TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
July 13, 2010

The Tippecanoe County Council met at 8:30 a.m. on July 13, 2010 in the Tippecanoe Room in the County Office Building. Council members present were: President Andrew S. Gutwein, Vice-President Roland K. Winger, Jeffrey A. Kemper, and Kevin L. Underwood. Others present were: Auditor Jennifer Weston, Attorney David W. Luhman, and Secretary Kay Muse. Absent were: John R. Basham II, Betty J. Michael, and Kathy Vernon.

President Gutwein called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Councilmember Kemper moved to approve the minutes of the June 8, 2010 regular meeting, second by Councilmember Underwood; motion carried.

AUDITOR'S FINANCIAL REPORT–*Jennifer Weston*

Auditor Weston stated the Council has granted $41,500 in appropriations this year and today's requests total $100,539. Auditor Weston noted that the general fund balance is positive. She also noted that the County's self-insurance fund took a big hit in May compared to April. The Prosecutor has requested his items be tabled until August; Prosecutor Harrington could not attend today's meeting.

Beginning Net Balance	$472,982.50
Total Additional Appropriations	$ 41,500.00
Total Budget Reductions	$ 0.00
Miscellaneous Expenditures (to date)	$ 2,446.88
Uncommitted Funds	**$429,035.62**

TREASURER'S REPORT–*Bob Plantenga*

Treasurer Bob Plantenga stated that the Treasurer's Report takes into account the bank statements through the month of May. Interest earned from the general fund is about $28,000 compared to about $16,000 in April and is due to the County holding property tax monies. Fund 320 EDIT Landfill had a good increase last month and a better increase this month, adding this was the first step with the new cash management. First Financial interest rate did go from .25% to 1.75% and those funds will be moving to Smith Barney. The interest overall went from $28,000 of interest to $46,000, with the General Fund getting more than half of that amount. The weighted average does shift around as the County receives and distributes more property tax adding there is more than $123,000,000 in the high balance savings. Councilmember Kemper asked Treasurer Plantenga why more funds have not been moved into the high interest account with First Financial. Treasurer Plantenga stated that until the Commissioners approve the cash management agreements those funds could not be moved. At that time, $10 million will be moved into First Financial at the 1.75% interest rate. First Financial's RFP requires a minimum balance of $3 million and a maximum balance of $10 million to receive the 1.75% interest. If the balance reaches above $10 million the interest rate goes down to .3 percent.

PUBLIC COMMENT–*Agenda Items*

None

SUPERIOR COURT I

General Fund 001

Councilmember Gutwein stated that representatives for Superior Court I would not be attending due to an ongoing trial. Adding that Councilmember Kemper has spoken with Superior Court I and will be speaking on their behalf. Councilmember Gutwein stated, "I personally will recuse myself from consideration to the extent it involves any outstanding sums owed to my firm. Yet if we are not considering that today then I will be able to participate".

Councilmember Kemper stated that he had numerous conversations with Judge Williams, Superior Court I Bailiff Angie Thompson, Superior Court I Staff, and the Auditor's Staff to determine why there are unpaid pauper attorney fees totaling $65,000. Councilmember Kemper stated that it appears that some of these bills are from 2008, 2009, and 2010. However, at this time it is undetermined why there are so many unpaid bills. About a year ago, a sizable appropriation was made that the Council thought would pay everything through Judge Johnson's term. Councilmember Kemper said that a partial appropriation is needed until questions are further answered. Judge Williams was not aware of these unpaid bills until recently and has agreed to a meeting to discuss this issue. Superior Court I has a balance of $10,000 in the jury pay fund that can be used if necessary. Councilmember Winger stated that to clarify, the appropriation from a year ago did not include these obligations although it was the Councils intent to pay all of the outstanding bills. Councilmember Kemper stated that since the law firm of Bennett, Boehning & Clary employs Councilmember Gutwein any fees owed to them will be excluded from the following motion. This would allow for a majority vote of the quorum, given that only four Council members are present today.

- Councilmember Kemper moved to approve an appropriation of $30,000 for pauper attorney fees for Superior Court I specifically excluding Bennett, Boehning & Clary fees as presented, second by Councilmember Underwood; motion carried.

Additional Appropriation $30,000

$ 30,000	Court Expense / Pauper Attorney

Auditor Weston stated that Superior Court I would not need to re-submit the jury expense request, but would need to re-submit the $5,000 for evaluation services since no action was taken on that request.

SUPERIOR COURT II
General Fund 001

Councilmember Kemper stated that he had spoke with Judge Busch's Bailiff Brenda Rody about this transfer. He had suggested the court representatives did not need to attend for a transfer request as long as there are funds in the budget.

Transfer $2,800

$ 300	Travel & Training / Overtime
$ 1,133	Pauper Attorney / Overtime
$ 1,000	Physical Exams / Overtime
$ 192	Pauper Attorney / Social Security
$ 175	Pauper Attorney / Retirement-PERF

- Councilmember Kemper moved to approve the transfer for Superior Court II as presented, second by Councilmember Underwood; motion carried.

SUPERIOR COURT IV

General Fund 001

Councilmember Gutwein stated that this additional appropriation was tabled at the June meeting. He went on to say that, this appropriation would provide part time help so duties of the court can continue while employees are on vacation.

Additional Appropriation $539

$	500	Salaries & Wages / Part Time-Other
$	39	Social Security

- Councilmember Winger moved to approve the additional appropriation for Superior Court IV as presented, second by Councilmember Underwood; motion carried.

PROSECUTOR

Postponed until August meeting

***COURT SERVICES*–Change Companies Indiana Judicial Center (IJC)**
Grant Fund 574

Councilmember Kemper stated that although Court Services Director Cindy Houseman could not attend today since this is a grant appropriation a motion to approve is reasonable.

Grant Appropriation $1,000

$	1,000	Departmental / Educational Materials

- Councilmember Kemper moved to approve the grant appropriation for Court Services as presented; second by Councilmember Winger; motion carried.

TIPPECANOE VILLA
Salary Statement for Part Time

Human Resources Director Shirley Mennen stated that Tippecanoe Villa Director DeAnna Sieber is asking to raise the current part-time salary statement from $8.00 per hour to $12.00 per hour. Director Sieber will be eliminating a full-time position and the "up to $12.00 per hour" will allow flexibility in the pay rate and job duties when hiring for a part time replacement.

Salary Statement

Part-Time	Up to $12.00 per hour.

- Councilmember Underwood moved to approve the salary statement for Tippecanoe Villa as presented, second by Councilmember Kemper; motion carried.

HEALTH DEPARTMENT
H1N1 Phase III Grant Fund 464

Director Cripe stated that this grant ends July 30, 2010 and the funds need to be appropriated to finish out the remaining portion of the grant. He added that the funds would be used for office equipment such as a command desk for the clinics, signs, traffic vest for volunteers, mobile clinic privacy screens, and coolers for outside clinics. In addition, the Health Department has ordered $10,000 of printed forms including pamphlets that will be handed out at the County Fair. The purchase of two refrigerators will be used to

store medical supplies such as vaccines. Lastly, they would like to purchase a credentialing system that will allow the scanning of badges for volunteers and other persons, such as the Medical Reserve Corp.

Grant Appropriation $60,000

$ 5,000	Office Expense / Office Supplies
$ 10,000	Office Expense / Printed Forms
$ 1,000	Departmental / Medical Supplies
$ 12,000	Building Improvements / Maintenance
$ 32,000	Equipment / Misc

- Councilmember Underwood moved to approve the appropriation for grant fund 464 as presented, second by Councilmember Kemper; motion carried.

Transfer $11,000

$ 4,000	Professional Services / Office Supplies
$ 7,000	Salaries & Wages / Office Supplies

- Councilmember Underwood moved to approve the transfer for grant fund 464 as presented, second by Councilmember Kemper; motion carried.

BUILDING COMMISSION–Ron Highland
General Fund 001

Building Commissioner Ron Highland stated that the demolition of several unsafe structures in recent months has left the unsafe structure fund low. He added that this fund is only replenished when a lien, which has been placed on the property, is recovered. Since Monitor School building and possibly an apartment complex near Battle Ground are potential concerns, Director Highland requested that $20,000 be appropriated from the General Fund for deposit in the unsafe structure fund. Councilmember Gutwein asked if there are any pending unsafe structures. Building Commissioner Highland stated there are no pending unsafe structures at this time adding that approximately $7,000 will remain in that fund after all current bills are paid. Councilmember Winger stated that since there is $7,000 is in the unsafe structure fund and with the possible collection of outstanding liens that waiting until there proves to be a more specific need for the appropriation is feasible. Building Commissioner Highland stated that is acceptable as long as the Council is aware that the County would not be able to move forward in a timely fashion should any unsafe structures come before the County. Councilmember Winger said that the Council is aware that it is the Council's responsibility to appropriate funding for the removal of unsafe structures within the County and stated his preference to appropriate funds on a "need to" basis given the current economic situation. Council members agreed to take no action.

No Action Taken

Building Commissioner Ron Highland stated that the Council should be aware that the 2011 budget submitted by him for the Building Commission Department could change drastically due to the fluctuation of today's economic conditions.

WIC
PEER ENHANCEMENT "B"

Councilmember Gutwein stated that these transfers would close out WIC's grant funds for the year.

Transfer $7,169

$ 259	Salaries & Wages / Full Time to Contracts / Misc
$ 2,639	Salaries & Wages / Full Time to Contracts / Misc
$ 244	Social Security to Contracts / Misc
$ 31	Retirement / PERF to Contracts / Misc
$ 2,637	Office Supplies to Contracts / Misc.
$ 1,316	General Operating Misc to Contracts / Misc
$ 4	Insurance Benefit / LTD to Contract / Misc
$ 42	Insurance Benefit / Life to Contracts / Misc

- Councilmember Underwood moved to approve the transfers for the WIC Peer Enhancement Fund "B" as presented, second by Councilmember Kemper; motion carried.

COMMUNITY CORRECTIONS
2010/2011 Budget & Salary Statements
Truancy Mediation "B: Fund 204

Community Corrections Director Dave Heath stated that this is the annual budget for Community Corrections of which 34% of funding comes from grants and 66% comes from Project Income and totals about $3.9 million. Director Heath went on to say that there have been no significant increases in the budget from last year other than health insurance. Fund 204 Truancy Mediation comes from grants provided by school funds for truancy intervention. Councilmember Kemper asked about future funding through grants. Director Heath stated that there are not any indicators that grant funding for these projects will be eliminated. He went on to say that, eliminating grant money for these programs was unlikely given that it is much cheaper to house offenders on these programs versus a state correctional facility. Councilmember Gutwein asked if the funding from the school comes directly from the school or through the state. Mr. Heath stated those funds come from grants directly from the schools. Auditor Weston stated that there are salary statements accompanying these appropriation requests and they need approval in addition to the budget.

Additional Appropriation $32,997

$ 24,038	Salaries & Wages / Full Time
$ 1,839	Social Security
$ 1,683	Retirement / PERF
$ 882	Contacts / Misc
$ 4,152	Insurance Benefits / Health
$ 77	Insurance Benefits / LTD
$ 54	Insurance Benefits / Life
$ 272	Insurance Benefits / Workers Compensation

- Councilmember Kemper moved to approve the appropriation for Truancy Mediation "B" Fund 204 as presented, second by Councilmember Underwood; motion carried.

- Councilmember Kemper moved to approve the salary statements in the amount of $24, 038 for Truancy Mediation "B" Fund 204 as presented, second by Councilmember Underwood; motion carried.

Project Income "A" Grant Fund 215

Grant Appropriation $2,599,944

$1,334,128	Salaries & Wages / Full Time
$ 6,000	Salaries & Wages Part Time

$ 102,588	Social Security
$ 93,451	Retirement / PERF
$ 28,930	Departmental / Misc
$ 414,495	Contracts / Misc
$ 52,100	Equipment / Misc
$ 544,153	Insurance Benefits / Health
$ 5,205	Insurance Benefits / LTD
$ 3,596	Insurance Benefits / Life
$ 15,298	Insurance Benefits / Workers Compensation

- Councilmember Winger moved to approve the appropriation for Project Income "A" Grant Fund 215 as presented, second by Councilmember Underwood; motion carried

- Councilmember Winger moved to approve the salary statements for Project Income "A" Grant Fund 215 in the amount of $1,334,128 as presented, second by Councilmember Underwood; motion carried.

Adult Juvenile Grant Fund 217

Grant Appropriation $1,171,706

$ 621,899	Salaries & Wages / Full Time
$ 5,948	Salaries & Wages Part Time
$ 48,032	Social Security
$ 43,367	Retirement / PERF
$ 58,794	Departmental / Misc
$ 179,658	Contracts / Misc
$ 202,660	Insurance Benefits / Health
$ 2,515	Insurance Benefits / LTD
$ 1,738	Insurance Benefits / Life
$ 7,095	Insurance Benefits / Workers Compensation

- Councilmember Underwood moved to approve the appropriation for the Adult Juvenile Grant Fund 217 in the amount of $1,171,706 as presented, second by Councilmember Kemper; motion carried.

- Councilmember Underwood moved to approve the salary statements for Adult Juvenile Grant Fund 217 in the amount of $621,899 as presented, second by Councilmember Kemper; motion carried.

Community Transition "A" Grant Fund 219

Grant Appropriation$110,772

$ 50,519	Salaries & Wages / Full Time
$ 3,865	Social Security
$ 3,536	Retirement / PERF
$ 11,776	Departmental / Misc
$ 19,598	Contracts / Misc
$ 20,560	Insurance Benefits / Health
$ 205	Insurance Benefits / LTD
$ 142	Insurance Benefits / Life
$ 571	Insurance Benefits / Workers Compensation

- Councilmember Kemper moved to approve the appropriation for Community Transition "A" Grant Fund 219 in the amount of $110,772 as presented, second by Councilmember Underwood; motion carried.

- Councilmember Kemper moved to approve the salary statements for Community Transition "A" Grant Fund 219 in the amount of $50,519 as presented, second by Councilmember Underwood; motion carried.

COMMITTEE REPORTS

Councilmember Kemper reported that he, Auditor Weston, and Clerk Phillips attended the State-called meeting of the Indiana County Council Association on June 26. Some of the information received will be very useful during budget hearings. Auditor Weston will be providing an electronic copy of the presentations for the Council members before budget hearings. Councilmember Kemper noted that Clerk Phillips specifically attended to give a presentation on vote center.

Councilmember Gutwein reminded the Council that budget hearings are scheduled to begin on August 23, 2010. Prior to the budget hearings Council representatives will be meeting with departments to discuss their budgets.

Councilmember Kemper stated that change in legislation pertaining to the Public Defender's office is an issue that needs attention. After meeting with members of the Public Defenders Commission, it is clear that the changes in the legislation will affect the Public Defender's office ability to provide counsel for co-defendants. As a result, Public Defender Director Amy Hutchinson will attend the August meeting to present the changes.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

YOUTH SERVICES UPDATE

Postponed until August meeting

COMMISSIONER-FYI

Commissioner Byers reported that $1,000 per month could be saved by installing capacitors to motors in the Courthouse. The capacitors allow the motors to run easier and smoother thus requiring less energy. The company installing the capacitors is offering the County a 90-day free trial for the Courthouse to assure they perform as stated before the County commits to a purchase. Commissioner Byers added that this would also help move the County towards Going Green with about 8 tons of carbon dioxide eliminated.

PUBLIC COMMENT

Don Brown, *Republican Candidate for State Representative District 27*–Mr. Brown encouraged the Council members to use caution when applying for federal grants. Mr. Brown stated that spending is the number one issue with taxpayers. He went on to say that, the federal government is currently $13 trillion

in debt and that just a year ago, the deficit was $11 trillion. The Country is running a $1.5 trillion deficit per year. Local government is accepting money from the federal government for projects that the federal government has zero constitutional authority to fund. An example is the $800,000 for two blocks of sidewalk on 2nd Street. He added that he had inspected the sidewalks before construction began and only a few repairs were needed. Another example is the $7.7 million that the City of Lafayette accepted for Bridgeway and Glen Acres. Mr. Brown said that he is asking republican citizens and elected officials to use moderation when asking for government funding. Mr. Brown asked the Council to fund projects with local money because it is up to the citizens and local officials to make things better.

Terry Masterson, *1115 Central Street, Lafayette*–said that two months ago the Lafayette City Council sent a request to Area Plan to spend several tens of thousands of dollars to give another tune-up to the Centennial neighborhood. Mr. Masterson said that is a lot of money to spend when the result is a developer spoke person speaking on the benefits of giving strong property rights to big developers, at the same time using historical preservation to take property rights away from the small average citizen. Valuable zoning is taken away from neighborhoods and identical zoning is given to developers. Mr. Masterson asked that Area Plan have funds held up and to use those funds for other projects such as unsafe structures. Prior to 1998, if you paid for your zoning you owned your zoning, however, since then things have changed. Mr. Masterson said those policies need to be changed before Area Plan rezones any more neighborhoods.

Paul Wright–*West, Point*–said that putting the County's expenditures on the County's website would provide a benefit for both private citizens and for the County employees by allowing access to public records in a more convenient way adding it would also eliminate many unnecessary phone calls. Mr. Wright would like to see the $37.3 million budget reduced.

Councilmember Gutwein stated that the Auditor's Office is in the process of putting that information on the County web site.

Councilmember Kemper moved to adjourn.

Tippecanoe County Council

Andrew S. Gutwein, President

Roland K. Winger, Vice President

John R. Basham II

Jeffrey A. Kemper

ABSENT
Betty J. Michael

Kevin L. Underwood

ABSENT
Kathy Vernon

Attest:
Jennifer Weston, Auditor