

ALLEN COUNTY COUNCIL MEETING MINUTES
April 21, 2022
8:30 AM

The Allen County Council met on Thursday, April 21, 2022 at 8:30 am in the Chambers in Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants, and any other business to come before Council.

Attending: Robert A. Armstrong, Sheila Curry-Campbell, Tom A. Harris, Kyle A. Kerley, Paul W. Lagemann and Christopher Spurr. Kenneth C. Fries absent

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

Mr. Kyle Kerley: Allen County Council meeting for Thursday, April 21st, 2022. I call the meeting to order and we're going to start with the pledge allegiance and a moment of silence.

Councilmembers: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands. One nation under God, indivisible, with liberty and justice for all.

Mr. Kerley: Amen. First thing we will do is adopt the agenda.

Mr. Thomas Harris: Motion to adopt the agenda.

Councilman Spurr: Second.

Mr. Kerley: Motion and a second. All those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: Motion to adopt is approved 6-0-1(Fries). Approval of the minutes of the March 2022.

Mr. Harris: Motion to approve the minutes for the March 2022 meeting.

Councilman Spurr: Second.

Mr. Kerley: Motion and a second. Any further discussion? Hearing none, all those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: All those opposed? Minutes are approved 6-0-1(Fries). Financial report, Mr. Jordan.

Mr. Nick Jordan: Good morning, Council.

Mr. Kerley: Good morning.

Mr. Jordan: Just for the audience in the record, yes, you might want to scoot closer to that microphone, because it's difficult to hear. The financials in your packet are through the end of March. I don't have any surprises. Property tax collections are starting to come in. Don't

expect anything significant there as far as deviations. Miscellaneous revenue is on schedule. Expenses you can see in each major fund financial we have through there, that the fund balances are still strong. Any questions you have, I can take them. If not, I'm not going to go into detail today.

Councilman Lagemann: Mr. Jordan on the 100 series. As we move into subsequent meetings, it might be helpful if we had a sense of where we were on hires that just haven't come through yet. If we have open positions, positions that have been appropriated for, can we get a sense of where those open positions are and--

Mr. Jordan: From that standpoint, if you want to know a line item that you budgeted for that has been used this year or a percentage through this year, definitely I can get that to you. If you want to know something that hasn't hit the financials so to speak, that haven't incurred a payroll expense, we would have to get with HR to give you a heads up on what may be in the pipeline as far as onboarding.

Councilman Lagemann: Okay, very good.

Mr. Jordan: Yes, you can easily run-- Similar to what I did already. We can do that for the whole County, we did it for the Commissioner's Office. Anything that's in the 100 series salaries for every single fund we have. Yes, definitely.

Councilman Lagemann: Super.

Mr. Kerley: Mr. Harris.

Mr. Harris: Yes. Nick, usually we see that the percentage of the total collections and the percentage of the year, we're usually ahead of that. This is the first time I've noticed it. Is it just because it's early?

Mr. Jordan: Yes. You'll never- and that's-- Actually, you will never see that until we have property tax collections. Property tax collections, you can see there, are 77 million in the general fund, as example. Until we have the May due date, that amount is going to be below. The only exception would be if we got some absolutely astronomical miscellaneous revenue which we more than actually want.

Mr. Harris: That usually flips about this next month or so?

Mr. Jordan: Yes. Once we have the property tax collections, the financials through the end of May, you'll see that big first chunk come in.

Mr. Harris: Okay, very good.

Ms. Sheila Curry-Campbell: Mr. President?

Mr. Kerley: Yes, Ms. Curry-Campbell.

Ms. Curry-Campbell: Thank you. Nick, I know at the last County Council meeting and I was inquiring about the expense with the public defender's office. I had spoke with our attorney, Mitch Harper. We have requested the Freedom of Information Act that- requested this information. Can you tell me where we're at? I know they're--

Mr. Jordan: Yes, the one email that I had copy down to the attorney for the board. He noted that that report that was prepared cannot be provided as a public record, because it was done for an executive session. Absent that, I don't-- Not being an attorney I don't know what the response or what other routes Council can go to get that information from the report.

Ms. Curry-Campbell: Mr. President, can our attorneys speak on that? Can you tell us where we're at? When this information was brought to me, they asked me not to speak on it and I did exactly what they said. I went straight to our County Council attorney. I shared the information with him. We gave that information, from my understanding, to the Indiana State Police. This investigation, \$10,00, and no explanation. Can you share? I just don't understand.

Mr. Mitchell Harper: I think any response, because of some of the personnel issues involved and some of it is related to what may be protected health information may be redacted, but I expect that response will come and I'll share that with you.

Ms. Curry-Campbell: Thank you.

Mr. Harris: Mr. President. I'll move for the approval of the financial report.

Councilman Spurr: Second.

Mr. Kerley: Motion and a second. Any further discussion? Hearing none, all those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: All those opposed? Motion passes 6-0-1(Fries). Thank you, Mr. Jordan. Total appropriations requested in the general fund, \$106,426. Total appropriations requested in other funds, \$5,168,999. We'll now open the floor for public comments. Is there anybody here for public comment? Okay. I see one person. Please state your name and zip code, and please limit your comments to three minutes. Thank you.

Mr. Eddie Ribel: Oh, I get three minutes. Thank you sir. Eddy Ribel 46825, DuPont [unintelligible 00:07:17] area. This is my first time here. I normally go to City Council. Only get two minutes. It's usually at the end and Lana Kissling times it. Anyway, so we're here. Couple of things City Council passed is that ARPA money or [unintelligible 00:07:35] money. I don't know how much the county is getting. More specific, it's the small businesses is what I'm worried about, why I came here today. This is my first time here. You guys only meet once a month. I have a food bus, and surprisingly, it's raining today. Indiana weather, but that's why I'm here. Tom you know me. I appreciate the opportunity to speak in front. I usually have a script up for you guys and usually, in a City Council, I have some homework.

I want to be clear, I will be here when-- If it rains, I will be here in the morning, but I have a question for you guys. When we go to City Council, when I do-- I met a few of guys there at the Republican place. Anyways. We even moved the County Council in-- This is an idea we're just spit-balling here, gentlemen, ladies. We should move the County Council and the City Council and meet together. There's been issues where City Council has to get with you guys and then getting back, it's just-- We need to move the city in a better direction forward. Like I said, it's first time I've seen you guys here. I know Tom for a couple- maybe 10, 15 years, but anyways. When I introduce myself, I'm that guy with that big white school bus

with all the flags. It's called Street Chef I'm sure you've seen me out. We're not going anywhere. We're running for the big seat. We all know that, and I'm not backing down and I'm not scared. I wish I had a script. City Council has a book, and I come here we only got one piece of paper. I don't even know what you guys are voting on so I can follow along and keep stats, because I do that. You have a nice day and I'll see you what? May 16th or something like that. May 19th. It's my mom's birthday.

Mr. Kerley: Anybody else? Motion to close public comment.

Councilman Spurr: So moved.

Mr. Kerley: Motion. Can I have a second?

Mr. Harris: Second.

Mr. Kerley: Motion and second. All those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: Public comment is closed 6-0-1(Fries). Thank you. Coroner's Office. Good morning.

Ms. Rebecca Maze: Morning. How are you?

Mr. Michael Burris: Morning. Mike Burris, Chief Investigator LA County Coroner's Office.

Ms. Maze: I'm Becky Maze, the Senior Investigator with the Coroner's Office.

Mr. Burris: We're here to request a transfer of funds to finish the completion of the cabinets that were being built in our office. This started last year. We were budgeted, we had money set aside for that. We had an estimate from the county for the cost of the materials. The cost of the labor was covered through the maintenance agreement with the county. There was overruns on the cost to some of the materials and there was also issues with the billing. Bills went to the Maintenance Department, then over to purchasing, and finally arrived in our office. This should be the last request for funds for these cabinets as we just received a few more of the final invoices.

Ms. Maze: I did take pictures if anybody wants to see the final audit that we did finally get and how much it helped our office immensely rather than file cabinets absolutely everywhere buried for years. This is the absolute final bill. We've talked with the Building Department, it's completely finished and done. These were just the last remaining ones that we have. We just need to transfer the funds over to get the Building Department paid.

Mr. Harris: Yes, just a question. How are you doing otherwise, for the year? It's a horrible stat, but how are we doing in comparison to the demands of the budget and being able to meet the needs of the community, and such?

Mr. Burris: Things are going quite well. Our autopsy numbers are actually down. We opened up a new line in the budget for removals. Historically, the county was given a service by a couple of funeral homes where they were making the removals for us for free of charge. As the world has changed, there's been a request for payment for those removals. With the

savings that we've had in the autopsy line, we're able to fund that at least at this point in time. For the rest of the budget from top to bottom, we're doing quite well.

Mr. Harris: You don't anticipate coming back this year needing additional funds through the remainder of the year?

Mr. Burris: I'm not anticipating that, but--

Ms. Maze: Unfortunately, ours is a business we can't predict.

Mr. Harris: I do understand that, ma'am. I do understand. Yes. All right, Mr. President, I move for approval of \$2,000 from general supplies to move to furniture and fixture also \$2,000.

Councilman Spurr: Second.

Mr. Kerley: Motion and a second. Any further discussion? Hearing none, all those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: All those opposed? Motion passes 6-0-1(Fries). Thank you.

Mr. Burris: Thank you.

Ms. Maze: Thank you.

Mr. Kerley: Building Department.

Mr. Kerley: Good morning.

Mr. George Smith: Good morning.

Mr. Nelson Peters: Good morning, Council. Nelson Peters, Allen County Commissioner.

Mr. Smith: George Smith, Building Commissioner.

Mr. Kerley: Welcome, George. Welcome for the first time.

Mr. Smith: Yes, first time.

Mr. Peters: Historically, the commissioners don't come down here and spend a lot of time with you, but today, I wanted to make an exception in support of the Building Commissioner, the Building Department. What they're doing, what they need, and their request. As we move into the first slide, you'll see there's really three things there too, I believe, that will require Council approval, but we wanted to paint the whole picture for you with respect to some of the organization or reorganization that's going on in the Building Department. The first request is to add a fifth full-time permit specialist.

Now, that addition will occur out of taking one of the part-time positions and turning it into a full-time permit specialist position. There are people, as you'll see with this presentation, that are beginning to come back to the calendar. The Building Department simply needs that help to accommodate the number of people that come through the door. I would encourage you

not to just take my word for it, but spend a little bit of time in the Building Department. Some time, and you'll see exactly what I'm talking about. The second request is that a full-time position for a multi-trade inspector.

That would be a new position. The multi-trade inspector is an individual that will be licensed in a number of areas so that they can pinch-hit on an as-needed basis. Right now, the way the Building Department works is, you've got inspections that are segregated by function, heating and air condition, roofing, whatever it might be. You've got people who are trained specifically in those areas. What will happen many times is a number of inspections in one area may back up and not allow for some of the other inspections to be done. The multi-trade inspector will be able to fill in the gaps where inspections need to be done.

The final position is to take what is currently a part-time commercial building inspector to a full-time position. Now, why the need for this? As we move into the second slide, let's look at the number of permits that have been issued. We can punch somewhere.

Mr. Peters: You've all been gracious enough to share a little bit of time with us in the past and this shouldn't be entirely new for anybody. If you look at the number of permits that are being issued, if you look at the orange line in 2021, there was 35,340 permits that were issued through the Building Department. That was an increase of 13.7% over just the year before. If you go back and look at the 21,937 building permits that were issued in 2015, that's a 61% increase. We can go to the next slide, please. The permit job valuation, you've heard us tout the fact that we hit \$2 billion in development last year.

We've had news conferences where we've hit the \$1 million mark every year since 2017. That's the orange line right there. Last year, you'll see we hit \$2.144 billion in permit job valuation. If you look at the year before at 1.3, that's a 62.5% increase over just that single year. Now, if you take it back to 2015, the other year we use for comparison, that's 124% increase in job valuation over the \$954,000 that was represented in that 2015 year. Now, if we go to the next slide, please. The number of inspections itself is staggering. 63,974 inspections last year done by just this handful of inspectors that are currently employed by the Building Department.

If you look at the numbers for 2015, there was 44,417 inspections done. That's an increase of 44% just in that period of time. If you go back to 2010, that was a 119% increase in that 11-year period. Now, if you go to the next slide, please. One of the things we thought might be asked is okay, how do you know this is going to keep up? The Building Department put this graph together just to show what's happening January 1st through the end of March in this year and in last year. Obviously, we haven't gotten very far into the year. If you just look at the total number of permits in 2021, we had 6,569 permits issued in that three-month period.

Now, we've had 6,673 permits issued, an obvious increase. You look at the online numbers in 2021, about 75.83% of the permits did in fact, occur online. In 2022, that number's down a little bit to almost 73% and I think we can probably attribute that a little bit to the fact that people aren't as cautious about COVID as they were during the preceding two years and so they're coming back to the Building Department front counter, which of course is what precipitates the need for the permit clerk. If you look at the fees collected and I think this is important number just to show that the Building Department itself is self-supportive and in fact takes money back to the general fund every year.

They've already collected \$479,000 in fees this year and that's compared to \$454,661 in fees last year. Now, really the final slide I think, worth looking at is just what happens. What does the organization look like from now to if you approve these positions, that what's in the light-colored blue is the organization? Now that the green are really the proposed additions to that organization. It is three positions that next year would increase the Building Department's budget by about \$130,000 give or take. George, I don't know if you want to add anything?

Mr. Smith: No, just that was fine. Thanks, Nelson. We just are exploding in the, you can drive anywhere in this county and you can look anywhere and see construction going on. These jobs are just the two part-time to full-time positions will help us, but the multi-trade inspector position will really help us, because these inspections are typically seasonal so right now we're getting thousands of permit-- It starts, but we get thousands of permits for roof replacements, air conditioning replacements, water heater replacements, and then when the season turns to fall, we start getting the furnace replacements. Our inspectors that are in the field need to stay focused on keeping the new homes, commercial properties going.

Their focus needs to stay on getting those framing inspections, the concrete's done. This multi-trade inspector will cover these types of in and out quick inspections, windows, doors, roofs, so that's what we're looking for in this position. This position could be a full-time position from now, forever. We would appreciate these two part-time to full-time and the multi-trade position.

Mr. Peters: I think just one final addition, not to usurp what Erica might be prepared to tell you, but we did take these positions to the personnel committee and they did receive a three to zero do pass recommendation.

Mr. Kerley: Mr. Chairman.

Councilman Lagemann: First of all, Commissioner Peters and George, thank you so much for being here. I have had the opportunity to tour and walk through the Building Department, and what you're doing with the number of folks that you're doing it with is pretty remarkable. Congratulations on the hard work and effort that your team has been putting in. Being the appointment of the Council to the plan commission, I see what's coming down the pike, as Commissioner Peters can probably attest as he sits there with me. We've approved over 2000 lots just this year for construction.

Within the last year, within the last two weeks, I think the last report I had on the number of homes on the market was about 87. Normally 3,000 are on the market here. We are in a housing crisis and there's no more important time to support our Building Department and make sure that these permits move quickly and smoothly than right now. Thanks for your efforts, thanks to the commissioners for supporting the Building Department the way you are, and I look forward to voting yes on this resolution.

Mr. Smith: Thank you.

Mr. Kerley: Mr. Harris.

Mr. Harris: Mr. President, and George, congratulations to you and the team for your continued success and particularly at a tough time in this transition for the team and yourself.

Mr. Smith: Thank you, Tom.

Mr. Harris: I'd like to ask how will builders and contractors perceive this? Will they see this as a positive or will they see this as more bureaucracy, here's somebody else that's going to slow us down. What's your thoughts on that?

Mr. Smith: Well, I can tell you our executive board, we meet tonight, our board meeting. It consists of 80% contractors, and they are ecstatic about getting more help and getting more inspections completed with this new multi-trade inspector position. From them alone, that's a good sign. From what we're hearing out in the field right now, they're looking forward to it.

As our office manager can attest, just the permitting being our part-time- being moved to full-time is definitely going to help us up front on the front end. We are looking to have all of these-- Since I came in and was appointed as building commissioner, it's been a lot in trying to get the new positions into place to take care of what we need to take care of. I know we're all internally looking forward to this just to get people in position, get them trained. We may not see the numbers on the multi-trade inspector for the rest of this year, but when that inspector is fully trained and in the field, I do believe that we're going to notice those numbers next year for our permits.

Mr. Harris: Can you anticipate that coming? That would be a new addition, not necessarily somebody moving into that role?

Mr. Smith: We're looking at somebody right now,-

Mr. Harris: Inside or outside?

Mr. Smith: -internal, who's qualified to do this, which the training would be less for that individual. We should immediately see some permits and inspections come off the screen- actually, inspections come off the screen for that, but if our new home builders are out there and they're calling in for concretes, they need a framing or final, a new homeowner can get a C of O. We need to get to those first, so some of these other roof replacements and things go on the back burner and we need to take care of those inspections too and that'll [inaudible 00:27:00]

Mr. Peters: Let me just add a little bit more color to that. Councilman Harris, you've been here long enough to recognize the time where we were really strapped in the permitting area, and we had builders and contractors and developers coming to us saying, "We will pay increased fees as long as you can put people in the seats that can get things turned around quick enough." Now with construction prices increasing as quickly as they are, it's ever more important that we have this quick turnaround so that we can help the developers, the builders, the contractors in this community get stuff.

Mr. Harris: We've spoken, but in recent conversations I've had with builders and contractors, both raised concerns and questions, a little bit about customer service and how they're approached and dealt with out of the Building department. Just a thought on that. I know you're trying to push that to the top of the list in terms of concern.

Mr. Smith: Yes, customer service is number one for us. Since John Caywood passed away and the things that were implemented throughout, that has been one of the biggest things for us, is to try to be more customer service-oriented. I was a contractor and I had to come in and pull permits years ago, so I know what it's like to be on that side of the counter.

We're trying to work with all the contractors. It would be worth if you know of any contractors to ask. We have been getting a lot of kudos from contractors, which we had never gotten before. One of the big ones we recently got was the Meijer Store on DuPont. We received an email telling us how happy they were and how well we were to work with and they look forward to working with us again. Those changes are being made just to get the new, the thinking involved in how we handle contractors and homeowners alone coming into the Building Department, it's being turned around. Let's just say that. We're trying to be more customer service-oriented.

Mr. Harris: The proof is in the pudding a little bit as that goes, but you might also promote some of those positive comments just to begin to shift that perception because I think that perception's been there. It's been solid in many cases concerned. To be able to turn that around, you might use those testimonies a little bit in just promoting your function [unintelligible 00:29:30] concern.

One of the other things the previous commissioners have always promised, and I'll just put you on this spot a little bit, is that should we have and we would not anticipate a downturn even if the economy turned, it's going to take a little while for us to slow down. Should that happen, the previous commissioners have said- Building Commissioners have said, we'll reduce staff should that happen. Is that something that you thought about?

Mr. Smith: That's something that we do not want to do, but we have-- Right now, we've had two inspectors retire here. We're replacing those positions. We have, I believe, it's 11 inspectors that could retire within 11 years here. If that time comes, and we do slow down, we just will not fill those positions. We don't want to have to do any type of layoffs or anything like that, but I believe we can make that happen. We can make it happen without--

Mr. Harris: I don't think we've seen this for a number of years, now that we've even had to have that discussion, so we'll keep our fingers crossed in that regard. I'll be supporting this. Thanks for what you're [unintelligible 00:30:42]

Mr. Smith: Thank you, Tom.

Mr. Kerley: Ms. Curry-Campbell.

Ms. Curry-Campbell: Thank you so much for being here. I had an opportunity to sit with you folks and discuss these changes. My concern was that you weren't asking for enough. We have \$2 billion. With a B. I don't think that number is going to go down. I know that we are looking at doing a lot more new home construction. Is there an intern or are you working with anyone for some of the summer, part-time positions? Is that an option to help you?

Mr. Smith: We had done that in the past. I believe 2016, we had an intern come in and help, but that intern had come in and help us with the things that this multi-trade inspector will be doing. If we get this multi-trade inspector, it's really going to help out in that area with us and our technology. John Caywood had implemented a lot of technology. I've been with the Building Department almost 12 years. I remember when I didn't even know I had an email. Now we have iPhones, we have our dashboard for inspection, request dashboard on our phones. Our voicemails go to our laptops, so the inspectors in the field can return those calls without having to come into the office to return calls.

If these things were not implemented, to be honest, I don't know how we could handle the inspection requests that we handle. We are handling them, 1,626 homes, brand-new homes, I believe we done last year. I monitor every complaint that comes into the Building Department. I did as the Assistant Building Commissioner. Those complaints are addressed immediately, but I can tell you, it hasn't been a lot of complaints for not getting to inspections on time. We're doing good.

Ms. Curry-Campbell: You will not have an intern this summer?

Mr. Smith: Not this summer.

Ms. Curry-Campbell: Okay. Thank you.

Mr. Smith: Thank you.

Councilman Lagemann: Mr. Chairman, I just wanted to speak to-- the conversation between Councilman Harris and the Building Commissioner. I had an opportunity to meet with the BCA, Building Contractor Association. We had a couple of contractors that had some concerns. We went in, we met with George, those concerns were addressed. What I have found on a pretty consistent basis, because when you offer to contractors, "Hey, if you have a problem, give me a call," they do. We've had a great ongoing dialogue, you guys have been Johnny on the spot, making sure that if there are issues or something has been slowed down for whatever reason, you've kept me in the loop, you've kept the contractors in the loop.

The customer service has been outstanding from a very direct experience on my part. Great job on those. The second thing I'll say is, when I did walk through your office, I found that I was probably one of the younger folks in there, and I'm no spring chicken. In our conversations, you mentioned, a lot of those folks have been contractors in the past. They've been swinging hammers and working in the field for many years. This is an opportunity to let one's body take a bit of a break from being in the field. Because of that, the attrition rate and the retirement rate is a little bit more rapid than some of the other departments, so I think this is a great move.

In my experience, having spoken and spent time with the HBA, the BCA, and the ABC folks, everyone is pining for more folks for you so you can turn those permits around faster. That's money in the pockets of contractors and the folks that are waiting on those buildings, and it is also money in the economy. That we're not slowing down as a result. Thanks. Keep it up. That's my two cents.

Mr. Kerley: We talked about this, and you mentioned on it, it started under Commissioner Caywood and now it's continuing under you. Just the use of technology and to make your team more efficient, it's noticed. I remember back when building inspectors used to start in Leo and go to Aboite, and then go up to Hunter town and go down to the southeast side of the county, and really wasn't efficient. They were coming back into the office to check voicemails and stuff. The implementation of that technology is really, I think, what has allowed the Building Department to keep up with the demands and the growth and make them more efficient. We're appreciative of that, as Council.

I think the community is appreciative of that as well. They're doing more inspections on a daily basis, but they're not spending more time on the road, they're just spending more time actually doing inspections, because of what Commissioner Caywood did and what you've

done to-- I don't know if the correct word is regionalize where the inspectors work, but they have their zones or their districts and they stay in those areas. All that stuff has really paid off, and we really appreciate it.

Mr. Smith: Thanks.

Mr. Harris: Mr. President, I move for approval. Actually, Erica is here with the Personnel Department. I don't know if you want to talk about the rating.

Ms. Erika Beachem: We did classify and verify the FLSA status, and it does need approval for what is being recommended today. Thank you.

Mr. Harris: I'll move for, number one, consideration of salary ordinance establishing a permit specialist at OSS 3/2 at \$38,073 and 40 hours a week non-exempt.

Councilman Spurr: Second.

Mr. Kerley: Motion and a second. Any further discussion? Hearing none, all those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: All those opposed? Motion passes 6-0-1(Fries)

Mr. Harris: I also move, Mr. President, for the consideration of a salary ordinance establishing a multi-trade inspector PAT 3/2, \$49,440 at 40 hours a week non-exempt.

Councilman Spurr: Second.

Mr. Kerley: Motion and a second. Any further discussion? Hearing none, all those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: All those opposed. Motion passes 6-0-1(Fries).

Mr. Harris: Do we have to pass this next piece? Nick down at the bottom as well?

Mr. Jordan: With the appropriation.

Mr. Harris: Yes, the appropriation within the general fund for \$106,426 for the items listed.

Ms. Curry-Campbell: Second.

Mr. Kerley: Motion and a second. Any further discussion? Hearing none, all those in favor say, "Aye."

Councilmembers: Aye.

Mr. Kerley: All those opposed. Motions passes 6-0-1(Fries) Thank you everybody for coming.

Mr. Peters: Thanks, Council. Appreciate your help.

Mr. Smith: Thank you.

Mr. Kerley: Staying for the next one, Commissioner Peters?

Mr. Harris: I think he said he doesn't like to do this a lot.

Ms. Curry-Campbell: Commissioner Peters, are you going to stay with us?

Mr. Peters: Do I have to?

[laughter]

Mr. Kerley: Mr. Cloud, I believe you're up. Your boss is running for the door.

[laughter]

Mr. Harris: If they want to help, they can, but--

[laughter]

Mr. Harris: We have two Commissioners here now.

Mr. Chris Cloud: Good morning, Council, Chris Cloud. This week, Chief of Staff to the Board of Commissioners. Next week, something else. Who knows? I wear a lot of hats around here. Good morning. Thank you for having us here today, this rainy day. My least favorite letters the last year and a half have been ARPA, A-R-P-A.

Mr. Harris: Can't hear you, say it again.

Mr. Cloud: My apologies. The microphone is for Vance Hernandez-sized people. Whenever he's at the Commissioner meeting, he's always perfectly sized for it. ARPA has been my least favorite initials the last year. It was a not well-thought-out legislative bill in that they didn't put the guardrails on it to begin with. Communities around the country have been wrestling with exactly what the legislative intent was. Treasury released the final rules in January of this year. Many communities around the country are in a similar boat to Fort Wayne and us of feeling their way through.

ARPA has been a thought exercise in risk management, at risk mitigation, because any unspent or any money spent and properly gets paid back by the unit, not by the recipient of the funds. I think many communities have taken a cautious approach. We have done likewise, as I mentioned to you in my very tardy communication, we have engaged with Baker Tilly formerly HJ Umbaugh to assist with the backend side of it, with reporting and requirements, monitoring, helping us develop the framework for specific programs may want to run, eligibility requirements, making sure people who would submit anything would have the right paperwork that would meet the federal guidelines.

That is, just engaged with them, the commissioners signed that contract, I believe last Friday. As I mentioned, we have a kickoff meeting with them next week. We'd love to have a handful of you there to learn.

This first meeting is very high level, how the money can be used, pitfalls to avoid. They've been doing this with other communities, so they've learned some best practices for how to

roll this out, so that's underway. In the meantime, the commissioners have been approached by several communities in Allen county, with infrastructure projects. One of the uses of ARPA, that I think most communities in the country are most going to be using is infrastructure.

There are just less hoops. It was really more spelled out and clear-cut in the legislation. As the commissioners have talked to these communities, they were not ready to roll out a full plan yet. We haven't, as a community, figured that out yet. They didn't want to make any commitments.

However, as time has gone by these projects are ready to bid. The commissioners are supportive of some of these projects. I mentioned them, we've had requests from Woodburn and from New Haven and from the Maysville regional water and sewer district.

Great projects, great community impact, commissioners always prefer partnerships where the other party has something they're bringing to the table as well. The commissioners, because of the timeliness of some of these projects, didn't want to hold them up, while, we ruminate on the parts of ARPA that will be harder to figure out and determine and put the guardrails on, funding for nonprofits funding for small businesses, those sorts of thing.

As I've talked to my counterpart in the city, who's heading there up, they're part of this up. That's where they're at too, is it's great that you want to do those. Then you got to figure out the logistics of doing at the parameters of the programs who might be eligible. ARPA requires you to define a beneficiary class and every organization in that beneficiary class would be eligible for your program.

It's not enough just to say we want to support small business, because there are thousands of them in Allen county. You have to say, what do you mean by that? Who specifically do you mean? That's the next step, but one of the areas that commissioners from day one, knew they wanted to be involved in was infrastructure.

The request for you today is to appropriate 5 million out of the ARPA fund of 73. What will eventually get 73 million dollars, so that they can begin in earnest, figuring out what commitments might be, they might want to make with these partnership communities.

I would say that the 5 million represents a for the communities best-case scenario, of what the commissioners might want to be partnered in. They can't rightly commit to anything without an appropriation in place. It just wouldn't be fair or transparent for the community. Much we wouldn't do it without a budget in place. That's the request before you today.

If I had to put in my crystal ball, I would assume most of that will be committed, but I don't know. The commissioners haven't decided that yet, but they can't really, they can't provide these communities a yes or no answer until they know that there's funds to eventually say yes or no to.

That's the big 50,000-square-foot picture. I sent you an attachment with the description of the projects that we've been approached for. Our own internal, some departments have approached us as well.

The commissioners received a binder, from the surveyor's office of 20 million dollars in drainage project. there is not going to be, a lack of potential infrastructure projects out there,

that this money could be used for. The part that will be the balancing act, which is why we do want your involvement and input is how to balance the allocation of the various different areas.

What is an appropriate number for nonprofits, small businesses, the commissioners want to definitely focus on broadband infrastructure. We have not really had a conversation on revenue replacement and taking that as one of the elements.

Those sorts of conversations are yet to take place, but infrastructure is going to be, I think a sizable use of the funds given the impact that can be made, and given the cost of many of these projects is often too large for the community bear that is trying to do it or the department to bear.

Which is why some of those drainage projects specifically why they're not done yet, why there's a backlog of some of these really big projects because the number of people paying into the drainage area can't support the size of the project. I think that's the stuff infrastructure-wise, that will probably be the commissioner's focus.

Anyway, I'm happy to take questions, but that's a big ballpark picture of where we're at and why this request today.

Mr. Kerley: Ms. Curry-Campbell.

Ms. Curry-Campbell: Thank you so much for being here. I did receive your email, explaining the three different projects. Can you share with, our listeners and the folks here today, what are those buckets?

Mr. Cloud: The four general buckets that our book can be used for big broad picture in the legislation, is reacting to the public health emergency caused by COVID either through health means or fiscal means. Pandemic pay for employees or it's called premium pay I think in the legislation for employees, infrastructure projects which is this one, that I was hiring today.

Then what they dove as revenue replacement, which is their fancy treasury way of saying, lost revenue or some communities unlike Indiana, which has a nice mix and balance of local government revenue. Other states at local levels rely heavily on sales tax. I mean, heavily on sales tax.

Those communities would've really had a hard time during COVID. We did not, because of our balance of private tax and income tax, Indiana fared really well, but Ohio funds local government a lot with sales tax. I know that several communities, including Columbus, really took an eventual hit one year.

That's the four buckets, that the legislation outlines. The challenge is that those are really broad and normally when the government runs, federal government runs a grant program, it's really specific, there's hundreds of pages of guidelines.

When this was passed in March, none of that existed, and so treasury threw something together last year, they finalized it with feedback from the public and from the local governments and from the GFAO, the Government Finance Officers Associations, these other national groups of folks.

Then they refined it and released those in January. It's really only been since January that we've really had a really good feel for not only what the legislative intent was, but what treasury's going to be looking for and auditing for and that's really been the big concern for communities I've talked to is, if you misspend the money and you got to pay it back. For instance, Alabama decided as a state to, build the jails with their funding, that is not an eligible use of ARPA

Well, they spent like 1.3-- I think they were supposed to spend 1.3 billion dollars, but they committed it several hundred million dollars and had spent that. Treasury just came back and said, "No, that's not, that's not an eligible expense." They now have to figure out how they're going to handle that.

We don't ever want to be in a situation like that, where we have committed funds and a treasury comes back and later and says, because we're a tier-one recipient. We're falling on that largest category. The likelihood of us getting an audit compared to a really small town is higher.

We want to make sure that we fully grasp and understand both the legislative intent and treasuries interpretation and how they will be looking at the rule-making and auditing process.

Ms. Curry-Campbell: I didn't hear a fifth bucket, so there is no small business or non-profit?

Mr. Cloud: That falls under bucket one.

Ms. Curry-Campbell: That falls under bucket one?

Mr. Cloud: Which is responding to the health crisis caused by COVID either financially or health-wise. That's where the federal government lumps that in.

Ms. Curry-Campbell: What about churches, nonprofits?

Mr. Cloud: I don't recall in the rules that religious institutions are specifically forbid from receiving funds. There are other federal programs where that is the case. It depends on what line of work they're in.

Often, for instance, if the catholic church were in a hospital, the hospital might be eligible for federal funds, because it's a hospital, not necessarily because it's affiliated with the church.

It would depend on, exactly what nonprofit work was being done, because what you have to be able to show is that the small business, nonprofit, whatever it is, suffered economic harm, and that the response of the county, city-state, whatever in providing funds is proportional, and responsive to the type of loss incurred.

For instance, what they mean by that is, if a nonprofit came to you and said, last year we had revenue of a hundred thousand this year we only had revenue of 50,000. We want 50,000. That might be proportional. If they came back and said, "We want 200,000," that would not be proportional. You have to size your programs to the types of losses or injuries faced by those areas. That's been part of the challenge because you can do this for both individuals, small businesses, nonprofits, just the community itself. The hard part is developing the metrics for how you define economic harm faced by those groups, and then that your

response is proportional. They don't define those. It's left up to you to figure that out, and which is why Fort Wayne and us both have engaged with professional CPA firms who do grant programs--

Ms. Curry-Campbell: Which is Baker and--

Mr. Cloud: Yes, because of that- because the last thing you want to do is realize that your really well-intentioned local grant program has really bad parameters on it and you didn't abide by the federal rules. I have no doubt that there will be communities around the country through really well-intentioned means, really screw up how they do this, because we don't run grant. That's not a thing we often do. They're not set up necessarily to do stuff like this. They won't have the expertise. They won't necessarily. If their allocation they got was small enough, they won't actually have enough funds in that to get outside help. With \$73 million, obviously, we can afford to pay for the outside help.

The state that ready program that they're running through IADC, they hired Ernst and Young to help them with that. That's a global CPA firm. The bigger your allocation is, the more that partner is going to be helpful in making sure it's run smoothly, correctly, appropriately. At the end of the day, there's no issues with auditing or things in the bank.

Ms. Curry-Campbell: This is the first request from those funds.

Mr. Cloud: Second request. We first requested some funds to pay the lease at our COVID clinic that the health department has been running. Then also to fund our financial partner or our financing CPA partner. That request is back in December, November or something like that. It was a couple of \$250,000, I think. This will be the first actual appropriation request that the commissioners have.

Ms. Curry-Campbell: Will this be public information? On whose site will this be that community can track this, the money?

Mr. Cloud: Yes, you have to. If you go to allencounty.us/arpa, there's already a website. There's not a lot of content on it, because we haven't used it. The feds require you to do quarterly reports, because as of the last quarter, hadn't spent any money. We don't have zero, because the costs for the clinic that we incurred that we've paid for have been in 2022. This quarterly report due next week will show those expenses.

Ms. Curry-Campbell: I heard you say broadband also, wasn't there another pool of money for broadband?

Mr. Cloud: There is. That will be the key, which is partly why do you want to partner with somebody in this, is that the goal is to leverage as much federal money from the right buckets as you can. The state is going to put money into broadband. We know that the state has already said they want to do that. The key for us will be to make sure that we maximize ARPA and maximize any other buckets that might become available and put everything in the right place. The timelines on ARPA funds have to be committed by 24, spent by 26.

The broadband money the state got or the feds, that program that they're going to do, I haven't looked at the time frame, but that may extend beyond 26. It may be a thing where we started with ARPA and finished with that. We don't know what the eligibility is necessarily for that state money or fed money that afford to the states. We did just receive a next-level

connections grant from the state for broadband. We were a partner with Comcast in their request. That's how the state ran that program. We just found out last week we got that.

Comcast will be building out. I think it's like \$7 million of infrastructure in rural parts of southwest and northwest Allen County to connect another 900 and some homes and businesses. Our portion of that is only \$600 grand. That was the local match required. The state is putting in \$3 million, and Comcast is putting in the rest. It could be a program like that. It's how that broadband money works where we put in a local match, but it gets predominantly private money and state money. It could end up being that it's going to be more local money on there. There's a lot of money out there that--

Ms. Curry-Campbell: Hope you get your meeting

Mr. Cloud: There's a lot of money, but we don't know enough. That's been the biggest challenge, is we can have a conversation about whether it's a good idea or a bad idea to have this much money available with not a lot of framework around the funding. What we will hopefully see in the coming years is as the states who are the biggest beneficiaries of market money, figure out how they spend it. Hopefully, they communicate a little better than they have. Some of their earlier programs they've been running where they're still getting a feel for this as well. They've had some hiccups and rolling out some of their programs too. We're all learning as we go, which I do not like. I don't like that as a government unit, usually, we're ahead of the curve. With this particular program from the feds, everyone's learning as they go. It's not ideal.

Ms. Curry Campbell: Thank you so much.

Councilman Lagemann: Mr. Chairman, I'd like to move that we separate out the request into four portions. First, the Woodburn request for \$375,000, the New Haven request for \$2 million, the Maysville Regional Water and Sewer request for \$2.5, and then finally \$125,000 to provide flexibility to the Commissioners to appropriate to any of those three requests.

Ms. Curry-Campbell: What's that fourth bucket?

Mr. Cloud: Councilman, the money is actually all going to be put in one line. Budget-wise, it's all the same series. If the commissioners would ultimately commit the levels requested, we break it down the lines in the budget. That's the simplest way to track. At least the initial thing that would be an internal transfer. We wouldn't need to come to Council to break those lines apart, but it's obviously your discretion to appropriate and put in a series. That was the request. All the money can actually just be in one line. Administratively, it's inconsequential which line it goes into, because internally you can transfer among series in the department.

Mr. Harris: In other words, as it's been mentioned, if Woodburn had a request \$375 and you guys decided to do \$475, you'd have to come back to us?

Mr. Cloud: No. We could pull from the other two or fund less or fund more. It's no different than any county budget. A department only comes to Council for an additional appropriation or a transfer to go between series. Once you allocate to a series--

Mr. Harris: I understand that.

Mr. Cloud: There's a certain amount of money. However, the commissioners ultimately decide to fund those requests at what levels? If they would exceed the aggregate, yes, we'd have to come back for additional appropriation.

Councilman Lagemann: Mr. Chairman, let me clarify the motion. I understand that once we make the appropriation that you're going to have the ability to spend it essentially, however you need to spend it. I understand that. What I would like to do is continue with this motion to at least provide some framework and guidelines and intent, if that's the best word, I suppose, to our motion and knowing that you have flexibility. You'll get the \$5 million. There's no question about that. We're also not necessarily suggesting that you-- In fact, we cannot suggest that you couldn't spend more than \$375,000 or change those numbers. I would like the intent to be from Council that we do it the way it's been presented.

Mr. Cloud: Sure.

Councilman Lagemann: I'm not doing this to hamstring anyone, but just to provide some sense of where we're going. The motion stands. I'm looking for a second.

Mr. Harris: With those comments, I'll second that for that motion, but I do have a series of questions. It's a motion to set the framework, but not necessarily pass it at this point.

Mr. Kerley: Correct.

Mr. Harris: Is that fair or were you moving to--

Councilman Lagemann: The motion to set the framework, understanding that it's not binding on the Commissioners. It would be the best way to say it, as I understand it legally. Is that correct, Mitch?

Mr. Harper: I think our clerk might chip in in his role as the auditor. The best analogy is that you're essentially adding a non-code provision. That is you have an appropriation heard ordained by the County Council that's the \$5 million. You're really adding another term would be precatory language. It's guidance, but it's not legally binding.

Mr. Kerley: That's correct.

Mr. Harper: Therefore not really part of the ordinance, but is added to it. It's up to the auditors perhaps to properly prepare the language for you to sign, if you pass it.

Councilwoman Curry-Campbell: I understand, though.

Mr. Kerley: We have a motion and a second. Is there any further discussion on the motion?

Councilman Lagemann: Mr. Chairman, I did notice that we have both folks from Woodburn and New Haven. I would like to, if it's appropriate--

Mr. Kerley: We need to act on the motion.

Councilman Lagemann: -to have them.

Councilman Harris: Because the motion's first, but it's not voting on the actual allocation.

Councilman Lagemann: Right. It's just breaking it out.

Mr. Kerley: We have a motion and a second. Any further discussion on the motion? I saw Mr. Spurr's hand go up.

Ms. Curry-Campbell: Mr. President, I'm just a little confused, because from my understanding, they're asking us to appropriate ARPA funds for 975 for infrastructure improvements of \$5 million.

Mr. Kerley: Yes, correct.

Ms. Curry-Campbell: We did receive the email what those three areas were, approximately what they're requesting, New Haven, Woodburn. Is there a reason why we're not appropriating \$5 million for the ARPA fund 975 for infrastructure? Why are we separating this out?

Mr. Kerley: There's been a motion on it. There's been a motion on the floor to separate it out-

Ms. Curry-Campbell: Because?

Councilman Lagemann: To provide clarification and guidance.

Councilman Harris: In essence, Sheila, what could happen is that the 5 million goes into that line item, but the commissioner has decided to spend all 5 million for New Haven and not to the other two areas. That could-

Chris Cloud: A budget is authority to spend. When departments request allocations during the budget time in the series, how they spend in that series and how they present your budget could be totally different. I understand the intent is to not have us do a bait and switch, which I think is the intent. It's not that we present to you \$5 million for infrastructure, and suddenly that \$5 million goes towards something unrelated we never talked to you about. I think that's the intent.

Councilman Lagemann: It's not a got you by any stretch. In fact, really, I think each of these projects have merit. I want to highlight that merit by providing that guidance and clarification.

Chris Cloud: I understand.

Mr. Kerley: We have a motion to end discussion.

Councilman Spurr: I have a whole series of questions.

Mr. Kerley: Are they germane to the motion?

Councilman Spurr: Well--

Councilman Harris: We're not passing the \$5 million yet. We're passing his suggestion to make sure that we have the intent. I have a series of questions too.

Councilman Spurr: I understood that. I think we're in the process of putting the cart before the horse. I was hoping that we were going to get to some of these questions before that motion was made, but being that it's out there now, go ahead.

Vice President Armstrong: We did the second.

Mr. Kerley: Yes, okay. We have a motion and a second to end the discussion. All those in favor to end the discussion say aye.

Councilmembers: Aye.

Mr. Kerley: All those opposed.

Councilmembers: Aye.

Mr. Kerley: It is 4-2(Armstrong, Spurr)-1(Fries). The discussion is closed on the motion. Now to move forward with the motion to provide guidance to the commissioners per what Mr. Lagemann said. All those in favor say aye.

Councilmembers: Aye.

Mr. Kerley: All those opposed?

Councilmembers: Aye.

Mr. Kerley: Well, the motion dies because it's a 3-3(Armstrong, Curry-Campbell, Spurr)-1(Fries) tie.

Councilman Harris: With that, I do have questions or go back to the discussion.

Mr. Jordan: What was the vote?

Mr. Kerley: It was 3:3.

Mr. Jordan: Three to three nays? We have-

Councilman Harris: My question, Chris, is going to be a couple of different ones. One, has there been consideration for the revenue loss out of the coliseum? Is that part possible?

Chris Cloud: That will be part of what we look at and discuss and consider.

Councilman Harris: Down the road with ARPA.

Chris Cloud: What I would say is that through CARES dollars in 2020, the county received \$12 million. We spent a million of it. All losses incurred by the coliseum and all money council has to spend, I would also argue, has been recovered through dollars.

Councilman Harris: That's fair. All right.

Chris Cloud: Also revenue replacement is not specific to individual loss. You throw everything in the same bucket, so you can't just look at individual losses.

Councilman Spurr: Councilman Harris, what was your question? I didn't hear it?

Councilman Harris: Just the revenue loss to the coliseum. Is there any funds in here for that, but to the CARES point, that makes sense. I work with businesses. I spoke to a business the other day that was being audited through a federal agency that told this business owner with 125 employees that they had to change their document because it has hes and shes in it. The social engineering is now down to local businesses. How much social engineering is in this ARPA funds? I'm very concerned about that.

Chris Cloud: I have read all relevant pages of ARPA that apply to us, and there's nothing but treasury rules.

Councilman Harris: There's no things that we have to abide by?

Chris Cloud: There's thousands of things you have to abide by, but they are not what I would say are-

Councilman Harris: Social engineering?

Chris Cloud: No. It's just finance rules. It's treasury, so they're all finance rules.

Councilman Harris: How many pages is this document?

Chris Cloud: 385, I think, but some of it doesn't apply to us just because of the types of things we would not or could not consider or probably won't consider, but that's also why you engage with professional CPAs.

Councilman Harris: I'm very much concerned. When the federal government gives you money, there's usually lots of hoops and lots of things that you have to get stuck with down the road. I'm just waiting for that to happen. It worries me that these funds are going to do that to local communities, frankly.

Chris Cloud: We run into that with lots of grants, where there are really federal dollars that flow through the state. Every highway federal aid project is a federal grant. Usually, what we see in those is very reasonable procedural things that the feds are looking for. It is a rarity that we see them take some non-germane item and put it in a grant document as a requirement. It's usually things that are very germane to what the grant is for or that are reasonable federal guidelines.

For instance, when we do contracts, our contracts have to have certain language in them, like that you aren't going to violate Federal Discrimination Act, that you're not going to violate Indiana's prohibitions against doing energy business with Iran, which never happens with our contractors, but is still in our contract. Those things get put in there because they're just federal rules and they want to make sure you sign off on them.

Councilman Harris: Can you make at least an intent or commitment or thought that if you run into that social engineering concern, and I think we understand what that might mean, but if you see something along those lines, you can bring it to the attention of council as we go down this path?

Chris Cloud: Sure. I did not see anything in the rules outside of, again, 385 pages of treasury finance rules that caused me any concern.

Councilman Harris: Mr. President, that's all the questions I have for him. Also, Paul had mentioned maybe the possibility of having these entities come up.

Mr. Kerley: I want to ask Mr. Spurr first, are your questions project-specific, or are they for the commissioners, or both?

Councilman Spurr: A little of both. If I may?

Mr. Kerley: Yes.

Councilman Spurr: To go along with Councilman Harris, one of my main concerns is, in your professional opinion, and the commissioners' opinion, because you're speaking on behalf of the commissioners, would this request survive a federal audit?

Chris Cloud: Oh, 100%. There are things in ARPA that are implicit and there are things in ARPA that are explicit. When it comes to infrastructure, they were explicit. They actually told you exactly what's eligible. Yes, by a general rule of thumb, any municipal public works project, that is water, sewer, or stormwater-related is explicitly permitted with ARPA funds.

Where it becomes more implicit and more you have to kind of read between the lines is when you want to respond to negative effects of COVID, either financially or health-wise. That's where it's open more to interpretation. They would argue, probably, creativity with addressing a community's needs. When it comes to the infrastructure side or the revenue replacement side or the premium pay side, it's pretty black or white. It's pretty straightforward on exactly.

The bulk of the attention that's going to get nationwide is more of the responding part. That's probably where most communities are going to do really, very different programs to respond to their individual communities issues. When it comes to infrastructure, that's really straightforward. The requirements are really straightforward.

Councilman Spurr: Going along with what we were saying earlier, I believe we have a representative of Woodburn here. The Mayor of Woodburn, would you be willing to come to the microphone, please?

Chris Cloud: Just before he does, just FYI, these are recommendations, but the commissioners could also say no to all three of them. These are not commitments to. They are just we need to have an appropriation before we can begin conversations to even commit a certain dollar amount. Just FYI.

Councilman Spurr: Thank you.

Mr. Kerley: Mayor Kelsey?

Mayor Kelsey: Good morning.

Councilman Spurr: Morning.

Mr. Kerley: Morning. Welcome. Introduce yourself, please.

Mayor Kelsey: Mayor Joe Kelsey of Woodburn.

Mr. Kerley: Go ahead.

Mayor Kelsey: Do you want to ask me questions or?

Mr. Kerley: Just maybe give a brief overview what the project is for the public.

Mayor Kelsey: Sure. It's to upgrade the Woodland lift station. It is a lift station that provides service for approximately 200 housing units outside of the city limits of Woodburn. It also services Woodlands school, Midwest Tile, and the fire station. The reason why we are asking for this is because the lift station is out of its life expectancy, and it is serving the limit of its capacity right now.

The upgrade would service the current residents, plus it would have an additional capacity of about 100 more housing units. We're only asking for \$375,000. The project is more than that. Woodburn is putting in the balance. If the cost goes up, unfortunately, because of inflation, we wouldn't be coming back and asking for more money. It's just \$375 to cover the portion that we can't cover. We are putting in some of our ARPA funds as part of our portion to pay it too.

Mr. Kerley: Ms. Curry-Campbell, yes.

Ms. Curry-Campbell: That was my question. Did you receive ARPA funds within Woodburn? If you did, what did you receive and how are you using those funds?

Mayor Kelsey: We received \$340,000. We're putting \$50,000 towards this project. We're putting 100,000 towards the streetscape sidewalk improvements, which is qualified. We did make sure that qualified. The remaining we're putting into broadband in the City of Woodburn.

Ms. Curry-Campbell: Thank you.

Councilman Lagemann: Mayor Kelsey, thanks for being here. I know from your testimony before the Water and Sewer District, this is an important one to you. How is this going to accommodate growth in the future for Woodburn, and how important is that growth to you?

Mayor Kelsey: Growth is always important. Standing up here as a mayor, I would say that growth is always important. It's going to help all these residents go to Woodland school too, which is all Woodburn residents plus the region. There is potential for a lot of growth out there that would add to Woodland schools. We have currently two housing developments being put into Woodburn as well. If we can get help with supplying the sewer for outside Allen County, that will help us to serve inside Woodburn as well.

Councilman Lagemann: It's certainly my intent, I hope the rest of council to help you in working hand in glove with the commissioners to make this project come to fruition. Thank you.

Mayor Kelsey: Thank you.

Councilman Spurr: Mr. President?

Mr. Kerley: Yes?

Councilman Spurr: Mayor, thanks for being here today. My question is, in the documentation that I was provided, I believe there was an attempt to obtain a state infrastructure grant. Is that correct?

Mayor Kelsey: Correct.

Councilman Spurr: You were unsuccessful in obtaining that grant?

Mayor Kelsey: Correct.

Councilman Spurr: Could you go into that a little bit and elaborate why you were unsuccessful.

Mayor Kelsey: At the end of the day, it came out-- and I didn't know this was part of the requirements in the beginning, but the state gave priority to applicants that were having sewer rates that were approaching \$100. I'm not for sure if \$100 was that exact number, but the higher the sewer rates were in the project areas, the more priority was given. I would argue that our rates are getting close to \$100, and I was pretty upset that we were denied, but we were. That was the reason why.

Councilman Spurr: It was priority cause?

Mayor Kelsey: Yes.

Councilman Spurr: Where are your rates right now you estimate?

Mayor Kelsey: Our rates are at 92.

Councilman Spurr: Thank you. Appreciate that.

Councilman Harris: New Haven is also here.

Mr. Kerley: Thank you, Mayor Kelsey. I think that's it. We're going to have New Haven come up next, if they would like.

Mayor Kelsey: Thank you.

Mr. Kerley: Thank you. New Haven is here to talk about their project.

Pone Vongphachanh: Can we sit here?

Mr. Kerley: Yes.

Pone Vongphachanh: I'm Pone Vongphachanh. I'm the Community and Economic Development Director for the City of New Haven. I'll go through the aspects of some of the questions that the council asked, and then I'll let Bill Bradley, our Community Engagement Specialist, talk about how it affects economic development.

The city of New Haven did receive \$3.6 million. Right now, for just our stormwater sewer, all the underground infrastructure, we're looking at about \$14 million. All our \$3.6 million will go towards our infrastructure. Our CSO plant alone is about 6 million. You know about the big tunnel project here in Fort Wayne.

We have to do some, not the tunnel project, but we have to do some as well to address our CSO. This waterline right now, when we initially looked at it, it was going to be about 4 million. It is now above 5 million. We have began the engineering on this project. We have a design meeting at the end of April to review the 90% design. With that, we'll know more about the approximate costs. Right now with the 60% design, they're estimating \$4.8 million to \$5.2 million just for the water line on Edgerton Road.

I do want to mention that it does go through four different TIF districts, three of which are in Allen County or have jurisdiction by Allen County, and then one for New Haven. We also did go after state funding because of where our rates are. We did not successfully receive that funding. Let's see here.

Councilman Spurr: Where are your rates at, Pone?

Pone Vongphachanh: I'd have to pull that up. I don't remember. We do get water from Fort Wayne. Our rates are based off Fort Wayne's rates. We look at a 3% to 5% increase because we still have infrastructure that we have to cover. Right now, we have an agreement with Fort Wayne. I think it's 2 to 3 million gallons a day that they'll take. I can get you more details on that. I did not bring the rates with me. We're roughly a little bit higher than Fort Wayne simply because we have to add our costs to it as well.

Councilman Spurr: Yes. I understand there's a base and then you add to-

Pone Vongphachanh: Yes. We actually put three projects forward, did not get funding on any of them because of where our rates are.

Councilman Spurr: Thank you.

Pone Vongphachanh: I think, if I'm correct, we are in that middle third. Throughout the state, it's broken down. We are still in that middle third and not even towards the top of that for rates. This will expand capacity in that area as well. As I said, it does go through four different TIF districts, so it will help with economic development. I'll let Mr. Bradley talk more about the impacts on economic development.

Bill Bradley: Thank you, Pone. Once again, Bill Bradley, Community Engagement Specialist with the City of New Haven. When I started almost 36 years ago in economic development, there were two major components of a project. Those components were always going to be two things, dirt, and people. In order to make a project go, you really do need to have sites that are available for companies to either expand to or be attracted to in a particular community.

This project will engage a lot more acreage and availability for development within the community of New Haven. I think that's very critical at this point and this time, because frankly, and I think Pone intimated on it also, New Haven is booming. It is growing. There are some very positive aspects of the community that are growing. Not only the industrial sector and manufacturing sector, but also the housing sector. The housing sector is a major component that is growing by leaps and bounds at this point in this community. From an economic development standpoint, this project will open up many, many acres for our development. As it was stated before, it relates to four different TIF districts.

I think that's very important too. Three of those are county TIF districts. I think that's very important also to realize too. We encourage your support for this project. It is pivotal in the economic development strategy of the community at this point. We look forward to some very positive developments out of this project.

Councilman Lagemann: Mr. Chairman? I know there's a couple of really specific components to this project. This infrastructure run is going to be really critical for expansion for some major employers. Do you want to address that?

Pone Vongphachanh: The biggest thing right now, and why we actually pushed up this particular project, is the fact that for growth to occur there, we need this waterline extension for fire suppression. There is not enough capacity within there to expand to any of the area there for fire suppression.

Mr. Kerley: Ms. Curry-Campbell, yes?

Councilwoman Curry-Campbell: Thank you for being here. Now, did you say 3.6, that's your ARPA funds? Is that what you received?

Pone Vongphachanh: 3.6 is what we did receive, and all of it is being allocated to this type of infrastructure. A portion of it will be this project, a portion of it will go to our CSO plan, which is required to be completed by 2026 as well.

Councilwoman Curry-Campbell: I'm sorry, can you give me the breakdown of the ARPA funds that you received in New Haven?

Pone Vongphachanh: \$3.6 million.

Councilwoman Curry-Campbell: I got that. Where did the 3.6 go? Are you saying the 3.6 went all into this project? Is that what you're saying?

Pone Vongphachanh: No. The \$3.6 million will go all into water, sewer, and stormwater infrastructure. The projects within that is about 16 million. They will leverage funds to try to get all those projects done.

Councilwoman Curry-Campbell: Okay. I really didn't hear a breakdown. I heard you say a number and then you said some areas--

Pone Vongphachanh: That's correct. I don't have a breakdown because we are going to try to leverage to get all those projects done because the CSO plan, if we do not get that done, we start getting fined by the federal government.

Councilwoman Curry-Campbell: Thank you.

Mr. Kerley: Okay, any others? Yes? Mr. Spurr?

Ms. Campbell: Yes, Mr. Spurr?

Councilman Spurr: I'm sorry, spoke too soon. Just to clarify, Pone, there is a large need here. I don't want to say large. There is a need here largely because of the concern for fire suppression?

Pone Vongphachanh: For this particular project, yes. There is not enough capacity for fire protection in order to ensure that growth occurs here. The one area that it will cover is the Casad Depot. That was formerly owned by the federal government. Let's just say a lot of things weren't done to the extent that fire protection would be prioritized. There are some ponds there, but it is not sufficient to deal with fire protection. In the design, we are looking at also putting Ts in so it's ready to go for industrial growth.

Councilman Spurr: Okay, thank you. Then Mr. President, also, it would be wrong to not acknowledge Mr. Hale here, his presence here today, very familiar with fire.

Pone Vongphachanh: He can talk more about that.

Councilman Spurr: I was going to say, I really don't want to put you on the spot. That's not my intention. Is there any way maybe you could elaborate a little bit more about that fire suppression issue, if you might come up?

Mr. Hale: I can go over there, so you guys can stay seated if you want.

Pone: Okay.

Mr. Hale: Good morning, Council. My name is Josh Hale. I'm the Chief of East Central Fire & EMS Protection district. This would be advantageous for us. As we reference the fire protection, it's not so much as in the ability of a fire hydrant. It's in the ability of, if there's growth and development in that area, you're going to have a large building that's going to come in. With large buildings, investment in the community, they have to have a building that is sprinkled.

To be able to have a building that is sprinkled, you have to have the adequate water flow which is what Pone was referring to as adequate fire protection. If we look at south East Allen County and we want to develop, we want to bring folks in, we talk about the three TIF districts. To be able to do that, those buildings that come in are probably going to be larger scale. They have to have adequate fire protection, which would be the waterline that she's describing.

Councilman Spurr: Okay, thank you Mr. Hale.

Councilwoman Curry-Campbell: I just have a question. If we do not fund this, what will you do?

Mr. Hale: I believe that's a better answer from Pone.

Pone Vongphachanh: We continue to seek funding sources. I will tell you that we've applied for funding from CIB, we've applied for multiple grants at the state. We'll continue to look at grants at the federal level as well. The problem with the grant opportunities out there is the fact that our rates are not high enough. That is one of the big priorities that they look at.

Mr. Kerley: Maybe you can clarify this, but much like the Woodburn lift station that exists in an unincorporated part of the county and serves unincorporated, the Casad Depot, while it is a New Haven address, is unincorporated, correct?

Pone Vongphachanh: No.

Councilman Harris: Oh, is it annexed?

Pone: It is annexed now. One of the TIF districts is unincorporated in one county that it would serve.

Councilwoman Curry-Campbell: Where is that located?

Pone: Let me try to read the boundaries. It's to the north of Edgerton Road. It's between Edgerton Road and 24.

Councilwoman Curry-Campbell: Thank you.

Councilman Harris: Yes Mr. Lagemann?

Councilman Lagemann: Well, first of all, I appreciate your time. I appreciate the aggressiveness of New Haven in doing all they can to really grow South East Allen County. I, for one, am excited to support this project because this means jobs. This means very well-paying jobs in that part of our community. We all stand and fall together. I commend the commissioners for looking to fund this specific project as well as the Woodburn and others. I am looking forward to seeing that infrastructure in the ground, and the expansion of Casad as well as other major businesses in that area. Thank you.

Mr. Kerley: Thank you.

Vice President: Third going up is Maysville.

Mr. Kerley: Yes, I think Mr. Clyde's probably going to have to tell us about the Maysville project.

Chris: The summary was in the packet. They have two projects, a water, and a sewer. Their challenge is that they're a very small sewer district, and so to do projects like this it impacts their rates significantly. As you can imagine, they just don't have the people to spread that over. They are leveraging state revolving fund SRF loans and loan forgiveness to do part of the project. They requested us a sizeable portion from the commissioners. I don't know if the commissioners will commit to that dollar amount, but that was the request. You can't commit to anything if the money's not there.

The water part is an issue of pressure and capacity. They really need a water tower. That would serve all of their customers. Their sewer request was to bring on 44 new homes who are on septic's. Septic relief is something the county has been-- the regional sewer district, this is what they do and so Maysville's doing it as well.

The cost per is a little more than we might normally consider. The rates that they would charge the people would be \$200 a month to do that. It's unreasonably high, but I understand why. Just the sheer volume. It's interesting that the state's grant program prioritizes people with high rates. That's great, but there's also something to be said for keeping rates reasonable. All of these would be helping public utility companies to keep rates reasonable. That's the goal. That's the Maysville project.

The water is, I think, a million of that. The sewer was a million and a half of their request. I think both of those also would involve state revolving fund loans and loan forgiveness that they're requesting.

Councilman Spurr: Mr. President?

Mr. Kerley: Yes, Mr. Spurr?

Councilman Spurr: Mr. Clyde, my question would be, in your opinion, would it be deemed detrimental to the process if we were to allow more time to discuss the issues? The only reason I bring that up is because I've only had a week to digest this-

Chris: Totally, yes.

Councilman Spurr: As you're aware in our prior-

Chris: What I would say is, for some of them, they are more timely than others. In that, the city of Woodburn's project, if they have gotten that swift grant from the state, it'd already be under construction. They're ready to go. In that one, yes, it would delay when they could start. Maysville's water request, they are hoping to close on financing of that project, I believe the end of this month. Theirs is more an idea that they need a commitment in writing as opposed to actual cash on hand because the state will be issuing a fund, a loan.

They'll be issued debt by the state, and so then it's more of the payback. Before you awarded a bid, you're supposed to have the cash on hand. The state's willing to take a letter as the cash on hand. That again, timing. Their sewer project, no, I don't think this would delay it much. I'm sure if New Haven had the funds, they would have already had this underway. It's just a delay when it gets started, but they can correct me, I don't know if they've identified every last dollar to get everything they want done. Some of them yes, some of them, and then others probably not.

Councilman Spurr: In your opinion, Woodburn may be negatively affected by allowing more time?

Councilman Lagemann: And New Haven, right?

Chris: From our perspective, Woodburn's a really good project. It's a partnership. They're putting their own money in. It's ready to go. It's already been bid. It serves both growth and current, and it includes unincorporated. From our perspective, that's a great partnership project. The commissioners have not come to a conclusion yet on the Maysville. We just started talking to them a month ago. They came to our meeting and made a presentation three weeks ago. That one's still fresh. The Woodburn one, we've wanted to help that for a while, so that one's, I think, more timely. I can't speak to New Haven and how much this would or wouldn't. I don't know.

Councilman Lagemann: I would say that, from the New Haven perspective, I have had a series of conversations with the mayor about this project, I know that there is a dire need. There is an expansion ready to roll, and holding up the New Haven dollars will cost us jobs. That may be a bit of a leap on my part, but if I'm running the numbers correctly, based on the timing, every minute we delay is costing everybody a little money, including the city of New Haven. I think that one's absolutely critical from a timing standpoint for sure.

Councilman Harris: Mr. President, based on the fact that every minute could cost us something, I'm going to move forward on the appropriation for the ARPA fund 975 infrastructure improvement and \$5 million.

Councilwoman Curry-Campbell: Second.

Mr. Kerley: We have a motion and a second. Any further discussion?

Councilman Spurr: I was just simply asking for more time.

Councilman Harris: Chris, if I can just mention, to that point, the commissioners have not yet agreed to this, so it would be an opportunity to work with the commissioners, all of us, to make sure that we're comfortable with moving forward as well. Just a thought on that.

Councilman Spurr: Councilman Harris, my only question is, based on what I just heard, outside of Paul's testimony, I was looking at a \$375,000 figure, and we went to \$5 million.

Councilman Harris: No. We're allocating to the commissioners.

Councilman Spurr: I understand that. I have my reservations but thank you.

Mr. Kerley: Any further discussion? Motion to end discussion?

Councilman Lagemann: Motion to end discussion.

Councilman Harris: Second.

Mr. Kerley: We have a motion and a second-to-end discussion. All those in favor say aye?

Councilmembers: Aye.

Mr. Kerley: All those opposed? Okay. The motion to appropriate the \$5 million of ARPA funds to the commissioners for infrastructure improvements. All those in favor say aye?

Councilmembers: Aye.

Mr. Kerley: All those opposed?

Councilman Spurr: Aye.

Mr. Kerley: Motion passes 5-1(Spurr)-1(Fries).

Chris: Thank you, Council.

Mr. Kerley: Thank you. Mr. Jordan, thank you for being so patient.

Mr. Jordan: [unintelligible 01:35:11]. Good morning again, council. On your agenda, you see requests of the LIT Public Safety Fund. That's local income tax, public safety, and a piece of the local income tax goes for that. It is for the CCP, which is known as the Consolidated Communications Partnership. It's about a decade old now, actually. It's our dispatch, if you're not familiar with it. The interlocal agreements at least regarding the operational funding is split 80/20. Capital projects are split 50/50, and that's with the city of Fort Wayne.

The city of Fort Wayne maintains the books. We pass along the money. The county passes along the money to the city and then they pay the CCP bills. Since inception, the CCP has had a fund balance. Interlocal requires that that is spent down. It has finally been spent down at the end of 12/31/2021.

This piece the, 168,999, so 169,000 is the county's portion to bring the balance, as of 12/31/2021, to 0. That is obviously subject to fluctuation. Today, it will be a different amount just based on how the revenue and expenses have trended through the year to date. Aside from this, each fall, you approve the CCP budget.

Given that we were at a deficit anticipating that we will need to potentially bump up the county's contribution, if you do not, the fiscal body does not like to do that, or if you want more information come the 2023 budget meetings, we need to act accordingly at that time so that the CCP has adequate notice to provide whatever you would like.

Councilman Harris: It seemed to me that they had a request at the budget time and then they pulled it. Did they not?

Mr. Jordan: Every year, the CCP-- I can't say every year-- for at least the last few years, if not half a decade, the CCP has submitted a higher amount than the county's allocation. Excuse me, the county and the city's allocation. The county and the city have both agreed to keep the allocations or operational allocations flat for the aspect of, we'll keep the operational piece flat, we'll see if the fund balance is negative. It hasn't been, so we've contributed around \$900,000 from the county's piece.

Obviously, the deficit of 169,000 has now occurred. Again, an estimate for '23, the CCP will come back and say, "Hey, we need more than the \$900,000 allocation the county is giving us." At that time, it will be up to the county council to decide, we're going to stick with 900, come back next year and see if we can discuss it then.

I am not on the CCP board. We have Commissioner Beck, and then the Sheriff or his proxy, and then you have the city of Fort Wayne Police Chief and Fire Chief. I'm just doing this on behalf of myself and the city controller's office to manage the finances. If you don't want to take action on this thing, no big deal. When the '23 budget session starts, you can take it into a new account there if you would like to.

Councilman Harris: They're going to run out of funds this year?

Mr. Jordan: As of 12/31/2021, we're essentially in the hole. Each month, we could be further in the hole. In essence, the city is covering the cost of it. Already, the county has obligated that's 922,000 and some change. We get approximately \$2.4 million of 911 fees. Actually, closer to \$3 million. They give us a supplemental distribution.

Purdue Fort Wayne gives us a chunk for their police, and then there are some miscellaneous revenues on top of that. Revenue will come in. If they have a shortage in staffing, which they continuously do, those expenses don't go out, but then they incur overtime. That balance is subject to fluctuating. What we know, if we wanted to bring it whole as of 12/31/2021, this is needed. More than likely, we're going to need more because of the fact the county has chosen over the last decade not to give above the 900 and some 1,000 that we do. The actual 20% would be closer to a million and some based on their budget.

Councilman Lagemann: Mr. Chairman?

Mr. Kerley: Yes.

Councilman Lagemann: I would like to point out that, from a 911 standpoint, our friends from New Haven are here, that the New Haven does act as the backup. If for whatever reason

911 goes down, New Haven fully funds, currently, their entire backup. As we move forward and consider how we deal with 911 in the future, that is a consideration I think we all need to make. I just want to put that out there for the good of the order. I think what I'd like to do is move the appropriation within LIT Public Safety Fund 120 of \$186,999.

Mr. Kerley: 186 or

Councilman Lagemann: 168,000, pardon my dyslexia. \$999.

Councilwoman Curry-Campbell: Second.

Councilman Harris: Yes. Just for the record, it wasn't suggested that if we wouldn't fund this that the system would go down. The system is fine at this point.

Mr. Jordan: Yes. There just operational deficits.

Councilman Harris: It's going to continue. Whether we voted for this or not, it still is functional. Everything's good.

Mr. Jordan: Out of fairness, though, I believe if the county were in the role reversal of maintaining the books that the city is in, I would be politely requesting the city, "Hey, we need to bring the fund balance to zero." Into Paul's comment, the CCP or the 911 monies that come in, a chunk does go to New Haven as a PSAP, is what the acronym is, has for a while. The previous mayor had come and asked many times for that to be increased if that discussion ensues, but it is something that, has been brought up in the past.

Councilman Harris: Thank you.

Mr. Kerley: There's a motion on the table.

Vice President: Yes, and there was further discussion. I'll entertain a motion to end discussion.

Mr. Kerley: So moved.

Councilwoman Curry-Campbell: Second.

Mr. Kerley: Motion to end the discussion. I'll those in favor say aye.

Councilmembers: Aye.

Mr. Kerley: Okay, passes. Motion to approve the appropriation for CCP for \$168,999. All those in favor, say aye.

Councilmembers: Aye.

Mr. Kerley: All those opposed? Motion passes 6-0-1(Fries). Thank you, Mr. Jordan. Discussion and new business. Any discussion and new business? I would, like to take-- oh, do you have something?

Councilman Harris: No.

Councilman Spurr: Mr. President?

Mr. Kerley: Yes.

Councilman Spurr: Mr. Jordan, if you mind. I know I have gone to you in the past about a vote tally, electronic count, something similar to what the city has. If maybe we could elaborate on that a little bit.

Mr. Jordan: Yes. Resultant is our third-party IT vendor for both the county and the city. If you're not familiar, I can send you all the link, but the city of Fort Wayne City Council has a website where their ordinances are posted. It shows each ordinance and then it shows the votes. You can drill down and you can see the PDF attachment.

When asking Resultant, it was designed in-house. Actually, they bounced some questions off of me at the beginning of this week. I've responded back to them. We're in the process of creating it. It will mirror what their city's currently looks like. Compared to what you write, now, what we do is we put a spreadsheet out there of a summary of council's action taken, and then you obviously have the PDF notebooks. It'll make it a little bit easier to read and navigate than what the current spreadsheet is.

Councilman Spurr: I would just ask for the council's consideration and approval of such a log device.

Councilwoman Curry-Campbell: Is there any funds involved in this?

Mr. Jordan: As of this point in time, no. We already do-It's a spreadsheet. You put a check in box. We do the work right now. We'll continue to do the work. Putting the PDF notebook together is no big deal. You'll just drill down and there'll be a link to the specific ordinance from that. The one nice thing about it is county council passes nowhere near the number of ordinances that the-- because the city council obviously has legislative powers-- nowhere near what the city council does. It's a lot less cumbersome than the city's process.

Councilman Spurr: The only reason I brought it up is for a way for the public to track our actions and-

Mr. Jordan: They're out there already. It's just like you said, right now it's in a spreadsheet year by year. It'll make it all one big database instead of multiple-year spreadsheets.

Councilman Spurr: Yes. Thank you.

Mr. Kerley: I would just like to take a moment at the end of this meeting to honor and remember former county councilman, Richard Kees. He passed away on the 18th. As having been a formal county councilman, and I believe, Springfield Township Trustee as well, just take a minute to honor his passing and remember the service that he gave to this county and our community. If anybody's interested in funeral arrangements, they can find those online. Anything else?

Councilwoman Curry-Campbell: Just remember Earth Day. There is no plan B. This is our one and only planet, and we just need to be mindful. Thank you.

Mr. Kerley: With that, Mr. Harris?

Councilman Harris: With that, I'll move for the approval to waive the second reading of any manner approved today for which it may be deemed necessary for the county council meeting of April 21st, 2022

Councilwoman Curry-Campbell: Second.

Mr. Kerley: Motion and second. All those in favor say aye?

Councilmembers: Aye.

Mr. Kerley: Motion is approved 6-0-1(Fries). The next county council regular meeting will be held at 8:30 AM, Thursday, May 19th, 2022 right here in this room.

Councilman Harris: Mr. President, I might just mention to your comment, unless I'm mistaken, we may have a different Mr. Kees. Just to point that out. We might want to verify that.

Mr. Kerley: I got it.

Councilman Harris: Just a point on that. Thank you. Thanks.

Mr. Kerley: I'm sorry, what was the--

Councilman Harris: We'll let that go.

Mr. Kerley: Yes.

Councilman Harris: Yes. Very good.

Councilman Lagemann: Are we adjourned?

Mr. Kerley: With that, I will entertain a motion to adjourn.

Mr. Harris: So moved.

Mr. Kerley: We are adjourned.