

ALLEN COUNTY COUNCIL MEETING MINUTES
June 16, 2022
8:30 AM

The Allen County Council met on Thursday, June 16, 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, Tom A. Harris, Kyle A. Kerley, Paul W. Lagemann, Ken Fries and Christopher Spurr. Absent: Sheila Curry-Campbell.

Also Attending: Council Attorney Mitch Harper, Nick Jordan, Auditor and Jackie Scheuman, Finance and Budget Director.

President Kerley: Good morning and welcome to the Allen County Council meeting of Thursday, June 6th, 2022.

Councilman Harris: June 16th.

President Kerley: June 16th, 2022. My mouth is not working. We are going to start with the Pledge of Allegiance and a moment of silence.

All: 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.

[pause 00:00:38]

President Kerley: Amen.

Before we get started, I first just want to send a public thanks to all the workers from IENM, Northeast REMC, HERMC, and all the mutual aid workers that are in the county helping to address the storm situation. I want to remind anyone that is listening that may need to cool off today that the Foellinger Botanical Gardens and the Coliseum are both open as cooling centers. Please be safe if you need to stay cooler and need electricity. Don't risk it and go to some of the places that are available to keep you safe. The first thing up is the adoption of the agenda. Are there any changes or amendments to the agenda?

Councilman Lagemann: Mr. chairman?

President Kerley: Yes.

Councilman Lagemann: I move that because of the length and complexity of some of the issues commissioners are bringing that we move their items to the end of the agenda to bring all the other departments ahead first.

President Kerley: There is there a second?

Councilman Fries: Second.

President Kerley: Motion and a second to move the commissioners to the end of the agenda. All those in favor, say, aye.

All: Aye. Approved 6-0-1(Curry-Campbell)

President Kerley: All those opposed? That change is noted. With the changes to the agenda, I'll entertain a motion to adopt the amended agenda.

Councilman Harris: So moved.

President Kerley: All those in favor, say, aye.

All: Aye.

President Kerley: Opposed. Agenda is adopted 6-0-1(Curry Campbell). Approval of the minutes of May 19th, 2022. Motion to approve?

Councilman Lagemann: I second.

President Kerley: The motion in the second. Any further discussion? Hearing none. All those in favor say, aye.

All: Aye.

President Kerley: Opposed? Minutes are approved 6-0-1(Curry-Campbell). Financial report. Mr. Jordan.

Mr. Jordan: Good morning, council. On your notebook, you see the financials through the end of May. Nothing real surprising. Tom, a couple of months back, you had asked about the property tax collections and miscellaneous revenues and the general fund. You do not see the June distribution in there, but property tax is approximately 56% after we have done the June settlement. That's on par with where it is usually. Miscellaneous revenues are also tracking where this should be year-to-date and they offset one another. If you look through the detail, I can take any questions on that, but I did want to mention next month, we'll start the budget process.

Historically, members of council had questions on certain funds, in particular. I encourage you to start that early, not wait until September, October to bring those discussions up with the departments, if you still have them. Then in your notebook, you see the major fund financials. Again, we have 200 other ones. If you have any questions on any of them, please get them out there. Let's start the process early with those questions so that they can be addressed before you have to make decisions in September and October.

President Kerley: Yes, Mr. Harris.

Councilman Harris: Question Nick, in terms of a couple of lead items, one, is care for federal prisoners. Is it three million? Is that number going to be revised? Do we anticipate that to come down then or?

Mr. Jordan: That line is actually care of prisoners in general. It's not just federal, so it is state. We will, the way the state processes their payments now it's a lump sum each year and that's around 1.5 million. It's a flat line amount. They look at the prior year look back, but it's been a little bit over 1.5 million. That will come in. We know for sure we'll be around 2.1, even though half of that is for the next year. It should be revised downward because we know that the jail is not housing the federal inmates like they were before. That is a higher per diem

than what the state pays. We will not change it on the sheet. It's just knowing that that's going to come in less.

Councilman Harris: Okay. Any idea what that might look like? You said 1.5 plus.

Mr. Jordan: My guesstimate is we'll potentially see 750,000 to a million dollars less from not having the care of prisoners.

Councilman Harris: No, you're not. Okay. Another item on here is the rental of county property. I think it was non-identified revenue is at 200%. I was just trying to understand what that was and maybe--

Mr. Jordan: In the county miscellaneous.

Councilman Harris: Yes. Yes.

Mr. Jordan: The bulk of that is going to be 401k, forfeitures people that have potentially contributed we've matched, and then they don't stay around to vest. Those forfeitures go back into the general fund. They just recycle back and then offset our contributions in the future year, but that's why you see that. I think there's a hundred, some thousand in--

Councilman Harris: A hundred was anticipated. You're at 200 right now, I think.

Mr. Jordan: We have no clue what-- we can't predict somebody's going to leave that has vested-

Councilman Harris: No, that's fair.

Mr. Jordan: -matched, or not matched. Excuse me, vested or not vested.

Councilman Harris: Thank you. You answered some of the other ones earlier, so thank you.

President Kerley: Any other questions for Mr. Jordan?

Councilman Harris: If not, I'll move for the approval on the financial report.

Councilman Fries: Second.

President Kerley: Motion and a second. Any further discussion? Hearing none. All those in favor say, aye.

All: Aye.

President Kerley: All those opposed? The financial report is approved 6-0-1 (Curry Campbell).

Mr. Jordan: Thank you.

President Kerley: Thank you, Mr. Jordan. The total appropriation requested in the general fund, \$14,600,000. Total appropriations requested in other funds \$96,974. We will now open the floor for public comments. Anybody here for public comment? Okay. Please state your name and your zip code. Please try to limit your comments to three minutes. Thank you.

Mr. Sean: Good morning. My name is Sean Collentine in 46807. I was here about a month ago last or the last meeting. The thing that concerns me is we as members of the public are getting information and bits and pieces. Part of the discussion here this morning is going to be about the appropriation of \$12 million. That's just the tip of the iceberg that's being proposed by the commissioners to spend. The real bill is on the order of \$51 million over a four-year period. The initial cost is not is \$13 million, but the renovations are going to run up to about \$31 million the first year.

The unaddressed thing is also that as part of this plan, they're asking the city to move the police and fire department. That isn't even showing up here. That's to the tune of another \$31 million. The issue that you're facing is we have the jail situation. Also, that's going to be worked on this afternoon. Then this morning you're dealing with how are we going to provide for community corrections, et cetera, the county needs? Well, the total monetary impact of these decisions is huge. We're looking at \$500 million who knows. There doesn't seem to be a plan to this where first we have to deal with the federal judge's order and that the jail is inadequate. Almost everyone recognizes that.

The problem we have now, a current jail situation, you can't even staff it fully. The minimum requirement, the council approved for 23 additional positions that the sheriff can't find today and the federal judge this afternoon's probably going to say you need even more. Where's this coming from? Are the feds going to come and give us money for this? No, we have to tax us in Allen County. We're going to have the operating expense. We're going to have the capital expense of this. Now we're faced with the \$13 million plus, plus, plus of what's being requested this morning, this number should be more reflective of what the actual cost is of \$31 million, not \$13 million.

It's not just buying the building. "Okay, there it is." We have to figure out how to operate and all the ancillary costs attached. Who's coordinating this? That's my concern. You're our fiscal guardians and the commissioners are proposing this, well, somebody has to say up, "Let's get a plan." Ken Freeze has been involved in obviously running the jail. He knows what this is all about. It's a difficult situation. Let's reconceptualize what we're doing and try and come up with a solution that might have long-term benefits rather than just short-term and long-term costs. Let's do a better job. You guys have to watch our dollars. You're our hope here. Stand up to the plate and get it done. Be aware. Thank you.

President Kerley: Thank you. Anybody else? Motion to end public comment.

Councilman Harris: So moved.

Councilman Lagemann: Second.

President Kerley: Motion and second to end public comment. All those in favor, say aye.

All: Aye. All those opposed? Public comment is closed 6-0-1(Curry-Campbell). Economic development.

Rachel Black: Good morning.

President Kerley: Good morning.

Councilman Harris: Morning.

Rachel Black: I have a lot of documents. I'm going to set at the table. Rachel Black, Allen County, Economic Development. I have quite a few items on the agenda today. We'll look at this first one here. Its resolution 2022-0616-01 Approving 2022 pay 2023 compliance with statement of benefits form CF-1. As required under state law, all companies with existing approved abatements that file for deduction are required to file compliance with statement of benefits forms that contain information showing the extent that they have complied with the originally approved SB 1s. These forms are due to the county auditor as well as this body each year by May 15th.

The state extended that deadline to the 16th due to the 15th following on a weekend. I review these forms each year and based on your county compliance policy and I thought I would review that just briefly to keep you up to date. The compliance is defined as creating or retaining at least 75% of the total number of full-time or part-time jobs and/or creating or retaining at least 75% of the total salaries. If the companies don't meet that requirement, then we look into whether or not the companies have met substantial compliance within their investment for real and personal property. As seen on exhibit A of the resolution before you, you'll see a list of companies that were found to be in compliance as well as met the filing deadline. I'll be happy to answer any questions.

Councilman Harris: Do we want to handle these individually? This first one is on compliance, those that have complied and you need to have that passed and such. Do we want to do that individually or wait till the end?

President Kerley: I think typically we do each of the non-compliance ones on their own.

Rachel Black: Yes.

President Kerley: You usually have letters or explanations why.

Rachel Black: Yes.

President Kerley: I would suggest we do the two of them individually.

Mr. Harris: With that Mr. President, I'll move for the approval resolution 2022-06-16-01 Approving 2022 Pay of 2023 Compliance with Statement of Benefits Form CF-1.

Councilman Lagemann: Second.

President Kerley: Motion and a second. Any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All this opposed? It is passed 6-0-1(Curry-Campbell). Now we'll move on to the non-compliant one.

Rachel Black: The next resolution that we have is determining substantial non-compliance with statement of benefits for Ground Effects. Just a little background on this company, Silverado Properties LLC, Ground Effects was approved for tax abatement back in 2013, for real and personal property investment of \$4.6 million. The real property has expired. However, their personal property still has multiple years that are still running.

They required deduction. Paperwork was not filed in a timely manner. It was received on June 2nd of this month. After review of the submitted CF-1 personal property form, the company was found to be in compliance and I did want to note that the company was to hire 180 employees and their current number is 220. That percentage it's at 122%. While reminder notices are not required, it's something that I do each year.

I send a reminder out to the companies in usually the beginning of April. Once I saw that the deduction paperwork was not received by the filing deadline, I reached out again to the company. I emailed Mr. Bellinger on May 25th. I received an email back from a gentleman named Ryan Golic, who is with Ground Effects. He is their controller and stated that Mr. Bellinger was no longer with the company he stated-- Well, then as I stated previously, the paperwork he submitted to me on June 2nd.

I do want to note also that the company came before you last year for a waiver and it was granted. There's two resolutions that I submitted in your packet for this case and that is finding the company to be in non-compliance. That would require the company, a representative from the company to come before council next month and request a waiver of non-compliance, which would also include the fee of \$500 or the second resolution would be that you would find them in compliance and then there would be no further action taken.

Mr. Harris: Just a question for clarification again, they're at 200%, or what was it the number of employees were over?

Rachel Black: Yes, they're at 122%. Above the 75% that's required.

Mr. Harris: They got their paperwork in but it came in late.

Rachel Black: Yes, sir.

Mr. Harris: Otherwise they've met the compliance issue. The reason that they would be non-compliance is because of the delay in the paperwork coming in.

Rachel Black: That's right.

Mr. Harris: You've now received it.

Rachel Black: That's correct.

President Kerley: Question.

Councilman Harris: Yes.

Councilman Fries: Rachel, why did you have to come before us last year for a waiver?

Rachel Black: Same situation. They were late, but it was a different person that I was dealing with. I think these companies are having issues with turnover and things like that.

Councilman Fries: Maybe if we make them come before us and charge them an extra \$500 maybe next year they'll be on time.

Rachel Black: Possibly. Yes.

Councilman Fries: Just a thought.

Mr. Harris: Yes. The challenge that when we talked a couple of days ago about this, the challenge is that when somebody's responsible for it and then they've got changes in staffing or whatever, somebody misses it but they still get it in. It's just a matter of it coming in late and I guess I'd be more concerned if they did not meet the requirements, in this case, they're over that 100% of what they plan to do. They're doing it at this point.

Rachel Black: Yes, sir. They also are on their investment side of things as well.

Mr. Harris: Okay.

Rachel Black: Just as a side note.

Mr. Harris: With that, Mr. President, I'll move for-- Go ahead.

President Kerley: I have one thing. Can I make a suggestion in the future?

Rachel Black: Sure.

President Kerley: Maybe label these like Resolution A and B. Right now in the packet, they both have the same number. That way, if we move on one and it gets voted down and we move on the second one, we have to have a way to differentiate. Does that make sense?

Rachel Black: Sure. No problem.

President Kerley: Go ahead, Mr. Harris.

Mr. Harris: Yes, I was just going to go ahead and move for compliance. Let's see, resolution determining substantial compliance with statement of benefits for Ground Effects LLC.

Councilman Harris: We have a motion to find them in compliance or is there a second?

Councilman Lagemann: Second.

President Kerley: Okay. We have a motion and a second to find them in compliance. Any further discussion? Hearing none. All those in favors say aye.

Councilmen: Aye.

President Kerley: All those opposed.

Councilmen: Aye.

President Kerley: Motion passes 4-2(Fries & Spurr)-1(Curry-Campbell). Okay. Next one.

Rachel Black: This next resolution then is for determining substantial non-compliance with statement of benefits for SAC Properties LLC. NIA LLC, SAC Properties LLC was approved for tax abatement in 2018 for real and personal property investment of \$6.7 million. The personal property deduction forms were filed by the filing deadline. However, the real property deduction paperwork was not.

They ended up mailing the documents out on May 18th and we received those on May 20th. After a review of the submitted CF-1 real property form, again this company was found to be in compliance. They were to hire 48 positions and their current number is 61. That it's 127%. The communication that I had with the CFO Matt Rep stated that the office didn't get the mail out in time and he didn't double-check with his staff to see if it actually was mailed out. I would like to mention again that on the NIA side of things last year, the personal property came before you and they were too granted a waiver as well. Again, we have two resolutions before you, and I'm happy to answer any questions concerning this company.

Councilman Harris: What's the circumstances in this is just an error, forgot to get it in, but came in slightly late. They are in compliance both in terms of the employees and also the investment.

Rachel Black: Also investment, yes. I'm not quite sure how it worked out just that half was able to be submitted and half wasn't, but it was just likely filling out the paperwork at different times getting him to submit it.

Councilman Fries: Last year they also had to come in front of us for a waiver.

Rachel: On the, yes. On the other side, on the NAI side.

Councilman Lagemann: Same reason?

Rachel: Yes, sir.

Councilman Harris: Mr. President, I'll move for resolution determining substantial compliance with this statement for SAC properties, LLC.

Councilman Lagemann: Second.

President Kerley: Motion in a second. Any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed.

Councilman Fries: Aye.

President Kerley: Were you a yes or no, Chris?

Councilman Spurr: I was no.

President Kerley: 4-2(Fries & Spurr)-1(Curry-Campbell). The next one.

Rachel: All right. This is substantial non-compliance with statement of benefits for CRD management LLC/Saratoga Potato Chips LLC. This company was approved for tax abatement in 2017 for investment in real property of \$2 million and \$200,000 in personal property. Their real property forms was submitted by the filing deadline, but the personal property forms were not filed in a timely manner. They were filed on May 26th. Mr. Margie is the president and I sent him an email when I received the real property documents on the 16th and were missing the personal property forms.

I had sent him an email and he responded on May 25th stating that he would submit the required paperwork as soon as possible. I do have a letter from him that I would like to read. It says, "Dear Ms. Black, this letter is regarding deduction paperwork for personal property that was submitted in full in response to your email request on May 16th. I am the owner of the company, Saratoga Potato Chips, LLC, located at 6923 Lincoln Parkway in Fort Wayne. I unfortunately suffered an injury that has rendered me a quadriplegic.

I usually do not miss emails in my inbox however, I was traveling at the time and between traveling and adjusting to my physical limitations. I missed your email, our company accountant John Rondo will be submitting the missing CF one form today ASAP in the future to make sure this does not get missed again, could I please request that you would add the following contact." Which is his son's name. His son is helping with the business. I also have a different staff member as well as a contact and they have been in compliance each year with no issues for any waivers.

Councilman Harris: With that, Mr. President, I'll move for resolution determining substantial compliance with a statement of benefits for CRD Management LLC/Saratoga Potato Chips, LLC.

Councilman Lagemann: Second.

President Kerley: Motion in a second. Any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed. Okay motion passes 6-0-1(Curry-Campbell). Go ahead.

Rachel: We have just two more here. This one here is for substantial non-compliance with statement of benefits for Standard Saybrook Associates. You would know this as PB Development. They were granted approval for a 10-year tax abatement in 2017 for their a hundred thousand square foot spec building located the Northwest corner of Fogwell and Lafayette Center Road with investment of \$5.2 million. In December of 2021, PB Development sold their property to standard Saybrook Associates. This company is located in Encino, California based on the information that I was able to obtain on the property tax record card.

I have contacted the previous owner, asking them for contact information for this company. They forwarded me to their broker and their broker has not gotten back with me about a contact information specifically for this company. I do not have any-- paperwork has not been submitted at this time. Before you this morning would be finding that this company would be in non-compliance. My plan is to send a certified letter to the address that I have on the property tax record card and to see in their interest in continuing with abatement and if so, to turn in the paperwork, request a waiver, and file the fee. That's my plan at the moment.

Councilman Harris: By voting for non-compliance, they would be required to come see us yes in the next meeting or potentially lose that.

Rachel: Yes, sir. Just for that one year, if you would want to terminate the abatement, we would need to create a different resolution.

Councilman Harris: At this point in time, Mr. President I'll move for non-resolution determining a substantial non-compliance of the statement of benefits for the Standard Saybrook Associates,

Councilman Lagemann: Second.

President Kerley: Motion and a second, any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed. Motion passes 6-0-1(Curry-Campbell)

Rachel: All right. We have this last one then for Stonebridge Property LLC Icon Group Delphi. They were granted approval back in 2013 for real personal property of \$7.3 million. The property was purchased by Stonebridge property at the end of 2020 and Icon Group Delphi was acquired by a company called Sparks also at the end of 2020 who is also in the trade and exhibit event business. In previous years, Icon Group Delphi would submit both the real and personal property forms. They did such last year as well. They attached a brief note on the personal property side saying that the company, the new company would no longer be requesting abatement on the personal property side.

What we're looking at today is the real property forms. I have been in contact with the new property owner. I was able to track down the information and I was contacted by their attorney yesterday and they stated that they would get in the paperwork, but they were going to be contacting Sparks because they believe Sparks is the entity that should be submitting that paperwork. All that's going to take a little bit of time. I was also then received an email from Alan Goldberg who is general counsel for Sparks and said that he would be working on this. At this time, I do not have any submitted compliance forms. We would need to find them in non-compliance and then ask them to come before you next month.

Councilman Harris: Mr. President, therefore I'll move resolution determining substantial non-compliance of this statement of benefits for Stonebridge Property, LLC.

Councilman Lagemann: Second.

President Kerley: Motion and a second, any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed? 6-0-1(Curry-Campbell). Thank you.

Rachel: Thank you very much.

President Kerley: We're going to move past the commissioners and go to NIRCC.

Erica: Good morning. Council. Erica Beachem HR compensation generalist. As a follow up to the personnel committee, the committee met on May 26th. There were three new grant funded positions that the committee did review starting with the NIRCC position. We met with Dan Avery for a principal transportation environmental planner. HR did review this and

grade this position, but the committee did approve this at three to zero. Funds are going to be needed for the 2022 budget.

President Kerley: Any questions?

Councilman Lagemann: Just a quick comment. I did meet as liaison for NERC. I did meet with Dan Avery, reviewed everything that they were looking for. There's very little cost to the county in this in this situation. I want to commend the personnel committee for doing a great job on this one.

President Kerley: I want to thank the personnel committee and specifically Councilman Armstrong for working to streamline this process and working with HR to streamline this process. HR handles the ones that are approved by the personnel committee. We can respect the time of the department head so they don't have to give the same presentation twice. I appreciate that. With that, I will entertain a motion. If there are no further questions.

Councilman Fries: I'll make a motion to consideration of salary ordinance to establish environmental planner at Part 52, \$58,603, 37.5 hours a week. None exempt.

Councilman Lagemann: Second.

President Kerley: We have a motion in a second. Any further discussion hearing?

Councilman Fries: Yes, actually, you heard some. This is funded, correct? We were receiving a grant partially or 100%?

Councilman Harris: Partially funded.

Councilman Fries: \$10,000, I think the county has to pay for.

Councilman Harris: Okay.

Councilman Fries: All right. Very good. That's all.

President Kerley: Now a motion to close discussion.

Councilman Harris: So moved.

President Kerley: We have a motion to consideration of the salary ordinance establishing environmental planner Part 52, \$58,603, 37 hours a week. All those in favor say aye.

All: Aye.

President Kerley: All those opposed? Motion passes 6-0-1(Curry-Campbell). Now the funding part. Would you just go over the funding part really?

Erica: On the agenda, it had department 61. Did you want to go through 62?

Councilman Harris: That's fine. With that, I'll move for the transfer in the general fund. Let's see. Total of \$32,000 from cars and pickups, to FICA \$2,173, 401A at \$1,420, environmental planner at \$28,407 for a total of \$32,000.

Councilman Lagemann: Second.

President Kerley: Motion and a second. Any further discussion? Hearing done. All those in favor, say aye.

All: Aye.

President Kerley: Opposed? Motion passes 6-0-1(Curry-Campbell) Sorry, Erica, that was a bookkeeping thing. Go ahead.

Erica: All right. We also met with Superior Court for a new position eviction diversion initiative facilitator, Judge DeGroote and Mr. John McCauley. HR did score this position as a PAT 5 non-exempt. The committee did approve this, but it was a conditional must be reevaluated after two years for the 2024 budget, because the funding would only go through 2023, but the committee did approve it 3-0.

President Kerley: Any questions?

Councilman Harris: Yes, I guess the question I would have is that if the funding goes through 2023, are they going to come back? Council, as we've seen these kinds of requests come through for funding, what happens is they'll get the funding, they should come back to us, but sometimes it ends up back in the budget and then we end up passing it. I would request that once the funding runs out that they do come back before us for further discussion.

Councilman Fries: That was a caveat of us approving it as the personnel that have to [unintelligible 00:33:08]

Councilman Harris: Thank you. Great committee work, by the way.

President Kerley: My understanding as well was that if the grant dried up, then we would reassess. With that, I will entertain a motion.

Councilman Fries: Consideration, approval of salary ordinance establish an eviction diversion initiative facilitator Pat 5/2 \$58,603, 37.5 hours a week, not exempt.

Councilman Lagemann: Second.

President Kerley: I have a motion in a second. Any further discussion hearing? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed? Passes 6-0-1(Curry-Campbell).

Erica: The last position. We met with Judge Bobay and John McGauley for a commercial court law clerk. This would be a special occupation position exempt. This position would also require budgeting for 2022, but the committee did review it and approved it at 3-0.

President Kerley: Any questions?

Councilman Fries: I'll make a motion to approve consideration of salary ordinance established, commercial law clerk at special occupation, \$67,974, 37.5 hours a week, exempt.

?Speaker: Second.

President Kerley: Any further discussion?

Councilman Harris: I would just mention that again, what we're seeing, Council has continued growth in our jurisdiction and the courts. I don't know if there's any way to slow that down, but when we look to other parts of government, we look toward efficiencies and what can we do to not continue to grow in different aspects of government? Our challenge has been and continues to be that the courts continue to grow in the county as the county grows. I would be interested down the road here to see some ways to understand, can we curtail slow that rate of growth because it just keeps happening.

Be it the jail, be it the courts. We've got ways for efficiencies in other parts of government that we say, what can we do to get more efficient? They're doing it. I'm not suggesting they're not being efficient in the courts, but what can we do to slow that thing down? That's a concern for me.

Councilman Fries: Really a lot of this comes down to the number of lawsuits filed.

Councilman Harris: I understand.

Councilman Fries: Good luck stopping that.

President Kerley: A lot of it when you look at the courts, the bulk of what they deal with is actually in civil litigation, not criminal litigation. They need what they need to address commercial lawsuits and court claims and small claims.

Atty Mitch Harper: Can I speak?

President Kerley: Yes.

Atty Mitch Harper: Just point out, Tom, the Indiana Supreme Court, the Allen County Bar Association, frankly, at all levels, are working on alternative dispute resolution. It has transformed the courts. This commercial court is actually another step. Judge Bobay was a leader, the first one in Indiana. He has commandeered or commanded the rules that have led for its establishment in other counties. Alternative dispute resolution is pushing things that would have probably required a large number of new judges off to private dispute resolution. Those efforts have been 20 years.

Councilman Harris: I've said my piece, but concern what we hear here is that percent of the overall budget for the county continues to grow in one area particularly, and that's what we're dealing with.

President Kerley: Motion to end discussion.

Councilman Harris: So moved.

Erica: No other questions. You guys have a great day.

Councilman Harris: All right, thank you.

President Kerley: We have a motion for consideration of the salary ordinance establishing commercial court law clerk at special occupation, \$67,974, 37.5 hours exempt. All those in favor say aye.

All: Aye.

President Kerley: All those opposed. Motion passes 6-0-1(Curry-Campbell) Before you bring Circuit Court up, let's do the funds transfers for Superior Court.

Councilman Harris: I'll move for the appropriation within the eviction diversion program 982 for a total of \$62,428.

Councilman Lagemann: Second.

President Kerley: We have a motion and a second. Any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed? Motion passes 6-0-1(Curry-Campbell).

Councilman Harris: Also for the appropriation within the Commercial Court Fund of 859 for \$34,546.

Councilman Lagemann: Second.

President Kerley: Motion and a second. Any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed? Motion passes 6-0-1(Curry-Campbell). Circuit Court. Sorry, we kind of skipped you, but thank you.

Angela Terry: It's okay. Good morning. I'm Angela Terry, finance coordinator for Circuit Court and adult probation.

Anne Webster: Good morning, I'm Anne Webster, court administrator for Circuit Court.

Angela: We are here just to transfer funds between our 300 series to our 400 series so that we could upgrade the workstations of our employees. We got a couple of stand-up desks and no chairs.

President Kerley: Any questions?

Councilman Fries: Somehow, I got something wrong with my agenda. Motion to approve transfer of funds in the general fund for postage \$2500 to office computer equipment, same amount.

Councilman Lagemann: Second.

President Kerley: We have a motion and a second. Any further discussion? Hearing none. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed? Motion passes 6-0-1(Curry-Campbell) Thank you for coming, ladies.

Angela: Thank you.

Anne: Thank you.

Councilman Fries: Somehow I got lost on the agenda and I couldn't find it. It's there.

President Kerley: Is there anyone here from the prosecutor's office. Are you going to handle that, Nick?

Nick: This is just requested by the auditor's office for using the appropriate series for the purchase. It was originally budgeted in the 300 series and we believe it should come out of the 200 series line for supplies.

President Kerley: Okay.

Councilman Fries: You said the prosecutor? Okay. Because I think you said the auditor.

Nick: Yes, the auditor's office requested the transfer because they were trying to pay for it out of a 300 series, which is services and it needs to come from a 200 supply line.

Councilman Harris: With that. Mr. President, I'll move for the transfer of infraction Tor fee funds from 8,000 auto supplies to gas, oil, and lube and garage, motor supplies for a total of \$8,000.

President Kerley: Motion in a second.

Councilman Lagemann: Second.

President Kerley: Any further discussion? Hearing none, all those in favor, say aye.

All: Aye.

President Kerley: All those opposed. Motion passes 6-0-1(Curry-Campbell). Thanks.

Nick: Thanks.

President Kerley: I think since we modified the agenda, we're going to have the fire chiefs come forward and give their presentation first. Then we will address the commissioner's business afterwards. We appreciate the patience of the commissioners.

Robert Boren: Good morning, counsel. Thank you for allowing us to come and talk with you this morning. My name is Robert Boren and I stand as the president of the Allen County Fire Chiefs Association representing roughly 520 firefighters in the greater Allen County area. That's 11 agencies and 23 fire stations.

Our group is comprised of volunteer firefighters departments that are a hundred percent volunteer doing the job out there for free to keep the public as safe as possible. We also have combination departments that is comprised of career or part-time staffing that is

supplemented with volunteers as well. We're coming to you today because we went ahead of county commissioners, spoke with them, asking them for some help and some funding that we have for some needed things that we needed in public safety. As all of you know you've been talking numbers all day, budgets are tight, it's harder and harder to get more and more funding for things. We saw that the APA money came in. We thought that was an opportunity that we could reach out and maybe ask for some assistance. Because we knew that there was maybe a potential better chance with that.

We wanted to come and talk with you today about this. You guys were well aware of what we're discussing as well so everyone on the county level is clear on what's going on with our thought processes as we move through this. We're going to be asking what we have already asked the county commissioners for an amount of \$1,684,225.37. I might be pinning off there. Don't push the limit on that too much. What this money's going for is updating our paging system, updating technology in our trucks so we can have information firsthand in front of us and also our alerting systems within our department so we can be well more alerted for this.

Currently, just a little backstory on this. We work off of a system on the radio system called VHF. It's a very old antiquated system. The current tower that we have now that we're operating off of is 20 plus years old. The backup system that we have is 11 years old roughly. These are on towers that are already owned by the CCP and or rented from other spaces. The reason we want to move away from that in our paging area is because like I said, it's an old antiquated system. Mike Reichert with the radio shop, I'm sure you gentlemen are familiar with him, he's told us numerous times that we're just one lightning strike away from a catastrophic failure of our paging system.

Our paging system is what alerts us that gets us to calls. Wakes up volunteers in the middle of the night bothers us during our holidays, gets our attention when we are busy to make sure that we are alerted and know that we are ready to go and make calls for the public. We use radios that are on the 800 megahertz system. Which is a system that is already in place within the CCP. It's already a system that is up and running. It's good to go. The paging system is the part that is really off date with that. That's what we really need to update with that. Hopefully, in your package you'll have some information about what we're requesting in there.

I know that Nick was able to get that forwarded onto you. In addition to that, we're also asking for equipment for computers and Spillman capabilities within our trucks. Spillman is basically the system. It's the CAD system our computer-assisted dispatching, which is done through dispatch. That Spillman gives you live-time data as you're responding. The best example I can give of where this would come really big and handy is with the recent storm we just had at some points, some departments were roughly getting 30 to 40 calls within an hour.

Our dispatch system downtown gets very overloaded. If we could have these runs up on the screen Don Pat Newt with the Southwest fire district, he sat at his fire station and just started dispatching his crews out there. Because he was able to have some of that technology. Not every department is privy to that because of the cost. It gets very expensive to have that. The county as a whole and the county fire chiefs, we need to have a license for that. That license alone is \$35,000. Again, we're talking with budgets that are tight. Now we do have, in some of our budgets, we have fire cum fund, which goes towards equipment and these things, and this money, the cum fund is great. Some of the cash reserves that some departments have are helping them down the road. We have most departments build in a capital improvement plan.

A lot of the money that is in some reserves or in the cum fund are already earmarked for certain things down the road. In fact, some things are just over-budgeted, like we're trying to get things, and hopefully that we'll have cash reserves coming in to supplement that just to give you a rough idea of what some of our money can go to. If you're looking for a brand new ladder truck, ladder trucks are in the process of going for about 1.3 to 1.8 million right now. That's life-saving equipment that we need to get out on the road. This 1.6 million that we're requesting from you isn't going just for one department. This is going for all 520 firefighters.

This is going for all 23 stations and all 11 departments. That's huge because us as Allen County in the public safety world, we're working together as a team. We're not just one department trying to go after something we're trying to ask for money for just one department, not for the rest. We're here to represent everybody. I know you have a lot left on your agenda, so I don't want to take up too much for your time. That's just pretty much the cliff notes of what we're working on right now. I'd love to take any questions that you might have. Yes, sir.

Councilman Lagemann: First of all, I want to say, thanks for all that you guys do, you have very thankless jobs and you're called away in the middle of the night from your families and you are for the most part doing it for free. In fact, many of your folks pay for their own training which is and the departments pay for their training in some cases, but you're paying for your own equipment and it's pretty incredible what y'all do. I just want to say thanks. First of all. Second of all, you all have picked up and run with a crisis in EMS where trial just a little bit. It has fallen down. I believe seven or 800 runs so far this year.

Robert Boren: The exact number is 1060.

Councilman Lagemann: 1060 runs into the city of Fort Wayne to cover a failing system. I want to say thank you to your EMS staff for really stepping up and handling what's not getting handled today. It is exemplary that you're doing that. I would hope personally that the commissioners would bring some of these expenditures to us. I think these are legitimate expenses. You guys are doing the work in a very similar way to the professionally fully funded fire department here in Fort Wayne.

The more we can do to help, the better. Public safety is one of those minimum things the government is supposed to do. While the townships have provided funds. Provided you with millions of dollars worth of equipment they're stretched too. I certainly support you guys and if there's anything that we can do to help I hope that the commissioners bring that this direction.

Robert Boren: For the record, we have gone in front of the commissioners once it's a presentation. Secondly, as an open public comment, and they've been receptive to it too. I'm not saying that they're not doing their good diligence. We're not trying to supersede anything. We just wanted to make sure that you all are informed of what's going on as well. We wanted to be able to give our two cents to you as well. So thank you for that.

President Kerley: Yes. Councilman Fries.

Councilman Fries: I was going to ask when you went to the commissioners, do what month that was?

Robert Boren: That was May 6th.

Councilman Fries: Because I see in your quotes here, you started getting quotes March 28th. You have them quoted and it's actually like when you started getting all this information in and I think we've waited long enough.

Robert Boren: Yes. This actually has been going on for quite a while, working on it. We're working with chiefs that have got full-time jobs actually. The three chiefs that stand behind me all are here on their own accord. One of them is on his lunch break right now. Took it a little early for us just to be here today. Sometimes it takes us a while to get those quotes through. I appreciate your noticing of the timeline. We've been working on this for quite a while. We want to make sure our ducks are in a row and not just coming and asking, "Hey, we just need X amount of dollars for what." We want to make sure all of our ducks are good.

Robert Boren: Well, and I agree. One lightning strike away and it shuts the system down. I don't think we can continue to wait for months for this. Nick did the commissioners have money that they can pay for this available to them.

Nick: Refer to the commissioner.

Councilman Fries: I don't know. You guys are working on this, I guess is my question.

Therese Brown: Sir, sir, sir.

Robert Boren: Neighbor.

Therese Brown: Neighbor. [laughs] Just around the corner from me. Therese Brown, Allen County Commissioner. We're in the middle of the whole planning process with Baker Tilly when it comes to ARPA. That's one of the areas where we're trying very diligently to see if this will fit into that. Obviously, we have been in conversation with the Fire Chiefs Association within a sundry of other things that are also going on as well. We're open. It's just a question of where does it fit in the process?

Not to say that it's a no, Councilman Fries. It's just more of a mechanical aspect of making sure we can actually make this happen, and in a way that's going to be appropriate for the funds that are out there for us to do this.

Councilman Fries: Let me ask this. Maybe it's more for Nick. Rather than waiting for the ARPA funds to see if we can use them or not because we don't know the timeline on that, when that's going to be available, maybe six months, maybe a year, is [crosstalk]--

Therese Brown: I can't imagine it being longer than six months. It could be shorter than that because we're in the process of hoping to get at least a shell of a plan back from Baker Tilly. We've been obviously back and forth in an exchange of information to try to get things into the right queue, if you will, for all the different sundry silos, if you will, but it's just making sure that we've got I think the draft of what the "plan" is so the umbrella is adequate to justify any expenditures coming out of it.

Councilman Fries: Let me ask this, if we decide to fund it somehow when we find out in the future that ARPA funds are available, would cover it, will ARPA reimburse us that 1.6 million?

Therese Brown: That is a question that is fair and I would yield to Mr. Clad. I'm assuming that's a possibility, but again, I can't make that definitive answer for sure.

Councilman Harris: At what point will you know that you're able to move forward?

Therese Brown: I'm hoping in the next couple of months that we would have something solid enough to bring back because again, even though we've asked for appropriation for those other items, New Haven and Woodburn, we haven't gotten agreements yet and we haven't gotten that firmed up to be able to move those things along. Those might also be a situation where we may need to do what you're suggesting, and that is paying it out and then reimbursing ourselves. That's a touchy scenario of not wanting to put the apple cart before the horse, if you will.

Councilman Fries: Yes, and no, because I still believe it needs to be done. I believe that their system needs to be upgraded. No matter where the money comes from, it needs to get done, and probably the sooner the better because we don't know what storm comes next week.

Therese Brown: Oh, I don't disagree. I believe that the auditor had sent out an email that had some information, and I believe it was couched. It's non-confrontational, but just what funds would, maybe the fire chiefs would contribute to net out what those dollars that the county government might be actually needing to kick in. Maybe that dialogue needs to happen and can happen in short enough order for us to be able to come back and do something either with you or with funds we already have to get this thing moving along.

Councilman Fries: Hopefully by next month at the latest.

Therese Brown: I would hope so.

Councilman Fries: Okay.

Councilman Lagemann: Thank you.

Therese Brown: Any other questions?

President Kerley: As a procedural, Councilman Fries, we couldn't do anything this month because it's not advertised.

Councilman Fries: Right. Hopefully next month.

President Kerley: I understand why you're asking what you're asking.

Councilman Fries: Ending doom.

President Kerley: I want the public to understand why we can't do anything on it this week because it was not advertised.

Nick: Council just for your knowledge, Kenny, if you did not want to wait, under the local income tax, LIT, Public Safety Law, volunteer or townships departments that do not receive the LIT public safety distribution because it goes to cities, towns in the county, they can appeal under the law, I believe the deadline is July 1st, to this body. If you guys would grant the appeal, it comes off the top, and then the county, cities, and towns get the remaining divided up according to law, so if the ARPA timeline does not suffice and the majority of this body wants it brought back, that procedure is allowed under law, and it comes from the LIT public safety.

We as the county use that to fund CCP and the sheriff pension as an example. It's just something to take note of if you did not want to wait [crosstalk]--

Councilman Fries: They should send us a document.

Nick: Yes. After this meeting, I'll email the section of the code, and if the Chiefs Association wants to pursue it, it's up to you guys to hear.

Councilman Fries: It's kind of an insurance policy for them, isn't it, that way, one way or another, it gets covered?

Nick: Yes. There's a statutory deadline, though, to make that appeal. I believe it's July 1st. If not, it's August 1st. I'll send it right now and we can go from there.

Councilman Fries: Thank you.

President Kerley: Mr. Armstrong.

Councilman Armstrong: Kenny pretty much asked. My concern is, let's just take the COVID money and get rid of it, how do we fund this? That's the thing. That's all I got.

President Kerley: Mr. Spurr.

Councilman Spurr: I just had a couple of questions, Chief. It's my understanding you want to go from VHF to a 800 megahertz UHF system?

Robert Boren: No. I'm sorry if I said that wrong. It's an 800 megahertz digital system. It's not under the UHF system. It's completely different. It's all driven off of digital. Basically, it's the way of all public safety is gone. The FCC has come in and they won't let us be where we're at, so they've done a lot of narrow banding. With that, it's limited the amount of what our radios can reach, and also what our pagers can reach as well. We're starting to hit dead spots where alerting is not happening for some of our people, and there's another wave of that coming through.

It's actually the current system Fort Wayne Fire Department, Allen County Sheriff's Department, and the Allen County Police Department uses, it's the major support of the whole system that Fort Wayne [inaudible 00:56:30] [crosstalk].

Councilman Spurr: Just so I'm clear, make sure I understand here. The paging system runs off a different system and you want to upgrade the paging system to the PA 25 system [inaudible 00:56:45] [crosstalk] encrypted?

Robert Boren: Yes, you're exactly right. What it is, is we use VHF to page and we use 800 to talk. Paging is the only thing that's holding us onto the VHF system and incurring that extra cost of rentals for the towers and supportive assistance that they don't even make parts for anymore. The radio shop has done a phenomenal job of keeping life support in the system that we have now. We are just concerned that that's going to go away and then what do we do?

Councilman Spurr: Functionally it's approaching obsolescence. It's about obsolete.

Robert Boren: That is correct.

Councilman Spurr: Okay. My other question I had was in reference to the cum cap lines, and you had mentioned a number of those funds are already earmarked. As I read through a lot of those fund balances, can you give me an idea, because I take you for your word? My thing is because we are getting into some tight areas on budgeting, I would almost like to see a spin down if you will to 20% on some of those funds or whatever because when you say they're earmarked, I have no idea what equipment that is for.

Robert Boren: Yes, Nick's going to bring you around. I've got three different departments to represent it, East-Central, 100 Town Fire, and Aboite. It's basically going to be a breakdown about eight years out of how the money is planned on being spent on what equipment and a rough estimate of the cost. That'll give you a rough idea of what it is. On the 100 town one, you're going to see the total project revenue. That number is not correct. Projected revenue, that number is not correct because we were all in the county using the same template to try to help show this. We all have capital improvement plans. Some of them are just sketched down in a quick Word document.

Some of them are put out onto a spreadsheet like you see this. Some of it is work with their township trustees. This is hopefully giving you an example of what some of the departments mean when they're talking about some of the expenditures.

Councilman Harris: It looks like in what you just handed out, in some cases, there is money set aside under cum cap for the radio upgrade.

Robert Boren: Yes. Some of us do try to set money aside for those radio upgrades. As we move down the line, we don't guarantee that we're going to receive anything, so you got to try to plan for the worst-case scenario. Where that radio upgrade money you'll see is earmarked on these three different parts, that can be shifted somewhere else and hopefully used for other equipment.

Councilman Lagemann: Chief, one of the key points here is that all of the county departments are working together on this cumulative upgrade. Is that correct?

Robert Boren: Yes. That's it. I would say over the past five years, county departments have done leaps and bounds of what we've worked together. We've worked towards grants. We've worked towards projects together, responding together. Collectively, Allen County Fire looks completely different than what it did 10 years ago.

Councilman Lagemann: Right. I want to bring that up because it's not just ambulance, it's fire. Right now, as you guys, let's say there's a major fire in Woodburn for instance, all of the county departments are dispatched, right?

Robert Boren: Not exactly to that extent. There's a steer step process but I would give a best example here. If you look at the city of Woodburn if there's a fire there, it would not be uncommon for Southwest Fire District which is over by the airport to be staffing the city of New Haven. It would not be uncommon to get relief crews from Aboite Township or Arcola to respond all the way out to Woodburn just to help be those relief crews because volunteerism is down as a whole. Collectively we are all working together. Any given fire within the county, you're going to see county units start to shift around so we don't lose holes of coverage for the constituents.

Councilman Lagemann: Right, so it's a cooperative effort. Also in that protocol of dispatch, is Fort Wayne Fire ever dispatched outside of the city of Fort Wayne?

Robert Boren: They are upon request. There's some lines of communication that have to take place. They do not do what's called automatic dispatching. Right now if a fire happened, and let's use the old Byron complex, I'm sure that's been a hot topic for you guys, we all know where that's at, if a fire was to happen right there, departments from [unintelligible 01:01:20] Hometown, Washington Township, and Northeast Fire are going to respond to that building. Now if I needed more ladder trucks, I would have to get on the radio and request the city of Fort Wayne to go there.

If I wanted to have them as an automatic, they don't do an automatic aid, but most surely they'd come if I called for them, but that takes a little bit of time. They have to go through their hoops to get it done but they'll come.

Councilman Lagemann: The chief approves that if you make a phone call?

Robert Boren: I believe that the battalion chief that's working on that day does approve that. It doesn't have to go all the way up to the top. It works pretty seamlessly. It's not an automatic what some people think is like oh, it'd happened right that second. We just have to make some radio calls.

Councilman Lagemann: Has that happened recently?

Robert Boren: In my coverage area, I can't tell you when that's happened recently, but I know that's happened throughout the county. I can't tell you the last time though.

Councilman Lagemann: Okay, but for the most part, our county departments operate without the assistance of the city of Fort Wayne. Is that correct?

Robert Boren: Yes, for the most part, yes, we do things on our own, but if we need specialty teams, which they have great specialty teams, we'll call those specialty teams in if we need additional resources, they'll send their manpower. The guys in the rigs on the trucks are doing phenomenal jobs, we work hand in hand seamlessly with them.

Councilman Lagemann: Great. Great. Thank you.

President Kerley: Mr. Harris.

Councilman Harris: I think Bob and I were here last time the county was dealing with some upgrades in terms of I think it was the radio towers or something along those lines. Why did the FCC, why are they pushing for this change and when did they push for this change?

Robert Boren: The first narrow banding came back in the early 2000s, and basically what narrow banding does is it frees up other frequencies for them to use. If Mr. Riker was here, he could explain it like it was nothing for you. I'm giving a butchered analogy for it, but basically, cell phones and technology that the consumers use need airspace, and so they start to steal it from us basically because also 800 megahertz system was created to open that up for public safety as well. That is the way we should be going, but some of us have to stay in this little area because that's what where we're stuck with.

The FCC keeps chomping at that narrow banding a little bit more and a little bit more because they need more and more space. I'm sure Mike could give you a great reasoning for all of that but that's from my understanding of that.

Councilman Harris: Pictures are important when it gets to this point but that's all good. But [crosstalk]--

Robert Boren: If I had a giant chart, I'd [inaudible 01:03:42] [crosstalk]--

Councilman Harris: It's all good, but do we anticipate that because technology is changing something is coming next year? Is this something that's coming from this administration? Is it something that we do the 1.6 or whatever that number is and all of a sudden a year and a half from now, guess what, it's all changed again?

Robert Boren: Totally agree, yes. That was always a concern, especially as we went to it, at the very beginning times when 800s first came in, they were like, "Okay, 800." Well, now what's going to be next? 900, 1000, whatever. We're currently working with a system that is going to be here for quite some time. In fact, they have to do a huge radio change right now, and I think the city of Fort Wayne is working on that as well, and we're purchasing radios that are going to be lasting for the next 15-plus years. We're looking at another 15 if not longer years that we'll be with this system, so it's going to be here to stay.

Councilman Harris: Thank you.

Councilman Lagemann: Mr. Chairman.

President Kerley: Yes.

Councilman Lagemann: Just real quick, could you have the other fire chiefs introduce themselves?

Robert Boren: Sure.

Councilman Lagemann: They've taken their time off, I always want to acknowledge them and say [inaudible 01:04:47] [crosstalk]--

Scotty Schroeder: Scotty Schroeder, Poe Fire.

Chris Forbing: Chris Forbing, Arcola Fire.

Brian Gill: Brian Gill at Washington Township Fire.

Robert Boren: These guys actually make my job a whole lot easier, trust me. I'm just the face for radio.

[laughter]

President Kerley: Yes, Mr. Spurr.

Councilman Spurr: Chief, just one more question. You mentioned that the projected revenues were off. Do you have an idea of a percentage what they might be off?

Robert Boren: For the Huntertown one, no, I do not have that with me right now. I'm not a person who likes to shoot a number unless I know what that number is, and it's in my office and I don't want to give that number until I know for sure, but that's something I can forward on to you.

Councilman Spurr: Okay.

Councilman Harris: I would be encouraged to see the ARPA funds, federal funds paying for a federal requirement change. If that is an option--

Councilman Fries: It would seem appropriate.

Councilman Harris: Yes.

Robert Boren: Motorola has given us examples. Excuse me, not Motorola. Another agency has given examples of where ARPA money has been used for such upgrades is what we're going for right now. The closest one was Elkhart county had the same thing that they went through and they used that money for that too. That's why we were encouraging with that but obviously, we're open for anything and everything.

Councilman Fries: I got one more quick question. When you order the stuff, if you ordered this equipment today, when would you get it?

Robert Boren: Actually, the pagers, most of the equipment is ready to go, and the system would be up and running probably within a couple of months. The lag time is not that long as what we would think it would be, a lot of the stuff is already in place. We're looking at probably six months we'd have everything up and running.

Councilman Fries: If we wait three to four months, we're talking another year from now.

Robert Boren: Yes. I'm not greedy though, so it's better than what I've [inaudible 01:06:30] [crosstalk]

Councilman Fries: It needs to get done. I think we all know that it needs to get done one way or another.

Robert Boren: I appreciate that.

Scotty Schroeder: One of those things, Scotty Schroeder at Poe, we do have some of these pagers in use now, we've been testing them to make sure because there is a limited resource on the 800 megahertz paging system. We do have some of them around to make sure that the system is viable for us, and it has worked in a great way, no problems that we've seen.

Councilman Spurr: No issues with the band whatsoever?

Scotty Schroeder: No, no. It works with the system very well.

Robert Boren: Any other questions?

President Kerley: No?

Councilman Lagemann: No. Mr. Chairman, I did want to make a quick comment. Thanks to Councilman Fries for his comments. This is a life safety issue. As they said, one lightning strike away from ambulances and firefighters not being dispatched. If something terrible happens, I don't want this to be on our watch. ARPA funds notwithstanding, this is a public safety situation that we need to deal with. I think Nick's already sent off some of the information on using the public safety LIT, and I thank you guys for coming.

Robert Boren: Thank you all very much.

President Kerley: Thank you.

Robert Boren: Have a great day.

[silence]

President Kerley: Missioners, Mr. Cloud. Good morning, sir.

Chris Cloud: Morning, Council. Bear with me for a second.

[pause 01:08:30]

[background noise]

Chris Cloud: Morning, Counsel, Chris Cloud, Chief of Staff, Board of Commissioners. Two items on your agenda today. Thank you for putting this at the end. It's never fun to sit through really long meetings when you have an item that takes 30 seconds. I'm sure those departments appreciate being able to roll through so thank you for them. First item on your agenda under us is the request from the commissioners for council consideration of a 2% one-time bonus.

I think that it's not lost on any of us what is going on economically in our country with inflation rates. Hopefully, it's not lost on any of us what has been going on the last 12 to 18 months in the greater economy with jobs and wages in the private sector which has certainly caused concern to lots of employers locally. A nice problem to have. You'd rather need workers than people not be employed from one perspective. The other hand, it's a real problem as well. There are a lot of open positions and there don't seem enough workers as well, so that's created two problems. Given where we are with both of those things, the commissioners thought it was prudent to bring before you a one-time bonus for employees.

Due to how county budgets operate and function, we don't just in the middle of the year raise all wages. We have a budget process that you all lead, and we thoughtfully consider what those numbers are for year to year. This is in my recollection the only time that we've ever saw in my time here a mid-year course correction across the board like this. I think the reasonings behind it are fairly well known to why, but it's a different strategy for us to do. We certainly do not, at this point in time, encourage the increase in base pay. This would be a one-time bonus. What you all would choose to do with [unintelligible 01:10:46] will be the regular process you all undertake during the budget.

This does not increase anyone's base pay. Where this came from for us is also the idea that you all have noticed and had been kicking around that there is generally several million dollars of 100 series rollover every year that comes back to county council, it goes back to cash. Our current auditor has the last several years budgeted that as a thing because we know

it happens, but it is largely 100 series items. When we looked, I had Nick run a report for me on where departments were in their 100 series, in particular, looking at the general fund departments. After payment period 10, which had been May 6, there were lines that were unspent already because of open positions.

We know there are positions that aren't getting filled. All that money is just sitting there, but they don't need the full 100% of that line. If you hire an employee halfway through the year, they're only going to spend half the salary line. Doing some math and identifying where we were with number of pay periods remaining, how much salary lines were left, I was able to identify nearly \$2 million in general fund of just salary lines that would probably at this point in time be considered for rollover again at the end of the year. The request for 1.6 today out of the general fund, in my perspective, is more a reallocation of budget resources as opposed to new spending.

This is money that by and large would have or will roll back to you at the end of the year in the general fund. I'm not saying it's cost neutral. It is a request for additional appropriation, hence why it's on your agenda and why it was advertised, but I do believe it's offset by the expected rollover that we should see in the 100 series at the end of this year. Mr. Kerley.

President Kerley: That's 2 million if every line item was filled today. Correct?

Chris Cloud: At that point, yes. Some of those were a position was already filled but maybe there was a gap in the first few months in the year, so they'll be left with some, but to the point our constituent made earlier, there are unfilled confinement officer positions, there are other unfilled positions. It's not for lack of wanting them filled. It's just can't fill them right now. That money is just sitting in those appropriated lines. That's I think something I've heard from some council members of something to address in future years is maybe how to not have so much 100 series rollover because it does tie up money. There are a handful of very large departments with large rollovers in the 100 series.

It's not necessarily their fault. It's just the nature of the jobs they do, the types of employment situations they have, and just the turnover of their staff. It's not necessarily a fault of theirs for not trying to fill open positions, but all those open positions have resulted in excess balances in their 100 series.

Councilman Fries: Mr. President.

President Kerley: Mr. Fries.

Councilman Fries: Mr. Cloud, I'm certainly in favor of helping our employees out any way we can. Does this include part-time employees? Because if it does not, I'll vote against it.

Chris Cloud: It does not include part-time employees because departments who have part-time employees have the ability to raise their pay.

Councilman Fries: Many of them don't. That's why I've said as a council member, if they're not willing to, I am because those people still need help. All right. Is there any way for you to make an amendment to include part-time employees?

Chris Cloud: You all can amend the ordinance in front of you in whatever way you deem the salary ordinance. Just like you all can caveat it to however you'd like. The only request was

for 1.6 million. I can't tell you that that would be sufficient to fund all of those part-time people in the general fund as well.

Councilman Fries: We also know you have to come back next month for what, community corrections and Board of Health?

Chris Cloud: Not [crosstalk]--

Councilman Fries: Because that's not figured in this 1.6.

Chris Cloud: They may not need to come back to transfer funds. They would be in a similar position. They might also have excess 100 series funds that they can move around. If they have to go between a series, obviously, yes, they come back to you.

Councilman Spurr: In theory, they would have to extrapolate that out of their own budgets.

Chris Cloud: That is the approach that the county has taken with step increases, [unintelligible 01:15:05] increases. When departments come to you for a pay grade change for an employee, those departments find those costs, [unintelligible 01:15:12] general fund find those within their funds. Now, if they couldn't, they would absolutely be able to come to you and you all could choose to appropriate money for those. That's absolutely your prerogative to do that. The 1.6 number just reflects full-time staff and the general fund.

Councilman Spurr: I would concur with Mr. Fries. The way it's currently proposed, I could not support that.

Chris Cloud: How could it be amended, whether this month or next month, to be more feasible to you?

Councilman Spurr: Right. Exactly what Mr. Fries is proposing.

President Kerley: Can I?

Councilman Spurr: Go ahead.

Councilman Fries: Go ahead.

President Kerley: Can I chime in? There's I guess two concerns I have. One, and I don't want to speak for everybody, but I think overall, Council appreciates the plight. We're doing this as a bonus. My feeling is it should apply to everybody. I don't know how we calculate it for the part-time employees because some only work three months, but I don't think we should exclude them. That's my opinion. Two, we have a number of departments that don't draw from the general fund. I would like to know what that number is because we're putting this on them. If we're going to cover the general fund departments, I think we should as a council be saying, "No, we're going to cover all departments."

We shouldn't force community corrections or health department, or some of the other departments into a crisis mode for the main reason that you came to us for the appropriation. It takes a lot of time to dig in and make those transfers and this was easier. It was easier for the departments. It was easier for the auditor. I feel community corrections and health department and some of the other departments may be put into that same type of situation. I

guess I would encourage those departments to come to us and say, "We need-- If they need the money, come to us.

Council should have an understanding that if we move forward with this today, that some of those nine general fund departments may come to us and say, "We need x number of dollars to also institute it." That's my take on it because I don't want to put them into crisis mode of [inaudible 01:18:06] [crosstalk].

Chris Cloud: 2% of payroll is not a huge number for these outside budgets, so it may not be immediate they would need to come to you. It may be later in the year that they would find that they're not able to because again, the same theory applies to them. They're going to have open positions. They're going to have employees who choose not to do the 401a match. When you hire a new employee that makes less money, there's savings in FICA, there's savings in [unintelligible 01:18:32] if they're [unintelligible 01:18:33] eligible. They may find themselves not needing to come. They may find themselves absolutely needing to come but it wouldn't necessarily be day one.

They would have sufficient time in the remainder of the year to figure out that calculation if necessary. It does not address Councilman Fries' point of-- Part-time is just-- departments hopefully have a wide enough range in their part-time salary ordinance that they come to you with that they could adjust, and if they needed money because they ran [unintelligible 01:19:00] higher, I would hope that they would do the same thing. Come back to you and say, "We want to [unintelligible 01:19:03] request to Council."

Example, we gave a buck increase to all our part-time people. It resulted in us being short five grand. I would think that the same exercise could happen for that function.

Right now the departments have the latitude to do that without coming to you anytime they want by just waving a wand and going to the auditor and saying these positions now make x. That's different than a salary ordinance which is a set number.

President Kerley: Mr. Spurr?

Councilman Spurr: It's maybe my understanding too, but I just want to let commissioners know that council is aware that because this is being treated as a bonus for part-timers, it may be a bit of a challenge. How do you base that so on and so forth?

Chris Cloud: Well, certainly, anytime we do something for part-time, that's a wide variety of people. Aside from seasonal, the part-time could be five hours, they could be 29 hours. That's again, where it's almost easier for the department to increase their hourly rate. I have no idea, I've never asked Nick if they could increase it for the remainder of this year, and then if they want to do it in the budget next year, great. We don't have part time in our office. I've never tried thinking through the logistics of how to temporarily adjust a part-time salary line, but the concern is certainly there. It's not just full-time. Every American is feeling the pinch right now.

President Kerley: I understand the auditor's out in the hallway talking to the chiefs. Maybe you know this. Do we know what the ranges of all the part-time employees are?

Chris Cloud: In each department's ordinance they have?

Councilman Harris: Yes. We set the ordinance.

President Kerley: Right, right. Do we know the lowest to the highest across the counties?

Chris Cloud: They really vary. I can't remember which of you really pushed for this, but a couple of years ago, one of you really advocated departments come to you and make that band a little wider. It really depends. Some may only be more like an hourly worker-type thing. Others may be more. I know ours is a little higher because we had our former veteran service officer working part-time for us. That was a 30-year employee with lots of experience. That was a little higher hourly wage than [unintelligible 01:21:22]. It really depends on them and what they've come to you and asked for.

Councilman Harris: I've got a few thoughts. Number one is, and a bigger thought, I guess, is the reason that we're doing this is because the inflation and the economy is such that it's needed? Is it turnover rate?

Chris Cloud: My perspective is twofold. One is inflation. I think because we aren't able to be, and this is not a criticism, we aren't able to be as nimble as the private sector and just, here's more money. It's a lengthier process, and it's tax dollars, and so there's a procedure and advertising. It's just a more difficult process sometimes. There's that. The other thing is I want to keep the employees we have. People are looking. I don't know why you wouldn't if you could go make more money doing a job, a lot more money in some cases.

It's both, to me, my perspective, just as much about retention and keeping the employees we have and showing them, look, we care about you, we value you, we want you to stay, we understand times are hard, we want to take care of you in a way that is reasonable, as well as just things cost a lot of money, and I don't want our employees to be distracted by the realities of day-to-day life when we need them to be-- some of our employees do very difficult jobs in very difficult situations, and I really want them to be focused 100% on that and not worried about how am I going to feed my family or pay for gas.

Councilman Harris: Speaking of distracted, [chuckles] I want to make sure the rest of the group joins us. The challenge I think a little bit is that, okay, we've got 8% inflation this year, potentially going into a recession. This is tough. Next year could be tougher and going into a recession, and now we're having a recession. The challenge becomes next year about this same time we look at that 100 series and go, hey, guess what? We got monies left over again. This year, 2023, is tougher than last year and we did it last year, so shouldn't we be doing the same thing for 2023? I worry a little bit about that precedence because I do think it may be more challenging next year than it is right now.

Your thoughts?

Chris Cloud: There's a separation in my mind between the economic conditions going on and the county's budget. One of the smartest things Indiana ever did for county government is the variety of revenue streams that go into making our budget. It really can handle the ups and downs of economic conditions way better than some other states that have an overreliance on sales tax or income tax. We know that the underlying fundamentals of employment are good. We did not have, during the heart of the pandemic, high unemployment in Allen County. We certainly didn't have unemployment in lawyers, doctors, nurses, engineers. We saw unemployment in hospitality and food, which rebounded rather quickly.

That's an area that often is prone to ups and down. From our revenue streams, I don't see any difference next year than what we experienced this year. Income tax is two years behind, property tax is a year in arrears, and so we really don't feel the effects of these things for two to three years, if we're going to feel it at all. The other issue, yes, you are setting a precedent that you've addressed an economic issue with a one-time bonus. It doesn't mean you'll ever do it again, but yes, there may be calls for you next year to consider the same thing. That's why you all get paid the extraordinarily big bucks of county council members.

Councilman Harris: A couple more thoughts on that, is that a number of things that can be impacted here. One is a rollover now will change. Where we anticipate a rollover number that comes in every year, that number now is deflated based on a decision like this. Number two, and I think it was brought up, that we've got a whole lot 100 series that are either not filled or have chosen not to be filled, in some cases, not all, in some cases, the job is getting done in some of those roles. The challenge becomes, do we need that many additional 100 series that haven't been filled? That means more homework for us going into the budget season.

I would be a little bit concerned on the precedence thing. I think we can overcome that, but I do worry that if we feel that there's a need to do it now, I do think next year there'll be even a greater need to feel like we should do something next year. Finally, I prefer to have this cleaned up to make sure that we get the details and who's in and who's out and part-time and all that and then a better cost number. For all those reasons, I'd suggest that we wait a month and try to clear all that up before we do something today. This is a bonus, so they can get it next month versus this month, and it's not going to impact.

Finally, I would probably make the argument for council not to receive that bonus amount, but that's a personal **[unintelligible 01:26:44]**.

President Kerley: As elected officials, we can't.

Chris Cloud: I have great news for you. You're unable to anyway.

Councilman Harris: Oh, we can't get it anyway. Good. Okay. **[unintelligible 01:26:54]** laughter.

Chris Cloud: Your compensation cannot be changed in the year in which you earn it.

Councilman Harris: Good, thank you.

Councilman Spurr: Mr. Chairman.

President Kerley: Yes.

Councilman Spurr: I mostly concur with Councilman Harris, and what you're referencing in economics is a wage-price spiral. My concern is that it's not so much the 2%, the one-time bonus. My concern is in the private sector when recession approaches, in the midst of recession, you have layoffs. We don't like to do that in the county. My concern is that just as Mr. Harris has stated, that what happens next year, what happens for the next five years? If we find ourselves doing this, while that just doesn't look very good to the public as they're laying off, we're initiating and instituting these raises. That's my overall concern.

The other concern is I'm in agreement with Mr. Fries in that it needs to apply across the board to the part-timers that are on the ground doing the work, rather than just [inaudible 01:28:10] [crosstalk].

Chris Cloud: What would council want to see for that number for part-time? Because 2% of salary is easy. X of what for part-time? Is it an hourly rate temporary increase and those all get added together? What's council's pleasure for a number to see?

Councilman Harris: You can't figure it on an annual basis because they may not work for a whole year.

Chris Cloud: They may not work.

Councilman Lagemann: You can base it on the previous year.

Councilman Harris: Say it again.

Councilman Lagemann: You can always base it on the previous year.

Chris Cloud: You certainly can go on averages.

Councilman Spurr: You could base on trailing 12 months, however [crosstalk]--

Councilman Harris: People come and go.

Councilman Spurr: Yes, exactly. That's constantly in flux. The challenge is you can't call the bonus, and maybe the auditor can correct me here in HR, but you can't call it a bonus if you're going to tack it on hourly. I think that's the real challenge when you start applying it to part-time, but in some way, shape, or form, I think it's important that we figure that out because I don't think those people need to be left behind.

President Kerley: Maybe we ask the auditor or the auditor's office to look into where the majority of part-time employees sit. Maybe we do just a flat number for every part-time employee.

Councilman Harris: Yes, if you come up with an average or something.

President Kerley: It's going to benefit some more than others.

Chris Cloud: We could group--

President Kerley: When it comes to part-time, I don't think there's a perfect solution. We need to do the best that we can because I think we all understand it's hard to figure out in the way that we're doing this. That's maybe an idea I would throw out is maybe we come up with some sort of average or maybe we have a few different buckets and we say these buckets are getting a hundred bucks, this bucket's getting 150. I think we can figure out the details.

Councilman Fries: Or we ask the commissioners to get ahold of department heads and tell them to give their part-time employees a pay increase because actually, as a part-time city employee, I can tell you that I'm less likely to come in every day now because of the price of fuel. A lot of our part-timers are going to say, you know what, it's not worth me going into

work anymore and they're going to start dropping off and we're going to have a whole lot more jobs to fill.

Chris Cloud: I will tell you that elected officials don't have to listen to the board of commissioners when they advocate for things like that, but we certainly can tell our department heads they have to do, but when it comes to full-time, council's wish is to see a number that includes all employees, regardless of fund, correct?

President Kerley: That would be my [crosstalk]--

Chris Cloud: Do you want to see it broken out based on the number for both just to have the amount that's covering general fund and special funds?

President Kerley: Yes. That would be my wish. I don't want to speak for everybody else.

Councilman Lagemann: Mr. chairman.

President Kerley: Yes.

Councilman Lagemann: Our 100 series rollover last year, what was the number on that? I think-

President Kerley: 5 million.

Councilman Lagemann: Mr. Jordan might be able to give us. I thought it was about [crosstalk]--

President Kerley: 5 million?

Councilman Lagemann: No, I thought it was closer to seven, wasn't it?

Chris Cloud: It was excessively above normal.

President Kerley: Yes.

Councilman Lagemann: Between 5 and 7 million.

Chris Cloud: I think two to three is probably a more comfortable number for what's generally happened.

Councilman Lagemann: Historic, but last year, that was between five and 7 million.

Councilman Harris: I think there was enough something, I can't recall what it was, but there was something that made that happen.

Chris Cloud: I think the colosseum, you had given some general fund money to colosseum that rolled, and then there was some CARES money from '20 that rolled into '21 that was not spent. I think that was a couple hundred grand of it.

Councilman Harris: We usually look around 2 million in rollover, something like that.

Councilman Lagemann: Actually, Councilman Armstrong and I took a look at the 10-year, 15-year historic. I don't believe it was two to 3 million. I believe it was closer to four or five, wasn't it?

Councilman Armstrong: Total rollover. We're just talking 100 series.

Chris Cloud: General funds.

Councilman Lagemann: Okay. Got you.

Councilman Fries: Do we want to table this until next month? Because there are obviously going to have to be changes made to this.

Chris Cloud: I would just take no action because it'll bring you a different number, so just table it.

President Kerley: Hold. Not table.

Councilman Fries: Hold.

President Kerley: We need a motion to.

Councilman Fries: Motion to hold this until next month.

Councilman Lagemann: Second.

Councilman Spurr: Second.

President Kerley: We have a motion to hold in multiple seconds so that we can clean up the language a little bit. All those in favor say aye.

Councilmen: Aye.

President Kerley: All those opposed? Motion passes 6-0-1(Curry-Campbell)

Councilman Harris: Mr. President, [inaudible 01:32:49] [crosstalk]. I'd also like to ask for next month as part of this discussion though, to understand that turnover rate maybe from last year and what it is currently this year.

President Kerley: Sure.

Councilman Harris: That would be good to understand-

Chris Cloud: Yes, we'll get that.

Councilman Harris: - that trend a little bit.

Chris Cloud: I know I sent you all a spreadsheet showing you that, but it is interesting. I had never asked Nick to run a report on 100 series. It is interesting to see how many open positions and how many positions were-- That was shocking to me how many empty, open. It's certainly not normal to have that much open right now. It's interesting. Yes, I will ask HR to run that for you.

President Kerley: Next item up for bid.

Chris Cloud: If you'll give me a second to log in here.

President Kerley: Well, he's standing at the--

Councilman Harris: [inaudible 01:33:44].

Councilman Fries: Nick. Nick.

President Kerley: Do you need to set some other stuff up, Chris?

Councilman Harris: That's probably the wrong answer.

Chris Cloud: Yes, I've got 50 [inaudible 01:34:13].

President Kerley: Let's take a three-minute or a five-minute recess.

Male Speaker: Thank you.

Councilman Lagemann: Thank you, sir.

[pause 01:34:22]

President Kerley: Okay. Going to call the meeting to order again and welcome Mr. Cloud back.

Chris Cloud: Council, Chris Cloud, chief of staff, Board of Commissioners, again. In a carryover from last month's council meeting I told you I'd come back with how we could pay for this. I don't think you all need a recap, but just to recap, the project involved the purchase of a building on South Clinton Street. The remodeling of that building the relocation of administrative departments to that building and then the remodel of Rousseau to accommodate court functions in a consolidated building, that was the general premise.

The bottom-line figure for us, if you recall from last month overall was \$49 million. The top of the spreadsheet you have, what people see on the screen is unchanged from what I showed you last month. That is what I showed you last month. What's new for you all is a couple of scenarios for suggestions for how to fund 49. Today the request before on your agenda is 13 million. 12,250 of that would be for building purchase. 750,000 of that would be to get started with the architect. As you can see on there that if you include the architect number, it's 13.677 this year so just doing the math. That's the reason for the 13 for you today.

The only thing that obviously before today is the commitment on the purchase to control the building but you needed to see, as I told you last month, the full cost because that plays into the decision. Scenario one, and the difference between the two scenarios is the use of revenue replacement dollars out of ARPA. In scenario one, would be if we just use existing funds that we have on hand, or that we will have to cover the cost of this, what might be needed each year. As you recall, these are my best guesses of the years in which costs would be incurred.

If you go to the far right overall, year one is an example. Cost per year is a number, sources, our deductions for that, and the balance needed gets to zero. We have a cost. Here are the sources. It gets us to zero. That's a general layout of this. If you go to the far right of the

bottom under the scenario of using no revenue replacement dollars LIT would be contributing 7.2 million to this General Fund, 38 million, and Cum Cap 4.5 million. Cum Cap for those who don't know Cum Cap Development Fund is the fund that pays for building maintenance capital projects in the county. This would be a permissible expense out of that fund.

Scenario two, which is the second page of your sheet, I apologize, Councilman Fries is correct. They were not labeled. I was playing Where's Waldo with the two and they look almost identical. The second sheet is what it would look like if we used as an example, \$15 million of revenue replacement out of ARPA, we are currently eligible for 27 of revenue replacement. This is just an idea of what it could look like.

President Kerley: 27 million.

Chris Cloud: 27 million. Yes. the way revenue replacement works you can use it for any legal government expense outside of pensions or dead obligations. You couldn't pay a bond off and you couldn't pay pensions, but other than that, it's anything you would normally use county or city or town money for revenue replacement could be used for. The way it's figured is the federal government says you take all of your revenue streams, you put them in a big bundle. If that didn't grow by 5.1%, you take the Delta between what it did and 5.1, or you can take a 10 million flat number and just call the day. That's the general math behind it.

Currently, for 20 and 21, the total number right now is \$27 million. In this scenario the request for you today next year, the \$15 million of ARPA revenue replacement money along with funds from LIT, some General Fund, and Cum Cap get the remodeling done. Then in later years for the Rousseau Center the General Fund, Cum Cap, and LIT again. In this scenario, 6.6 million of LIT, 5.1 of Cum Cap, and 23 of General Fund would be asked for. As you saw in your monthly report, currently, you all have \$41 million of cash balance in the General Fund.

This is in the realm of something possible. That's a separate question from whether you want to do it. That's not the question, but money-wise, this would not advocate or call for an increase in taxes. This would not call or advocate for taking money from operations to offset. This would just be funds that we, generally speaking, would probably have on hand those given years to be able to allocate if council should choose to do this. That's the general theory.

Again, the request today is just the purchase and then to buy and get started with an architect, but long term, this would be the rest of the picture. Two scenarios, you don't have to obviously commit to which scenario you prefer. Me, personally, I vastly prefer the second one to the first one. I just think it makes better use of available revenue we have right now from outside sources, but it's certainly a policy decision on how best to approach that. Happy to answer any questions on anything.

Councilman Harris: I just have one question that I would just ask, which is a crazy one, but that 9,000,026, there's no way to get that into the ARPA column somehow sooner?

Chris Cloud: Again, that's a policy decision. Every dollar you take from ARPA would be less that we would be able to allocate for other ARPA eligible expenses. We've talked to you with bare bone stuff of the plan, there's water, sewer projects, particularly drainage stuff. Broadband is a focus for us, some sort of program for a non-profit. Then obviously you heard the request today from the township fire folks. That is something that the commissioners are

aware of and there's also a few other odds and end projects that we're aware of. It just means less for that. We have \$73 million. This would take the available \$58 million in the fee who did this.

Councilman Harris: Council, what's going through my head, and this is a pessimistic view of things, but let's say we're into a recession next year, '23, we feel it in the county '24, '25. We're about, we're usually about three years behind, two to three years behind. If we have a recession in '23, '24, it's going to show up '25 and '26. When we're cashing out General Fund of 9 million, that's what I'm thinking in '26, how can we get that number moved up or something? I know mechanically that may not make sense, but just from a funding standpoint.

Chris Cloud: I've done about a thousand permutations of this spreadsheet. One of my earlier ones actually had money set aside every single year. Just we don't use escrow, but it sort of put an escrow. It wouldn't be the 9 million to hit. We can structure however, we can put aside more now, less later we can do that, however way we want to do it. It's just, this was trying to show the years in which the money would be needed a scenario to do that, but certainly, we can structure however council would prefer best to soften future years' outlays.

Councilman Lagemann: Chris, we see the expenditure side from a revenue standpoint. We would be divesting a number of buildings in this process. Is that correct?

Chris Cloud: That is the theory.

Councilman Lagemann: Those buildings are in higher rent districts at this point.

Chris Cloud: Certainly, anything Main Street north is in an area of rapid redevelopment in downtown Fort Wayne.

Councilman Lagemann: The two buildings on the landing, potentially two buildings on Superior Street.

Chris Cloud: One on the landing.

Councilman Lagemann: Okay.

Chris Cloud: Yes, the two properties on Superior Street, one in the landing. Then obviously whatever would happen with the jail property in the future, whatever happens with that, but for this per scenario, it's those three would hypothetically be excess property that we would not have another use for because we would be consolidating those functions. It's not we'd have another county office to move in there.

Councilman Lagemann: Certainly, and I think we do have to consider what is the highest and best use of those properties considering the general move to downtown, the massive increase in downtown property prices, and all of that. Okay. We have not calculated the sale of any or the potential sale of any of those structures or properties in this.

Chris Cloud: No, I have requested appraisals on those properties because it's just good for us to know that anyway. As I'm sure Mr. Spurr can show, the appraisal process is a little slow right now. There's a lot of real estate changing hands in the last 18 months, but that is a figure that we need to know. We have a older figure for our community corrections property which

we shared with you last year when we were talking about the swap scenario. I think that number was 1.6. That was a figure from late '20.

Assume that's gone up slightly and the other ones, no earthly idea. We've never actually contemplated a sale, so we've never had that figure in the past to compare it to, but those are under ways that we have those numbers.

Councilman Lagemann: Is the thought process that any sale would be into the market, not just like giving it away to the city of Fort Wayne?

Chris Cloud: We have, as a county, limited ways in which we can dispose of property, certainly you can transfer to another government unit or nonprofit. That's permissible by code, but I think as we have treated other real estate in the past, we stick a for-sale sign up and treat it like that. That's what we did on Westbury with the former small claims building, which is now Aptera or whatever their new name is. They bought our building and put money in it, and it's a beautiful office building for them.

Similar thing, we would put a for sale sign up and the market would set there-- We would be limited though, but you cannot sell for less than the average two appraisals unless you would make a finding that it's for economic development purposes. Then there is a public hearing process you can go through to divest property for less than that. It's not something we do very often redevelopment every now and then if there's a particular thing coming in, it was bare ground, but generally speaking for buildings, we just put a for sale sign up.

Councilman Lagemann: I would certainly encourage if we do move forward with this, that let the market determine the rate of sale. I would assume that it's going to be above the most recent appraisal.

Councilman Spurr: I would argue that as well.

President Kerley: Mr. Fries.

Councilman Fries: Not when the economy tanks, which it's going to appreciate all the work you've done on this, Chris. It's a lot of work, but I, Mr. Collentine thought you did an excellent job at the public comment, talking about how we need to watch our tax dollars or it's our job as the fiscal body to make sure that the taxpayers are getting the value for their dollar. I was a little disturbed after the last council meeting, I got a call from the city police chief, as I was walking back over to the Rousseau Center, apparently, there were people watching that and he said, "What is this we have to move?" They hadn't heard anything about it.

After some discussion, he said, "Tell your council members to call me. I will talk to them about how effective it is for us to be in the same building with the county police and the state police." He said, "Maybe they don't know, there's state police office in this building, there's county police." He said, "Have them call me, here's my number. Here's my private number." How many council members called him? None.

He had information that would help us make the decision, but nobody took the time to call and talk to him. I was less than pleased by that. The big push to do this is to get community corrections out of their cramped quarters. According to this, that's not going to happen until 2027.

I think Mr. Collentine was correct that we need a plan. I don't think this, we're talking about spending \$350 million or so for criminal justice complex. Why do we do that if we're going to be piecemealing out these buildings in different locations? It makes no sense to me, for the taxpayers. As I said, last month, I'd be opposed to it. I'm still opposed to it this month.

Chris Cloud: As an aside Commissioner Beck has had several conversations with Chief Reed. In fact, he and I toured their spaces last Friday to do what you just suggest to get a better feel for their-- We have had multiple conversations. The administration was well aware of this, whether they chose to share that information, I cannot divulge why they wouldn't, but the administration's been aware of this for over a year.

Councilman Fries: That being aside, the effectiveness of how well it works together, surprises me because when 12 years ago, when we had to be together, when county police and city police had to be together, I was the sheriff at the time and we were going to build our own building and I told the commissioners, I said, "If we can save the taxpayers \$2 million, let's move downtown. I don't want to, but let's move downtown if we can save the taxpayers money." That was 12 years ago, we did that remodeled. Now 12 years later, we want to spend another \$49 million to separate us. It makes no sense to me. I don't think it makes sense to the taxpayers.

President Kerley: Mr. Spurr.

Councilman Spurr: I concur with some of what Councilman Fries has said. I want to thank you for all the work that you've put into this. I just had a couple questions, the delta that was referenced for the 27 million. Do we know off the top of our head, how much of that was attributed to the Coliseum?

Chris Cloud: No, because you put it all in one. Well, we know the Coliseum's losses, but you will put it all in one big bucket. Frankly, for us, it wasn't that the county lost revenue it's that the county's revenue didn't grow.

Councilman Spurr: It's just that we didn't capture addition.

Chris Cloud: Yes exactly. Certainly from my perspective, the Coliseum is the one area where we experienced the real loss.

Councilman Spurr: That's what I was trying to extrapolate. My question is number one, I just want to be clear that for the taxpayer, that was countywide, that delta that we're referencing is a countywide number. It's not just.

Chris Cloud: Everything in the same bucket.

Councilman Spurr: Then the other question I had was, there was made mention of regarding the various funds and how we distribute that or the distribution thereof and then how we get there over a period of years or whatever. In reference to that, when you say that, I'm assuming that those funds are already there, that's not based on projections or forecasts, correct?

Chris Cloud: I would say looking at my spreadsheet here, well, we currently have the ARPA. We haven't allocated to revenue placement that one's currently existing. The General Fund currently exists. That's not new money. That's current money. LIT on scenario two probably exists. Cum Cap probably doesn't but that's a property tax rate. We get 3-4 million

in that every single year currently has a cash balance. Maintenance has a list of projects that every year, chillers, boilers, roofs, whatever and if we don't use the entire thing it rolls over back into that Cum fund so much like the fire chiefs where they can roll it several years to buy a big fire truck. We do the same thing.

It has a bit of a cash balance, which is why it can contribute to this project but outside of that one which wouldn't have all of this, the rest of them, frankly, are probably existing cash on hand. I don't think for scenario one, that's the case. That would require new revenue that would come in in those future years and would be budgeted in the budget.

Councilman Spurr: Thanks for the clarification, appreciate it.

Councilman Harris: I said earlier that the judicial continues to push for challenges that they're facing in our community. To a certain extent, to a great extent, this is probably happening because the judicial and what's going on in community corrections and the need for growth and blah, blah, blah, and all that. Those areas continue to push the county. What goes on in my head is where are we going to be in 30 years from now. Will we still be in this building needing to bust out and buy additional buildings and buy additional space?

Probably in 30 years that facility is going to keep us from having to buy more property in expensive downtown Fort Wayne that's going to keep growing and cost more so that's going on. Chris, I dropped off some questions. I don't know if you've had a chance or maybe I missed those or--

Chris Cloud: I haven't had a chance to respond to all of them, but the general very thoughtful questions from Councilman Harris along the lines of how does this impact downtown development? What impact would it have with a building off the market? What does this do for--? A variety of questions on that line.

Councilman Harris: I think there were about 35.

Chris Cloud: There are about 35 questions. Unfortunately, didn't have time to answer all of them yet but I will get you those. This is a building we're buying that has been leased for the last, however, ages to one entity that is largely currently empty. They're paying a lease on a largely empty building right now. Well actually, they're currently paying a lease on a completely empty building, but they have not fully occupied this building for several years. It does not have an impact from that perspective and that it's a single occupant. Now it'll be a single occupant under this scenario, so we would not be taking any available--

Recognizing that currently it's for lease and they have yet to lease-up anyone as they were patient with us last year, and this year needed to at least see if they could find somebody but it was a single lot, be a single lot. We would not be taking 200,000 square feet of office space off the market. If you look at downtown office space, there are pockets here and there in various buildings downtown, our issue is we need larger amounts, but we need more contiguous. Whereas if a company wants to relocate and they need 15,000 square feet, they can find that.

That would not be a thing they couldn't find, may not always be in the building they want, or the perfect area they want of the downtown area, but it is available. I don't think we'd be having an impact from that perspective. We've talked to greater Fort Wayne, they didn't have any objections, not that they would weigh in but we have had conversations. If there was

going to be a large impact on the availability of office space, they would've raised the red flag, that's their job is to protect that private sector.

I think one of your other questions was, would we be doing this again in a decade or 15 years, or is just looked as a long-term solution. We would not spend this money for a short-term solution. Councilman Fries' observations aside that 12 years ago, we did a project. This would be a long-term, I don't want to do this again, project. No, you are correct in that we are going to continue to be pushed and constrained. We have no available space downtown, any of our buildings. If anyone added a handful of employees that they couldn't accommodate in their space, we presently don't have a place for them.

The area of growth is probably going to be the judicial system in that it outpaces growth in other areas, but it won't be the only area that grows as we have more residents, we're going to have more restaurants, we're going to have more houses built, more buildings built, more things to inspect, more property taxes more everything. It's not that other departments won't see growth, they just may not see it at the same rate that the court system has seemed to have seen it over the last couple of decades as its share of General Funded costs.

As I showed you last month, it's grown from 50 some percent to 72%. As was observed today, it's not all criminal. There's just a lot of civil court that goes on and that will happen in any community of our size and growing size. That's more neighbor disputes, it's more business issues. It's more marriages and divorces and child protective issues. That's not going to slow down, but I can't tell you that a growth in X court cases or excise community leads to X headcount, which means-- To my knowledge, there's no formula that I can tell you, this will get us 45 years of use, this will get us 25 years of use.

The available square footage that we left over into other buildings could handle a percentage of growth that would come. It certainly couldn't handle it if we tripled in size, but it could handle a percentage of growth that would come. I view this as a very long-term solution for the county. That's the perspective that we've taken, that this would not be something we'd come back in a decade or 15 years. This should be, if we're going to do this, we would do something that would be sustainable for--

Councilman Harris: Last quick question on that piece though. We're leaving with the thought, hope, plan that the city buys into. Can the city next year, five years from now say, we need space, you have to leave--

Chris Cloud: This building?

Councilman Harris: Yes. As they continue to grow, could that happen?

Chris Cloud: Certainly. Why wouldn't they be? We're effectively a tenant as they are.

Councilman Harris: In other words, they could force us to leave in order to give them more space versus saying, they're going to buy another building for the city. That could be a scenario that much hard to get information out.

Chris Cloud: Much like what we did where we told them about this a year ago. I would hope they would do similar but yes, we are a tenant. We don't own anything in this building. There is nothing that keeps them from doing the same scenario down the road. I was interested to see and look at in the last 10 years where growth has occurred in our community and looking

at the census numbers city of Fort Wayne, I think grew about 4%, outside of Fort Wayne grew 20%.

There's an Amber alert or some other alert. That is nowhere close to here. I'm sure I can just-- I have now lost all train of thought.

Councilman Harris: Growth.

Chris Cloud: Growth. Was that your que--?

Councilman Harris: [unintelligible 02:08:23]

Chris Cloud: The city of Fort Wayne may not see the same pressure for headcount increase or growth as we would because all residents in Allen county use county services, only residents in Fort Wayne use Fort Wayne services. Anything that happens in Fort Wayne also causes more work in the county. Anything happens in the county cause more work in the county, but wouldn't at Fort Wayne.

We may feel more pressure than they will feel in future years, so could they? Yes, but this building may be fine for them. I can't answer that question, but certainly, we will continue to see growth in unincorporated Allen county at a rate higher than. We've seen that with building permits for single-family, residential, they are by and large Northwest. A lot of them are in unincorporated Allen county. I'm not sure which one of you serves on planning commission, but several thousand plats this year, and--

Councilman Lagemann: 3000 1st quarter, I think we're pushing right now, 3,800.

Chris Cloud: They're going to come from somewhere. If it's not new people in our community it's people moving around the chair decks in the community. I think unincorporated areas and those cities and towns, not Fort Wayne will continue to see growth. That puts more pressure on us, but not necessarily on them. This building may be sufficient for them. I can't say that they would be in that scenario, but we are certainly going to over the next decades, continue to see growth and more pressure on our services. Even if Fort Wayne does not grow at all because growth is unincorporated and the other season towns now a county.

President Kerley: Mr. Spurr.

Councilman Spurr: I am really torn on this.

Chris Cloud: Sure.

Councilman Spurr: You guys know me as the numbers guy. At the same time, I see this as a consolidation effort. I do view it as a strategic long-term decision. At the same time, I recognize the needs because of scarcity. How do you find a property that is available? It's an issue. I would motion because I do believe there's some division on this. I don't know how the other council members feel on this that we would hold this for discussion for another month.

President Kerley: Can I? There's a motion. Is there a second?

Councilman Harris: I'll second it.

President Kerley: Motion in a second and needs further discussion. Now my time to talk.
[laughs]

Councilman Harris: I think it would be good too. With one council member missing, this is a pretty good size decision. We have everybody in on that, that would be good.

President Kerley: I would, due to a family emergency she was not able to be with us today. I know she has some input. She expressed with me this morning that she would like to share her input. I did speak with the owner of the building this morning and they were okay with a one-month delay.

Councilman Harris: That was my only concern.

President Kerley: From that perspective, I think we're okay. The public comment this morning talked about planning. I appreciate what Councilman Fries is looking at too. Just a little over a year ago, the commissioners came to us saying community corrections needed a new building. I think we've all been aware of that. At the same time, Elevatus was doing a pretty extensive study on the entire justice system.

Elevatus came back to us with some findings that said it's just not community corrections that has some pressing needs, criminal services need some space. I think they said superior court needed some additional space. I know it was a rather extensive study, I may be leaving some things out.

Chris Cloud: Those needs may have been in the future. They may not have been necessarily day one.

President Kerley: It was a plan. It was like, this is forward-looking, this is a plan. They gave us two options. I mean, the plan laid out two options. One did not look at the administrative aspects of county government, but it did look at the judicial side. One of the recommendations was to consolidate those judicial elements into the Rousseau Center because of its proximity to the courthouse. Looking at that plan as a roadmap, this follows that from the judicial side, it didn't address the administrative side.

Even if we were to follow that recommendation to consolidate the justice elements into the courthouse and the Rousseau Center, we're still left with, what do we do at the assessor's office? What do we do at the auditor's office? What do we do with the clerk, voter registration, election board, the administration stuff? The other option was as part of a new jail complex to construct a justice center much like they're working towards in Elkhart where everything goes to that one complex. Looking at the situation where we are from a planning perspective, I think those are the two options maybe that we're faced with.

Another reason I was going to, I'm in favor of holding this is we're going to get a lot of information in about two and a half hours when Judge [unintelligible 02:14:23] takes the next step at the hearing today and is probably going to give us more clarity on what direction the federal court is telling us to go. That may clarify some of these questions we have in terms of what is the plan. That really puts us as counsel, and you under the clock to, in a month, we got to have maybe a roadmap to maybe provide some answers. I don't know if that's feasible.

Chris Cloud: I mean, at this point in time, most important thing to me is for us to be in control of that building. There are clearly other things going on in county government that are important and that we are spending our amount of time involved with. My issue now is just being able to not lose this option. We purchase it, we can always sell it. I mean, there are other things that need our attention as well. No decisions are made in a vacuum and all those.

President Kerley: The owner has agreed to purchase the building back if we're not able to make everything work.

Chris Cloud: To figure out our, I guess, purpose.

President Kerley: To be fair, I did talk to Councilman Fries. I had every intent of talking with the chief. We had a major disaster that hit Monday and that's occupied.

Chris Cloud: There was a lot of time before that.

President Kerley: Most of my time.

Councilman Fries: Let's go back to Elevatus, we hired Elevatus to do this study, and wasn't their preferred plan at criminal justice complex? I sat here where they had a \$350 million thing. That was their preferred plan.

Chris Cloud: They didn't have a preferred plan.

Councilman Fries: I was the only council member sitting here. It sure seemed like that's what their best plan was, which would make sense to me because then we have the room to grow for the next 30, 40, 50, 60 years.

Chris Cloud: The challenge with a justice complex is the courthouse.

Councilman Fries: Pardon me?

Chris Cloud: The courthouse is the challenge. It's always been the challenge.

Councilman Fries: No, not really because you can keep that for some of the cases, but the vast majority of cases could be done at the complex with new courtrooms and the judges. It's done in Marion County. Marion County just did theirs, completed their criminal justice complex. It happens.

Chris Cloud: Yes, it does.

Councilman Fries: It will save the taxpayers money and give us room for growth.

Chris Cloud: Well, I don't know how, I mean, that would be a much more expensive new construction project than what we're looking at here.

Councilman Fries: Mr. Cloud, we're going to have to build a new jail, anyhow.

Chris Cloud: We are.

Councilman Fries: Thank you.

Chris Cloud: I don't think that there would be sufficient revenue and any tax to cover a complex whether it's a great idea or the best thing, that's a separate issue for me.

President Kerley: I think--

Chris Cloud: Counsel, if you need additional information from us in the next 30 days for your meeting, other questions you have besides your list of 86 questions.

President Kerley: 36. 35. You answered--

[laughter]

Chris Cloud: It was close to 44. Other stuff, let me know. I'm happy to provide for you.

President Kerley: Quick, one other question, since we got to actually vote on the hold. What was the contingency in the \$49 million number?

Chris Cloud: For the building at 1300 South Clinton, it was 15% for, Rousseau it was 23%.

President Kerley: What is that in total dollar terms? Sorry, I'm just--

Chris Cloud: No, no, no. I don't, I'd have to get it for you.

President Kerley: Ballpark it, five, six million?

Chris Cloud: No, it's more than that. It's probably three to four or well, I mean I would say six to seven is a conservative number, around there because there were other stuff too.

President Kerley: Motion and discussion. Move. Second. Discussion's close. We have a motion to hold this item until the next meeting. All those in favor, say aye.

All: Aye.

President Kerley: All those opposed.

Councilman Fries: Aye.

President Kerley: Motion is held until the following meeting.5-1(Fries)-1(Curry-Campbell)

Chris Cloud: Thank you.

President Kerley: Thanks, Chris. Any new business? Any other discussion?

Councilman Spurr: I just want to say real quick. I think you've already alluded to it at the beginning of the meeting. I just want to thank all the men and women who've tirelessly worked. Southwest is my district and I have personally drove around and witnessed them working and they were working around the clock on those items. I truly thought we would be without power probably through Saturday and somehow they found a way to get us power last night. I just want to let the public know how appreciative all of us are out Southwest that they've done that for us. Thank you.

President Kerley: Any liaison reports?

Councilman Harris: No. With that Mr. President, I'll move to approve the second reading of any manner approved today for which it may be deemed necessary for the county council meeting of June 16th, 2022.

President Kerley: Is that it? Motion is second. All those in favor to say, aye.

All: Aye.

President Kerley: All those opposed motion passes 6-0-1(Curry-Campbell). The next county council regular meeting will be held at 8:30 AM Thursday, July 21st, 2022 in the chambers room of citizen square. I will entertain a motion to adjourn. Moved. We are adjourned.