:** Yes it was. The balance is fine. Our LR & S funds are tracking a little bit ahead of last year and we have been watching them very closely because of the reduced revenues and so forth. I had Nick take a look at that and assured us it was okay before I made the request.

**Tom Harris:** Where do you receive those funds from?

**Kim Yagodinski:** It is a monthly receipt and is part of the State's calculation on gas tax and road mileage and a pretty extensive formula that goes into that. We receive that monthly from the State.

**Tom Harris:** The balance of that fund is approximately?

**Nick Jordan:** As of the end of September, the cash was a little over \$1.6 million but the amount left for appropriation was \$530,000.

**Tom Harris:** I will move for approval of the appropriation in Local Road and Street Fund 255 in the amount of \$321,605 for equipment.

**Bob Armstrong:** Second.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.** I see Mrs. Waldron has arrived. HR, please come up and talk about the supplemental pandemic pay ordinance.

**Charity Murphy:** Charity Murphy, Director of Allen County Human Resources.

**Mindy Waldron:** Mindy Waldron, Administrator of the Health Department. If it is okay, I was going to give a bit of an update on the pandemic overall. The request would be second if that is okay with you. I do appreciate the chance to update all of you with what is going on. I think we know that we have gone from zero to sixty in just an eight-month period. It has been a quick and winding, ever changing and fairly challenging road. The first case of COVID-19 in Indiana was announced in early March. The World Health Organization declared a pandemic on March 11<sup>th</sup>. We are only eight or nearly nine months past when we started with this. We are at 38 million cases worldwide and 2 million deaths worldwide. Nearly 8 million in the U.S. with 216,000 deaths and we have experienced over 7,400 cases in Allen County with 209 deaths as of the Tuesday report. That is 7,400 people that we have called to discuss their illness and activities as well as all of their close contacts. It has been a ride unlike anything and pales in comparison to H1N1. It has changed us as a department and will have many lasting effects. We have learned a lot and grown a lot and we have worked very hard. In the past eight months, we have done a few notable things. We have been handling case investigations and contact tracing from the beginning with the exception of about a three-week period but then we took that back. It has been going well and I would say that we probably have the State's highest reach-out rate of about 95% when the national average and State average is in the low 80's. We are pretty proud of that and have a resolute group who is very dedicated every day. We have been working with employers, people, schools and the public. Isolation and quarantine is not always accepted. It is a very difficult thing to talk about every day and all of the safety members for the staff. That is seven days a week. Creating educational materials, particularly for schools, employers, government elected officials, the staff, how we do things and our algorithms and how decision making happens. Updating our website daily which, is also a seven days a week thing and doing a lot of training, which is why I was late today but a lot of outreach upon requests. Media relations and overall communications are an everyday thing. With press releases each day with the exception of yesterday when the State system has been down for two days and we are unable to get access to our data and now we have 200 and some cases to do today. We are attending meetings and webinars daily so that we can stay on top of the ever changing information and be a resource to all of you. Holding meetings, mostly virtual, I met some people today for the first time outside of a Zoom meeting and it was hard to put faces to names. Talking with all of the large venue operators and all of the employers that have to make decisions on how these new changes affect them and what they need to apply to their staff. Everything that has come from the Governor's orders, every sentence and every criteria and every Governor's orders ends with either call your local health department or that will be enforced by your local health department. That has been difficult. In reviewing plans has been one of our biggest things since the beginning. Every event that went over 250 or now over 500, we have to review the event plan and assure the safety measures are there. That has been at least 150 individual events and does not include the large venues. Receiving and distributing all of the personal protective

## ALLEN COUNTY COUNCIL MEETING MINUTES

equipment to all of the entities that needed it from day one. Allen County was very lucky. We had a cache of items that we had stored and were ready to deploy. We dedicated one whole division and that is all they did for four months. To date, we have delivered nearly 80,000 masks, 157,000 gloves, 3,200 gowns, 539 gallons of hand sanitizer for a total of 768 deliveries to 257 sites since March. We have been running a COVID-19 medical hotline since March at five days a week. These people answer questions and take a beating all day, every day about our decisions impacting their lives. They remain resolute and friendly and let people vent. That has taken that particular hotline 5,000 calls. Now we run a separate school hotline. That runs all day, every day with two nurses manning that. That is very busy. I am presenting to schools now and I was joking with them that it has received a billion calls but it is not quite that high. Early on we developed a resource tool kit for schools that they utilize as training for their teachers and principals so that they knew how to apply everything we had learned over the prior three months. Sports were a big thing. Sports are still a big thing. That is something that we engage in discussions on each day with the schools with all of their events and activities. Many of them used our resources as their scenarios to help their teachers to understand yeses and no's and should we do this. It has been life changing on everybody here and every entity as we have all had to conform. Whether we agree with things or like things or not, it is what it is. Conducting all of the enforcement, we have hired people as food inspectors that haven't even done a food inspection yet. All they have done is a mask complaint to the tune of well over 600 of those in the last four months since the Governor's orders went into place. There have been 633 complaints resulting in 586 inspections in short order. Two weeks ago we completed the planning and set up for two required testing sites. We learned a month ago that was our new thing and so we got some new test sites up and running. It took a little bit to get free sites or sites that we could utilize. I want to thank the Commissioners' Office for helping us get one of the sites because we would not be there if they weren't able to assist us. We are open five days a week, Mondays through Thursdays and Saturdays. For those of us that were already working seven, we have to work Saturday as well. That is an interesting challenge for staffing. We received a grant and I do want give accolades to the State. It will cover about 90% of the testing costs. The other 10% are either covered by the Commissioners' Office or our department. We are told to be prepared to operate through a minimum of June of 2021. I have permanently moved my office to one of the test sites because we are out of staff. Everybody is doing everything else and we needed someone to run each site and so we put a nurse at our downtown site and I am running the north site. I do my regular work at night and Sundays and it is difficult. Our staff and the new 18 contractual part-time staff that we hired to work with us at the sites based on the grant that we were provided. I also want to say a big thanks to Aging and In-Home Services. They are allowing us to use one of their buildings for the foreseeable future and that is how we have a downtown site. It has been great. Most people, when you say you want to do COVID testing and use your building don't want that. That is all we heard for about a month and that is why we were delayed in getting open. They have opened up and said have it and they have a maintenance person that has been very assistive and I can't thank them enough or we wouldn't have our second site. We have a site on Lake and off Dupont and information on our website as to how to make the appointments. Ours are free and unrestricted

## ALLEN COUNTY COUNCIL MEETING MINUTES

testing. You don't need a doctor's note or be symptomatic or any pre-existing condition to come there. We move them through fairly quickly in about five to ten minutes.

**Chris Spurr:** If I might interject here, is the site off of Paulding free?

**Mindy Waldron:** It is and it is just like ours but is a State site and we don't run it. It is free and unrestricted. We are also to be prepared for mass vaccinations. That is the bigger thing right now and we needed to prepare for mass vaccinations for an 18-month timeframe. We hear that there will be a trickle of vaccines by the end of the year which will be very directly dedicated to health care professionals like direct ship to hospitals and long-term care facilities. They would be done first and that would be considered Phase One. Phase Two moves into essential personnel like Fire, Police and EMS and other health care professionals in the community. Then they move into Phase Three which would be public vaccinations. That is likely to not happen until spring or summer of 2021. We need to be prepared to do that. There currently isn't any money coming for vaccinations. That will take a very long time and a lot of nursing staff. I am hoping that after the first of the year we will hear about funding for that. Allen County has some pretty darned dedicated health care folks within our department. Not one has left, despite me begging them not to, because of the hard days they are having. The schools, the health care folks, all of the Elected Officials in both County and City, all of the First Responders, large venue operators, a good portion of all of the food establishments, County and City Departments Heads have been so helpful. We are very lucky in Allen County compared to other Counties. HR for the County and the City have been doing contact tracing on their staff. We talk and advise but they have become experts and that is a load for us. I am glad to take questions on the pandemic or go right into my request. Which do you prefer?

**Joel Benz:** I do have one question. You have a new Health Commissioner. Can you speak to how he has been able to jump into things a little bit? I know that transition was another thing on your plate.

**Mindy Waldron:** He has been wonderful. Coming in with the knowledge of knowing, he is an ER Doctor and so he has the ability to ebb and flow with everything that is going on. So that wasn't new to him. On the disease, he had been on a lot of our advisory committees. He is a researcher and so he is very helpful to me that he can bring a lot to the table. When we hired him, it was an approximate 10 to 15 hours a week and he has worked well over that. He was in the 30 to 40 range in addition to being an ER Doc. He jumped right in and did every inspection that we have sent him on in all divisions to get a feel for what else we do and it has gone really well. I think we are hitting our stride in terms of how we relate and how we work together. He has been very helpful in taking the questions from the media and others on the more medical side of this.

**Joel Benz:** I know a lot has been thrown on your plate.

**Sheila Curry-Campbell:** Can you talk about the churches? My church still hasn't opened and we are still doing the parking lot. We did a couple of things with the St. Joe

## ALLEN COUNTY COUNCIL MEETING MINUTES

Foundation and reopening for funerals. Can you talk about some of the things you are doing to help the churches?

**Mindy Waldron:** That is a good question. They call quite a bit and a couple of the associations that support churches, we speak with them. We have done some specific reach-outs upon request. Kudos to you for doing it the way you are doing it. The congregate setting, the social gatherings and groupings of people are where we are seeing the issue. It is a very hard thing to change your life for a long period of time and alter how you do what you do. A lot of people need the socialization and those things. Some churches have gone back, some have done it with distancing and some have done what you have done. To do it a little more virtual or remain offsite are the best ways to do it. The questions that we get about that or anything similar to that is to remain vigilant in that distancing and not having congregate settings when you can. For funerals and some of those other things, when churches call and ask if they can get back into that we just tell them the safety measures so they can do it as safely as possible. Unfortunately that means a little more quickly in and out in terms of the folks visiting. Masking and not allowing the people to do all of the hugging and shaking has altered what it means. That is the advice that we give them. I ask how they would do it now and then we say that this is what we recommend. We send information and we have a couple of links. There is not a lot of funeral guidance out there but we utilize the CDC's guidance on that. Kudos for doing it from afar.

**Sheila Curry-Campbell:** Thank you.

**Joel Benz:** Go ahead with the request.

**Mindy Waldron:** I hope you will indulge me five more minutes to explain the why of this. I will preface my remarks with this request doesn't really have anything to do with my or hopefully your beliefs about COVID-19 or the responses to it as a nation or State. The local public health entity, we have very little choice in what the response is or how it is carried out. It is a Federal and State response and carried out much by the local health department without a lot of arbitrary decision making. As you likely know, nearly all of the issues required by the myriad of Governor's orders were charged to us. Those are things we don't normally do and so that has been a shift for us as to how we adhere to enforcement in a world of masking and distancing and when we get the complaint and we get there and it is not happening. It is more about education. We are most appreciative of the payments that you allowed us to pay to all of the exempt staff that was working seven days a week from March to May. It was very helpful and a charge to those folks. It said that what they did was worth what they had done and what they have given up. Unfortunately many folks think that our jobs went back a little bit to normal when the country began to open up. It has only increased and required a different set of challenges that we address. I cannot emphasize that enough. For us, COVID is all day, every day and I mean every day. As public health staff, we know that we will be hit without breaks and mass vaccinations, medications and treatments to protect the citizens at any time. Several of us have yet to take any time off at all. Not even Sundays. I have had two days off. That is 235 days straight. It is difficult. We are 57<sup>th</sup> in the State in terms of public health staffing. Second largest City, third largest County and 57<sup>th</sup> in staffing. We've known that

## ALLEN COUNTY COUNCIL MEETING MINUTES

we have had deficiencies there but this has made it abundantly clear. We are strapped and so I have planned for the next couple of years to work toward betterment in that regard. We have a well-suited balance to start chipping at that. We have got to do it. This has taxed us beyond anything that I thought we would ever have to do. The request for advice is nonstop. I missed my family vacation and the burial of my father-in-law in Arlington Cemetery. I can never get that back. Those are the things that were early on and we couldn't take breaks then and we didn't have the staff. We didn't have a Health Commissioner at that time. I missed my son's college move-in day. I have not seen him for months. That is how it works right now. The days are 12 to 15 hours every day. Most people don't say thanks. This is an emotional thing for them and has altered their life. All we hear is how bad we are. It is not our decision making. We are just trying to keep our community safe. Our contact tracing team and our hotline staff, I can't thank them enough and I hope you do as well. They endure the worst. They endure the people that are being told something that they have to do and all day, every day is the same thing. They come back every day. They are vigilant and dedicated and they have great attitudes. Once in a while we all break a little bit and I have seen it myself. Our County would not have made it to where we are without our staff that is so dedicated. They never call in late and most of them have not taken their sick time. I know I must sound fairly self-serving to be asking for pay for those of us that have not had any time off. We did receive some of that through May 18<sup>th</sup> and I am very grateful. This is well-deserved and there is no end in sight for that. To keep all of us going, some haven't been able to work their second jobs and we really need that back pay. We have it and were very successful after the last juncture in getting that reimbursement. We have one last shot to do that before the end of the year and give our folks another charge. I do want to thank you for the consideration of listening to this. I would be glad to answer any questions. I will end by saying we are not even halfway through this for us and what our part is. We will never get back to usual until probably 2022. Help me keep our team engaged.

**Tom Harris:** That reimbursement, help us understand that when we talked a few months back we thought might be coming through. How is that coming or what is happening or where are we at with that?

**Mindy Waldron:** Everything that was paid out through May 18<sup>th</sup> in terms of the exempt overtime as well as any of the regular overtime was all reimbursed. If we can get that in from May 18<sup>th</sup> through the end of the year, we are hopeful that will be reimbursed. We have no reason to think it wouldn't.

**Tom Harris:** That will be determined by the Governor or Legislature? Is that where this is coming from?

**Mindy Waldron:** It is CARES Act money and it is clearly delineated. Nick can speak to that better than I can. That is a likely easy reimbursement.

**Nick Jordan:** They opened up the reimbursement to Public Safety as well. Allen County Sheriff's Department alone has approximately \$30 million in expenses and the \$12 million will easily eat up no matter what. We are submitting a reimbursement for \$8

## ALLEN COUNTY COUNCIL MEETING MINUTES

million this week for the period of March through October just for the Sheriff and Confinement. That is not even branching out to other departments that might have Correctional Officers such as ACJC and Community Corrections and Board of Health. There is no question on seeking the full reimbursement that we will get it. There will be way more expenses than \$12 million.

**Tom Harris:** Mindy, I just want to say I see all of the signs about justice and it wouldn't do justice to say thank you and congratulations to your staff. I don't think that even comes close to what you and the rest of the team have done. Please pass that on. The challenge becomes does this become norm for that team from a financial standpoint. At what point, when things start to ease a little bit, do we still do some kind of pandemic pay in six months or a year from now because they are doing a little bit more or half as much? How do we figure that out?

**Mindy Waldron:** I don't know if you want to speak to that but my comment would be that I hope I have built up enough integrity with all of you in my 30 years knowing that we have engaged in some pretty hard decision making that we would be very honest about the point when it comes back to all in a day's work. I have always worked six days a week. That is just how it works. It wasn't always nonstop and 24/7. Some of our other staff has done that and they know what exempt means. They know when it goes over a certain number of hours that is what it is. I feel that we would be a fairly good barometer to know and we have talked about when would be that level? I believe we will know when that is. I don't think it is going to be anytime soon for a number of us. I do not know how we do vaccinations, testing and contact tracing at the same time and with no more staff. I don't know what you want to add to that.

**Charity Murphy:** In May 21, 2020, you all approved and appropriation of money to pay out this supplemental pandemic pay. The Commissioners had approved the actual policy beforehand. That policy remains in effect so that if a department had a request, they would be able to bring that to you. You put parameters on the payment of the actual reimbursement. I think to answer your question, you can continue to put reasonable parameters and have the department come back just like Mindy is right now to ask for additional money. That would ensure that it is needed or not.

**Chris Spurr:** Charity, since I am new to Council, can you elaborate on what those parameters are?

**Charity Murphy:** For the exempt employee supplemental pandemic pay, it was for exempt employees who are required to work an extraordinary number of hours to perform essential duties due to the COVID-19 public health response. This was given in a lump sum payment and it permitted exempt employees who are not entitled to overtime pay under the Fair Labor Standards Act to receive a bonus type pay equivalent to overtime pay.

**Chris Spurr:** What is the cap on that?

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Charity Murphy:** In terms of the number of hours they can work? It was in effect from the beginning of the pandemic through May 17<sup>th</sup>. Council determined the timeframe for that.

**Chris Spurr:** I didn't do that because I wasn't here at that time. Just for public record. So it is my understanding that it is to continue in perpetuity and there is no cap on the amount of earnings?

**Mindy Waldron:** It ended May 17<sup>th</sup>.

**Nick Jordan:** The Council approved the salary ordinance only through May 17<sup>th</sup>.

**Charity Murphy:** The policy goes on until the Commissioners would choose to end it. Obviously they cannot fund departments. The appropriation has to be made through Council. I do want to add that the Commissioners have worked a lot with Mindy and are very supportive of this request and would like to see this approved.

**Sheila Curry-Campbell:** Just a couple of things. Thank you so much for what you are doing. This is probably one of the hardest jobs we have in the County. I guess my question is in reference to the CARES dollars. Is it a use it or lose it situation with those dollars as far as December 31<sup>st</sup>?

**Charity Murphy:** Yes.

**Sheila Curry-Campbell:** Do we know if there are any dollars coming behind December 31<sup>st</sup>? Is there another portion of CARES dollars?

**Mindy Waldron:** We have not heard. We have heard that there might be but I don't think they will be discussing anything on that for a bit. Nick, have you heard anything?

**Nick Jordan:** No. Every day we hear about stimulus stalling so whether or not the Federal government comes to a general consensus on what they will do in the future, I have not heard anything.

**Sheila Curry-Campbell:** Is the reimbursement deadline December 31<sup>st</sup>?

**Nick Jordan:** The expenses.

**Sheila Curry-Campbell:** The expenses. So you have until December 31<sup>st</sup> to use it or lose it. Thank you.

**Chris Spurr:** It is my understanding that the CARES Act comes from the Federal level but it is the States' determination where that money goes. Is that correct?

**Mindy Waldron:** Correct.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Nick Jordan:** They allocated \$12 million and our \$12 million could also be given to Townships and/or non-governmental entities.

**Kyle Kerley:** First of all you have been very responsive that I have had as the liaison and I appreciate the constant updates that I get every morning. The question I have for you and I kind of let you know that I was going to be asking this. Obviously there is a group of you working an immense number of hours and obviously we know that this is going to go on for the foreseeable future. What steps are you taking or exploring to possibly hire other people to lessen your workload and lessen the workload of some of those other people? Obviously as the hours keep going, the overtime is at a very high rate and it is not so say that the workers aren't worth it but from a budgetary standpoint what are we doing to kind of lessen the reliance on overtime pay by maybe bringing in other workers that might be able to do some of those other tasks to allow you guys to live a little again?

**Mindy Waldron:** That is a good question. At the mid-mark, in May, we did hire more contact tracers so that our core group of four was expanded to eight. They take some of the weekends, like a day of the weekend now so that our nurses get a day off. That was a start to that. All of that money is also being reimbursed through the CARES Act. We have had a lot of absences because they have had to be off as other ones have for various reasons. I have borne the brunt of that. We don't have a backup of nurses or exempt decision makers. When we spoke earlier and as I alluded to today, I hope to begin filling some of the gaps in positions that we have had for a number of years but it will take some time. I don't think there is any way to hire our way out of this part right now because it is only six exempt staff that is doing the core work. That takes years of understanding epidemiology to learn it. This is not an algorithmic thing. This is not sticking needles or testing. This is decision making and that is hard. It is not something where we could hire people and get them trained within a year to be ready to be what our six is. I don't know that we have anything short-term. We know that we are missing several high level positions that we have talked about but never made the effort. I feel that now that we have managed our budget well enough to be able to bear the brunt of some of that without additional allocations, to begin staffing as we should. We have no Health Educator. That is me and Dr. Sutter. We have no Epidemiologist. That is me and Erika Pitcher. We have several high level positions that most health departments have but we have never had. We took the cuts back in 2010 when there were the tax caps. We took the 10% cut. We have done everything we have ever been asked to do. It really hurts because we were starting from low. Long winded way of saying I have a long-range plan to ship away at that because it has honed in on how short we are on leadership. Short-term, this is all we have. What it would mean if we stopped doing what we do is that most of your texts, calls or questions would stop. We have got to take a break if we cannot get this to occur. There isn't anybody to fill that in and that is where things will change. We have stayed the course from the middle of May to now because we feel it is our duty. To a certain extent, I am sure that I will still carry on. But I am appointed to making decisions. Several are and we need this. This has changed us all. All we have done is COVID. No short-term plan but a long-range plan.

**Kyle Kerley:** I appreciate that. Thank you.

ALLEN COUNTY COUNCIL MEETING MINUTES

**Kenny Fries:** Having been through this with your employees over there, thank you.

**Joel Benz:** Council is there a motion or do you have further discussion?

**Sheila Curry-Campbell:** I move to approve the appropriation in Human Resources, Supplemental Pandemic Pay Salary Ordinances.

**Nick Jordan:** Just to clarify, do you want it only for the Board of Health or for all departments? There are two salary ordinances that we will need to clarify if they are for the full County or just the Board of Health.

**Joel Benz:** I would advise for the entire County.

**Sheila Curry-Campbell:** For the entire County.

**Kenny Fries:** Second.

**Joel Benz:** We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. At this point, let's take a five-minute recess.

BREAK

**Joel Benz:** Next item on the agenda is the Discussion or Other Business to come before Council. The first item is 2021 Appointees. We have a number of people that are expiring their Board appointment at the end of the year. You should have a list in the packet. This is for our knowledge on who would be up. Usually we contact these folks to see if they are willing to remain on the Board and if we have any other individuals that would like to be nominated them and do a little bit of background and come back next month and vote on them at a future meeting.

**Tom Harris:** The November or December meeting is when you would make that change.

**Kenny Fries:** Are we doing nominations today for some of these?

**Joel Benz:** No. If you have someone that you would like to nominate, you should start doing some background work now and make some of us aware it so we can move from there.

**Sheila Curry-Campbell:** Can you share with the public some of those positions that will be coming up?

**Joel Benz:** Yes, we have Alcohol Beverage Commission, Allen County Child Care Facilities, PTABOA (Property Tax Assessment Board of Appeals), Redevelopment Commission with 2 appointments, Woodburn Economic Development, Visit Fort Wayne, one of the Library Board appointments, Allen County Economic Development, Board of

## ALLEN COUNTY COUNCIL MEETING MINUTES

Zoning Appeals, both of the Parks and Recreation Board and City Economic Development Commission.

**Sheila Curry-Campbell:** Thank you so much for sharing. I know a lot of folks are looking to serve the City and the County and if they know what positions or possibilities are out there it would help them make their decision. Thank you.

**Joel Benz:** I would also be remiss if I didn't say that if there are members of the community that feel they have something they could lend or outside experience that they could provide, it would behoove us for them to reach out to us.

**Tom Harris:** One of those is the Library Board and traditionally Council has tried to have one of our members as the appointee to the Library Board. Both of those that are on there have been past Council members. One is a current City Council member and is pretty busy.

**Sheila Curry-Campbell:** I think he is referring to Sharon Tucker. I think she was elected prior to moving over to the Sixth District.

**Tom Harris:** I think Sharon said she would be willing to stay on through the duration of her term. I have not talked to her but my guess is she is rather busy in the City Council role.

**Joel Benz:** We will certainly reach out to her.

**Kyle Kerley:** The last time I reached out to her she did express a desire to stay on but I will reach out to her again.

**Tom Harris:** I think Council should think about if we want a representative from this body because I think that is worth considering.

**Joel Benz:** We will revisit that again next month. The next item is for meeting dates for 2021. Nick, you also post that on the website? Do we need a motion on this?

**Nick Jordan:** The biggest thing is do you want to stay in this room for the immediate future?

**Joel Benz:** I would foresee that to be idea.

**Sheila Curry-Campbell:** Do we need to vote on that? I think the social distancing works out for us.

**Nick Jordan:** The Organization meeting, the first one, is usually in the Auditor's Office and you do the Liaison Appointments but if you want to have it elsewhere, we can have it wherever you like.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Joel Benz:** I think that will be appropriate for the time being unless there are any changes between now and then. If you have any conflicts with any of these meetings, let Nick know shortly after this meeting. Are there any other outside meetings?

**Kyle Kerley:** I have been in regular communication, almost daily, with Randy Brown. I realize I am not the liaison but Randy and I have a good working relationship and I just want to point out that things are still changing daily for the Coliseum. The Komets announced last week that they were going to play a shortened season this year. That had more of a negative effect on the finances at the Coliseum. The Coliseum is probably one of the County's greatest assets when people can walk through those doors. As we are learning, it is also a big liability during these times. We need to keep abreast of what is going on with the Coliseum because it is going to have a big impact on us as a fiscal body. I appreciate the Commissioners as well staying in constant communication so we can really develop a plan to figure out what we are going to do with the nice, beautiful memorial to our fallen soldiers on the corner of Parnell and Coliseum.

**Sheila Curry-Campbell:** Their Board meeting, I believe, is Monday.

**Tom Harris:** I was going to say if there are no more meetings, I will move for the approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of October 15, 2020

**Sheila Curry-Campbell:** Second.

**Joel Benz:** **All in favor please signify by saying aye. The motion passes 7-0.** The next regular Council meeting will be held November 19, 2020 in this room. Immediately following this will be the budget adoption.

**Kyle Kerley:** Move to adjourn.

**Bob Armstrong:** Second.

**Joel Benz:** **All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0.** We are going to have a five-minute recess and then continue with the budget adoption.

BREAK

**Joel Benz:** This will be the annual Allen County budget adoption. I will turn it over to Auditor Jordan for the remainder of the meeting.

**Nick Jordan:** Council, you should have a different notebook and if you don't have it you will find it on the Auditor's website and I will have it up here on the screen. On the agenda page you will see the items for approval. It will start with Allen County and the ordinances for appropriation. Then we will go into salary ordinances. Then we will go to Southwest Fire and approve their ordinance and then to the Airport Authority. Going to the second page is what you will potentially adopt. The General and Income Tax budgets

## ALLEN COUNTY COUNCIL MEETING MINUTES

of approximately \$117 million, Tom usually asks this but I will go into it so he doesn't have to ask but it is approximately \$5.4 million or \$5.5 million more than we were last year. You can almost attribute that full amount to the Memorial Coliseum at \$3.5 million and Community Corrections. They are both new items being taken on by the General Fund for 2021 and it should be noted that those are only half. The Coliseum is less than half of what was requested. That is more than the full increase we are seeing from last year's budget. Jumping back to the summary page is the revenue of approximately \$117.5 million. That did go up when we had the hearings and that was attributed to the Local Income Tax which is based on 12/31/2019 tax returns. We all know that was still a very positive economic time and still is here locally. Our Income Tax distribution amount went up from 5% to 8% going into next year. The 2021 Other Fund budgets are found on the fourth page here. All of those funds aside from the County General and LIT Public Safety equates to the \$106.6 million approximately. The total 2021 Allen County budget is \$223,859,976. I am not going into detail on this sheet unless you would like to but it essentially recaps the appeals and/or reductions you allocated the departments that they submitted accordingly. This provides the budget for all of the funds that you are going to be approving. This is a breakdown of the General Fund budget and Local Income Tax budget and where you are approving the money to be allocated for the budgets for 2021. Similar to prior years, the one drop in percentage Law Enforcement Judicial was around 72% and now that we have thrown in the Coliseum, the percentage went down a little bit because the Coliseum is not in the Law Enforcement or Judicial arena. The next slide is a pie chart of the General Operating Revenue. Property taxes grew by about 4.2%. Income Tax grew anywhere from 5% to 8% and the reason I am saying anywhere is there is Income Tax for Public Safety, Income Tax Certified Public Shares, Income Tax Economic Development and Income Tax for Property Tax Relief. You have Cash and Miscellaneous Revenue as well as Excise Tax. Absent of any questions, we would start here which is Form 4, our Ordinance of Resolution for Appropriation that Tom has been the perennial candidate for reading them. I will note that the Adopted Tax Rate column to the far right will more than likely be high because we have a lower assessed value submitted here that is used to calculate those. The adopted Tax Rate will more than likely go down and has been the case for the last few years. Even though we have adopted a higher levy, the tax rate has been lower because of the pool of assessed value is bigger to pull from.

**Tom Harris:** I have a question just in terms of our last meeting. What was the total amount that was cut? I didn't mean to put you on the spot but we made a number of cuts last month towards the appeals and budget requests.

**Nick Jordan:** Give me a minute. We had almost \$14 million. When you look at the full request for the Coliseum and Community Corrections, we had \$5.3 million as a net appeal amount once you take off the \$825,000 in reductions. Below that you see \$8 million for the Coliseum and so it was about \$13.4 million was the total asked for and as we see in the notebook for this meeting, you granted about \$5.5 million. You took off about 50% of Community Corrections. It was \$2 million for Community Corrections and \$3.5 million and that is your \$5.5 million that you may add back throughout the year.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Tom Harris:** The five against the thirteen doesn't make sense though. I was looking at the total amount that was cut minus Community Corrections and the Coliseum. That would be approximately how much?

**Nick Jordan:** About \$750,000.

**Joel Benz:** Nick, I have a question about General Fund Operating Revenue expected rollover. Two million...

**Nick Jordan:** I feel comfortable with that. I would say 99% we will have \$2 million rollover. It will more than likely be higher than that especially with the use and/or the reimbursement of \$8 million in CARES money that we did not build into the budget.

**Kyle Kerley:** I was going to ask if the \$2 million included the \$8 million.

**Nick Jordan:** It will be way more than that. If you did CARES and the real rollover, it might be closer to \$11 million. It is important to know that the CARES reimbursement will go back to the fund where the expenses came from. That \$8 million is because we are doing the Sworn and Confinement Officers. If Board of Health, CUM CAP and departments outside seek reimbursement, it goes back to those funds.

**Joel Benz:** So it is a little bit of a moving target on both ends. And 2020 is an anomaly too because your estimations could be significantly altered although you always take conservative.

**Nick Jordan:** Yes, we always go conservative.

**Joel Benz:** One of my major things is we pass a balanced budget.

**Nick Jordan:** It is way more than balanced.

**Joel Benz:** Just so our viewers understand, it is a little bit of a moving target in that you make the best estimations you can and there is still a fair amount of room for play.

**Nick Jordan:** As we talked about at the last meeting, it is important to know whether you look at the CARES revenue or how you are funding the Coliseum, the CARES revenue is one-time. The Coliseum funding, if you fund them out of the cash balance that isn't something you can sustain over time. Absent the Coliseum resurrecting itself and starting to get receipts, in two years you could be left with the decision of do we cut the Coliseum or other departments or how do we go about it? Revenue side, it is about 80% property and income taxes and we are in historically record years of assessed value increases which are almost unheard of. Income taxes, we are riding a three-year wave of increases.

**Tom Harris:** That cash balance is a number that you have worked on each year. Do we improve that or does it stay the same? Where might we be moving to as far as the cash balance?

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Nick Jordan:** The cash balance as of the end of September the General Fund has \$28 million. It hasn't deteriorated at all. We began the year around \$30 million. That is only going to grow. That is just the General Fund. If you look at some of the other ones that we have talked about in the past, CUM CAP shows only \$2.2 million for appropriation but the cash sitting there is \$10 million. They have only spent 24% through 75% of the year. Economic Development is a routine if they spend 50% but they have spent 28% through 75% of the year. It is showing that they only have \$500,000 to appropriate but they have \$23 million in cash.

**Tom Harris:** Kind of where I was headed, we have had these discussions annually I think but do we get into a situation where the State looks at Allen County and says Oh my gosh, you guys are sitting on too much cash? I don't think we are there yet but maybe we are getting closer to that each year. What are your thoughts?

**Nick Jordan:** One thing I will directly correlate it to, which I have no clue if it is even accurate, but it is interesting if you look at not this year's Community Corrections before the Residential Treatment Services but if you look at the rewards Kim has been granted in the last few years they have kept her program relatively flat. You have to wonder if that does factor in by saying Allen County is sitting on X amount of dollars and if they have uses for other programs, can they pick from their own pocket. I don't know and it is just speculation but it is something that you do wonder.

**Tom Harris:** Aside from that there are no alarms that go off necessarily at the State that says Allen County that their funds are so high that we need to do something different.

**Nick Jordan:** No, not currently. There are laws related to the debt fund and not having too big of a balance to cover the debt reserves. In regards to the operating money, no.

**Tom Harris:** But it is fair to say Allen County's fundamental position on the budget is extremely strong. We are going into another strong year of financial foundation. Is that fair?

**Nick Jordan:** Extremely. Just the General Fund of \$30 million in cash on \$117 million budget and that doesn't factor in the Rainy Day Fund of \$15 million.

**Tom Harris:** On the bond rating, can we get any better than we are?

**Nick Jordan:** Yes, we can get better but the Jail and the Juvenile Center are paid off and that leaves us with a TIF Bond for GM, the Coliseum and I think that is it.

**Tom Harris:** Even the bond situation is looking good.

**Nick Jordan:** We are not swimming in debt. No.

**Sheila Curry-Campbell:** May I speak? Can you go back to Community Corrections? That is something that we are all concerned about. We have heard that they are not going

## ALLEN COUNTY COUNCIL MEETING MINUTES

to receive the grant that they applied for. That had a lot to do with all of us voting. Talk about that please. I am a little concerned about 2021 and that budget.

**Nick Jordan:** I can only give my opinion and perspective. I was not one, as I was vocal with some of the Council members going into it to think we needed to take the million dollar discussion aside. The way I look at it is if this residential treatment program can get more people out of sitting in jail and not being productive and they can get in through the alternative sentencing aspect then potentially we can see reduced cost than the Confinement Center. Looking prospectively at getting back into society working it generates revenue, they buy property and we get property taxes, they get income and we get income taxes and while we may have to spend more right now potentially down the road we see benefits from it. Secondly, the nice thing about it and Council has the key to it that you get to see the score card. If we are not seeing the results that you or any of the Council members at that time feel, you don't have to fund the budget as it is and say that you are going to look in a different direction. As of now, we don't even have six months of data to even gauge.

**Sheila Curry-Campbell:** Right and I know we approved the six months in 2020 and there is a big number in front of 2021. With that being said, I don't know if CARES could do anything about the budget from 2020. I am just trying to figure...

**Nick Jordan:** The \$8 million, and if we get more back from CARES coming into the General Fund, you can turn around and say we are going to fund the remaining \$2 million and here is the money that we will use to do this. Additionally, I wholeheartedly trust Director Churchward and her Board that while we also need to gauge when they have a higher population in six months we look at the fees. If the fee revenue coming in is X-amount of dollars and under the old program the revenue was three-quarters of a million. How does this compare and why the difference? That is another piece that we will have to offset the operations. They have budgeted \$2.9 million, if that comes in and that will help to offset the operations.

**Sheila Curry-Campbell:** Thank you so much.

**Tom Harris:** Just staying on that for a minute, Ken Fries and I sat on the Board a number of years ago but that challenge came up from Community Corrections about going after fees for folks that are in that program. The strategy was that they needed to take that up a notch and they decided that if people are in this program, they needed to get better at trying to collect those fees and I think they are doing that. As the number of people going through the program increases, the strategy will pay off for them.

**Sheila Curry-Campbell:** I hope someone won't be able to get into the program because they would not be able to pay their fees and like you say this is about getting people onto the right track and giving them opportunity. Thank you.

**Tom Harris:** The Courts determine if they are in that.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Joel Benz:** Nick, what do you need from us?

**Nick Jordan:** There are no changes and so Tom would start making the motion to approve the ordinance which has the ordinance numbers for the Allen County 2021 budget.

**Kyle Kerley:** The only thing I would like to bring up is to thank the Commissioners. We have had some great conversations since we are bringing up the Coliseum and Auditor Jordan rightfully pointed out about the sustainability of continuing to pump money into it. I think we are all supportive that the Coliseum is a huge economic driver for Allen County. When they are operating at normal, they generate at least \$330 million a year of economic activity. I think it is the right thing right now for us to continue to support it. I appreciate that the Commissioners are willing to sit down with us and look at all of the funds that are available and to look at how we might continue to help the Coliseum in the future. I would ask, in order to keep the funds as free as possible, as we move forward knowing we are going to be meeting with the Commissioners in the next couple of weeks specifically on the Coliseum and some of the other issues like Community Corrections that we would approve the budget minus the Commissioners' portion of the LIT Economic Development Fund. I would put that out for consideration of Council. That leaves us funds a little bit more free to draw on and doesn't commit them to certain programs. That is just a suggestion from me.

**Chris Spurr:** So, Councilman Kerley, you are saying to continue that dialogue moving forward...

**Kyle Kerley:** We have had some good dialogue in the last few weeks. It doesn't cost us revenue or anything. It is all derived from income taxes. The only thing it would change in the short term, instead of us blanket approving, and Nick what are the numbers?

**Nick Jordan:** In the budget adoption, CEDIT or LIT Economic Development as it is called now the total budget was \$14,880,028. The piece for CEDIT for County Commissioners is \$6,935,000 is what Kyle is asking to be excluded and that would leave you with \$7,945,028.

**Kyle Kerley:** We are still funding the roads and redevelopment but keeping the \$7 million. The only thing changing in the short-term is if the Commissioners wanted to spend that \$7 million they would have to come and ask us in the interim instead of blanket approving it. I think in the next week or so we are all going to have a strategic spending plan on how to deal with the Coliseum going forward. This is something that would probably be addressed in the November meeting. It is just a pause on that one fund.

**Tom Harris:** Nick, can you repeat that number?

**Nick Jordan:** Yes but I am going to add something to it. I forgot we need to keep this in there. On the screen you can see the GM Bond. It is a pledge and for the bond documents

## ALLEN COUNTY COUNCIL MEETING MINUTES

we have to have that in there. The actual figure, instead of the \$14 million, would be \$8,095,028.

**Chris Spurr:** I would like to get the other Council members opinions on that as well.

**Tom Harris:** My thought would be is we are not saying those funds can't be spent. It is simply that they would have to come to us to spend it. Number Two, can we vote to change that in January or February or March?

**Nick Jordan:** You can do an additional appropriation in any month of next year. You can't do it before then but you can do it next year.

**Tom Harris:** In other words, if we voted on this today, we would not be able to make a change until January.

**Nick Jordan:** Yes, the only potential that the Commissioners would have is coming into this year they carried over \$9 million of P.O.s. If they had purchase orders for invoices, claims or projects, they could encumber as they have done here and carry those into next year. Otherwise you would be giving them, the Commissioners' piece, \$150,000 only for the GM Bond going into 2021. It is a backup in case the TIF didn't come through. By bond documents, you have to have this.

**Joel Benz:** I will point out that the downside of this would be their flexibility or nimbleness to meet weekly and over the course of a month, by the time something would get to us they could potentially lose the opportunity to provide funds for something in the interim until it came back to us.

**Chris Spurr:** Contractually you can always have a thirty-day extension.

**Kyle Kerley:** We are talking about 2021 funds and they have how much is unencumbered right now, Nick?

**Nick Jordan:** They budget almost everything. There is \$512,000.

**Kyle Kerley:** If we pause this in January, we can still approve the entire budget.

**Joel Benz:** Understood.

**Kyle Kerley:** The money is still there,

**Bob Armstrong:** I guess I don't understand the question of the downside.

**Joel Benz:** I am just saying the downside is they would not have immediate access to that...

**Kyle Kerley:** For 21 days.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Sheila Curry-Campbell:** They could still come back to us.

**Chris Spurr:** They would be forced to come back in front of Council.

**Bob Armstrong:** The reason I ask that question is because I have brought this up in past budgets and still think that money if it is on a piece of paper, it still has to come to this body to be approved and allocated. I like it because I think they should have to come to this body and get the authorization to spend the taxpayers' money. That is what our job is. I guess that is why I am kind of lost. I would like to get the key or the combination to the safe and then have no control on what is in the safe. That is what our job as Elected Officials are. We are the fiscal body.

**Chris Spurr:** Having said that Councilman Armstrong, I appreciate your comments. I second Mr. Kerley's proposal.

**Sheila Curry-Campbell:** My question is, is that a motion or a recommendation?

**Kyle Kerley:** It is a recommendation. Councilman Harris has the long written out terminology.

**Sheila Curry-Campbell:** Are you going to read the motion?

**Joel Benz:** Before you read the motion, I want to point out one other thing. I think that this year, compared to last year's budget, there are some significant shifts. The most significant shift is the support for the Community Corrections Program. That is something that started well over a year ago. Based on community input, judges' input and a lot of peoples' input to say that there might be a better way statistically and there were many studies done to do Community Corrections and Work Release and that was a significant shift. We shifted some funds into that and some away from the Sheriff and I just wanted to point that out. That was not an easy battle and it was a major change in policy direction, maybe for us as a community.

**Tom Harris:** I would concur that the other challenge is should we have moved a bit more I wouldn't say swiftly but kept the project moving, we would have been in a better position from the State. The pandemic happened and wiped out State funds and the paradigm shift happened and the brakes came on at the State level. There were two pieces to that decision. One is what makes sense for the community and what makes sense in the jail crowding that we were dealing with in the potentials of lawsuits and more issues. There was no control to try to get that down. The State comes by and says guess what, we are going to try to figure out a way to get them out jails and we came up with a system to help with that as well. I think it is the right thing, short-term, long-term and for citizens of our community. The other piece was the financial piece of it and we are still dealing with that.

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Sheila Curry-Campbell:** I think that our constituents need to know that we are trying to do the best we can for our community. When we all bought into Community Corrections that was our thought process and we were understanding that the funding would come from the State and the grant they had applied for. That did not work out. As Nick stated, we are going to recoup these dollars one way or another by investing in these individuals and giving them a second chance and hopefully Kim will find other funding somewhere else. Hopefully we will get additional dollars from the CARES Act and we will make this work. I think the gap that we are missing is Work Release. A lot of those folks have nowhere to go simply because of what happened with the Sheriff. There is a gap of folks and I don't know if the Sheriff's Department is looking at how we can fix that and how Community Corrections can maybe transition some of these people but there is a group of folks that have fallen between the cracks. Thank you.

**Tom Harris:** With that I will move for the Ordinance or Resolution for Appropriation and Tax Rates, Ordinance Resolution Number 2020-10-15-01. Do I need to make a different motion with the CEDIT amount in there?

**Nick Jordan:** Yes you are making the motion with the different CEDIT amount.

**Tom Harris:** That amount would be \$8,095,028 for the CEDIT line.

**Sheila Curry-Campbell:** Second.

**Joel Benz: We have a motion and a second.** I believe there is a Commissioner that wants to say something. Do you wish to allow her to speak?

**Therese Brown:** Commissioner Therese Brown. All I can say is that I thought this was a public hearing. I am coming to express my opinion. I am curious, quite frankly, what exactly is about CEDIT. Educate me. What are we talking about with the CEDIT Fund and what we are appropriating and not appropriating? Clarity.

**Kyle Kerley:** I know Joel had discussions with you guys and I have had discussions with Nelson Peters and it has been brought up about the Coliseum and Community Corrections and just potential funding issues. CEDIT funds are allowed to be used for any legal purpose and my understanding was we will be setting up a white board meeting to discuss how to strategically spend our County reserves most efficiently. Beside the General Fund rollover that is really the other biggest pot of money that can be used for any legal purpose. Once that meeting is over and we understand how we are going to distribute all of those funds to make sure we can continue to provide the services that our taxpayers are expecting, I totally plan to come back in January and approve that \$8 million or whatever once we have a full understanding of how we are going to work together as Council and Commissioners to make sure we are meeting the needs of our taxpayers and not only in 2021 but for looking into the future at 2022 and 2023. Once we get more input from the State on what is going to happen with the budget or how those budget discussions are going. There are a lot of moving pieces right now and things change daily. We got the first estimates on the budget back in July and look at how much

## ALLEN COUNTY COUNCIL MEETING MINUTES

has changed between now and July. We didn't find out about Community Corrections until last week. We didn't find out what the Komets would do and their schedule until Friday. Every time something hits us, it changes the fiscal outlook going forward. It allows us, in my opinion, to be as nimble as possible with all of the funds that are available.

**Therese Brown:** Totally understand that although this is sort of out of left field conversation since it wasn't something that we had conversation with our liaison that this was going to be discussed today to change course for the budget that we submitted like all other departments during the budget process. Through our funding process and our programming that we have for that fund, there are already commitments and have been in queue for quite a period of time. Roads are being one of them and a variety of different things that we utilize a good portion of those dedicated funds. Electric Works and a variety of things there and whether that \$8 million is going to be there December 31<sup>st</sup> and its maximum you see right now may not be there. It seems a little draconian to take that and have to come back in January. Is there any way to appropriate what we have requested and then through this white board process if there is a reallocation through it then that and in itself still meet the same end? That is just food for thought.

**Joel Benz:** I don't think when we had our discussion on Tuesday that this was even on there.

**Therese Brown:** Right.

**Chris Spurr:** I don't think it is draconian at all. As a Constitutionalist, I think what Councilman Kerley is proposing is very much a checks and balances system. I don't think what he is proposing is draconian whatsoever. I don't see how those funds are going to just disappear. All it is saying is that we continue to have dialogue and continued conversation.

**Tom Harris:** I would concur on that. I look at this more of a pause rather than a rejection of those funds.

**Chris Spurr:** That is my point.

**Tom Harris:** As the Auditor mentioned a little bit ago, we have the full ability to replenish that in January or any other month. He felt we would be in good shape through the end of the year.

Therese Brown: All right. I just wanted to make sure I understood exactly the point and purpose and we look forward to having the conversation, white board and all. We are all in this together and we want to see the continued improvement for our community. I just wanted clarity. Thank you.

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

## ALLEN COUNTY COUNCIL MEETING MINUTES

**Tom Harris:** The next one is the Salary Ordinance for 2021 Elected Officials. Now therefore be it ordained by the Allen County Council that the attached shall be the salaries of the Elected Officials employed by Allen County, Indiana. They shall be paid their annual salary in 24 equal payments and shall receive no overtime. Pursuant to IC-36-2-12-15, the compensation of the Allen County Surveyor shall be reduced to \$62,527 if he is not a registered Surveyor under IC 25-21.5 or IC 25-31. Pursuant to IC 36-2-14-15, the compensation of the Allen County Coroner will be reduced to \$37,108 if he is not licensed to practice as a physician in Indiana as determined by the County Council. Pursuant to IC 36-2-13-17, the maximum Sheriff annual compensation is equal to that of the full-time Prosecuting Attorney in the County. This ordinance read, considered and adopted by the members of the Allen County Council on this 15<sup>th</sup> day of October 2020.

**Sheila Curry-Campbell:** Second.

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

**Tom Harris:** After I make this motion, I would like to make a comment or two. Next is the Salary Ordinance 2021 for Non-Classified Employees (Department Heads, Chief Deputies, Attorneys, Doctors, Executive and Special Occupations). Now therefore be it ordained by the Allen County Council that the attached shall be the salaried of the Non-classified employees employed by Allen County, Indiana. They shall be paid their annual salary in 26 equal payments and shall receive no overtime unless otherwise noted. This ordinance read, considered and adopted by the members of the Allen County Council on this 15<sup>th</sup> day of October 2020.

**Kyle Kerley:** Second.

**Tom Harris:** One of the things that I noted going through everyone's salaries and the definitions of exempt and non-exempt, we still have a problem of people making \$50,000, \$60,000 \$70,000 with titles of Directors and Managers and Supervisors all being non-exempt meaning they could receive overtime pay. That was an issue that I think we brought up in the budget hearings way back. According to the stats that I was looking at they are still listed as non-exempt. I would like to charge the HR Department and maybe the Auditor's Office with getting that cleaned up yet this year. I believe there are liability issues for the County if we don't based on HR's FLSA laws and such. I will take the charge of moving with HR and Auditor's Office to move forward to fix this.

**Bob Armstrong:** When you say that is that also the Special OCC jobs?

**Tom Harris:** Probably not. There are reasons that people are non-exempt, period under law and how it is defined and such. There are a bunch of them that make sense and we have to apply it but there are other that we simply haven't been as stringent or followed through on.

ALLEN COUNTY COUNCIL MEETING MINUTES

**Sheila Curry-Campbell:** You think this can be done before December 31<sup>st</sup>?

**Tom Harris:** I do. It doesn't need to be a motion. I will just take that charge.

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

**Nick Jordan:** Your comments apply more to the one you are going to read now.

**Tom Harris:** Be it ordained by the Allen County Council of Allen County, Indiana that the salary ordinance includes wages and other compensation received by employees under the auspices of the Allen County Council for work performed by the employees. Other compensation includes holidays established by the Board of Commissioners of the County of Allen plus vacation, sick days and sick day reimbursement allowed as set forth in the Allen County Personnel Manual. Full-time employees are employees who are paid from individual annual salary appropriation lines found within their respective office or department budget; provided that any Sworn Officer of the Allen County Police Department who completes any portion of his first 12 months of County employment during the calendar year 2021 shall for such period in 2021 which comprises any portion of such initial 12 months of employment be paid at a rate equal to 97.5% of his salary approved herein. Except as specifically identified below, full-time employees shall be regularly scheduled to work not less than 7.5 hours per day on a five day a week schedule. Departments who are required to operate on a 24 hour day may establish an alternate work schedule that best fits their operations (i.e. 4 days on and two days off). Departments may elect varying hours within a work week and shall notify the Auditor of such selection. The Auditor shall establish an hourly rate for each full-time employee. This hourly rate shall be determined initially by dividing the employee's annual salary by 52 then dividing that number by the regular number of hours the employee is scheduled to work (i.e. 40 hours or 37.5 hours per week). Once determined, hourly rates shall only be modified with the approval of the County Council. Overtime payments, as required by the Fair Labor Standards Act, are hereby specifically approved. Employees who are on a 37.5 hour workweek shall receive straight time for hours worked between 37.5 and 40 and time and one-half thereafter. Employees who are entitled to overtime payment in accordance with the Fair Labor Standards Act and are not otherwise compensated shall be paid at an hourly rate as determined above. Classified employees shall have their step increase effective on their anniversary date. Employees who achieve and maintain Level II or III Assessor Certification and are not elected will receive an additional \$19.23 per pay period up to a maximum of \$500 for each level achieved payable from the Reassessment Fund. Except as set forth above or otherwise specifically allowed by ordinance, no other payment shall be made to employees for compensation for work performed. A salary grid is hereby established for all positions as presented and approved by the Allen County Council for 2021. Said grid shall be modified in accordance with the preceding paragraphs as required. This ordinance read, considered and adopted by the members of the Allen County Council on this 15<sup>th</sup> day of October 2020.

**Sheila Curry-Campbell:** Second.

ALLEN COUNTY COUNCIL MEETING MINUTES

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

**Tom Harris:** I will move for the 2021 Part-Time Hire Salary Ordinance. Now therefore be it ordained by the Allen County Council that the attached shall be the hourly salaries for part-time employees employed by Allen County Departments that utilized part-time hire. This salary ordinance indicates the range of pay received by part-time County employees for work performed during the year 2021. Part-time employees shall receive no more than the hourly rate established by County Council for hours worked and will not otherwise be entitled to fringe benefits. Those who are scheduled to work a minimum of 30 hours per week in a position that extends for 12 months or more are eligible for Group Health and Group Life Insurance. Unless otherwise specifically allowed by ordinance, no other payment shall be made to part-time employees for compensation for work performed. This ordinance read, considered and adopted by the members of the Allen County Council on this 15<sup>th</sup> day of October 2020.

**Sheila Curry-Campbell:** Second.

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

**Nick Jordan:** Before Tom goes to the Southwest Fire and the Airport, in the ordinance that he reads for the County it references Form 4-B. I have included them in your notebook and there are 100 and some pages of it. It is the worksheet that is used to arrive at the tax rate. There is one for each fund and are noted at the beginning of each section. Absent to any of those, the next one would be the Southwest Fire District.

**Tom Harris:** With that I will move for Ordinance or Resolution for Appropriations and Tax Rates, Ordinance/Resolution Number 2020-10-15-02.

**Bob Armstrong:** Second.

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

**Tom Harris:** With that I will move for approval of the Ordinance or Resolution for Appropriations and Tax Rates for the Airport Authority, Ordinance/Resolution Number 2020-15-03.

**Sheila Curry-Campbell:** Second.

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

**Nick Jordan:** You can waive the second reading like you did for the normal meeting.

ALLEN COUNTY COUNCIL MEETING MINUTES

**Tom Harris:** I will move for approval to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council budget adoption meeting of October 15, 2020.

**Bob Armstrong:** Second.

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

**Kyle Kerley:** Move to adjourn.

**Kenny Fries:** Second.

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