TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
September 13, 2011

The Tippecanoe County Council met Tuesday, September 13, 2011 at 8:30 a.m. in the Tippecanoe Room in the County Office Building. Council members present were: President Andrew S. Gutwein, Vice-President Roland K. Winger, John R. Basham II, Jeffrey A. Kemper, Kevin L. Underwood, Kathy Vernon, and David R. Williams. Also present were: Auditor Jennifer Weston, Chief Deputy Auditor Dawn Rivera, and Attorney David W. Luhman.

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

AUDITOR'S FINANCIAL REPORT *– Jennifer Weston*

Auditor Weston said the adjusted beginning net balance is $1,100,815.88. Council has granted additional appropriations of $256,923. Budget reductions total $56,619 and miscellaneous expenditures of $5,841.67, leaving an uncommitted fund balance of $894,670.21.

Beginning Net Balance	$ 1,100,815.88
Total Additional Appropriations	$ 256,923.00
Total Budget Reductions	$ 56,619.00
Miscellaneous Expenditures (to date)	$ 5,841.67
Uncommitted Funds	**$ 894,670.21**

TREASURER'S REPORT *– Bob Plantenga*

Treasurer Plantenga said interest credited to the General Fund for August totals $21,882.57. This amount is significantly less than the previous two months because property and excise taxes were paid out the end of June. The year to date total is $265,530.12. Semi-annual banking fees for Chase Bank deducted in July were about $3,800. This should be the last significant amount because the Recorder has moved their account away from Chase, which was generating the majority of the fees. The average interest rate is 0.93%, and the weighted average is 0.95%. The Homestead Credit Rebate Program account was closed and unclaimed monies sent to the state. Interest earned on this account over the years was credited to the General Fund on September 6th in the amount of $71,000, which is not reflected on the interest handouts. Interest earned is $402,000 through August and budgeted at $505,000, so revenue will exceed projections for the year.

PUBLIC COMMENT *– Agenda Items*

There were none.

REVIEW OF OTHER TAXING UNIT BUDGETS

Councilmember Winger recognized and thanked the township trustees in attendance: Perry Township Trustee Phyllis McKinley; Randolph Township Trustee Marcella Maynard; Fairfield Township Trustee Julie Roush; and Tippecanoe Township Trustee, in his first year, Mark Nesbitt.

Perry, Randolph, Sheffield, and Tippecanoe Townships

Councilmember Winger stated that he has reviewed the budgets with the trustees and all are within the growth factor. Finding no extenuating circumstances, he recommended the budgets stay within the 2.9% State growth factor.

- Councilmember Winger moved Perry, Randolph, Sheffield and Tippecanoe Townships adopt a budget in a manner consistent with the 2.9% State growth factor in keeping salary and other budget items consistent with other civil taxing units, second by Council member Underwood; motion carried.

Shelby Township- Resolution 2011-22-CL

Councilmember Winger stated that the non-cumulative funds consisting of Rainy Day, General, Township Assistance, and Fire Funds show only 2.8% growth if taken independently. The Cumulative Fire Fund, which is intended for growing funds for capital repairs and/or purchases, reflects a proposed budget of $108,000 versus $72,000 approved for 2011, which is more than a 2.9% increase.

- Councilmember Winger moved to approve Resolution 2011-22-CL Non-Binding Review and Recommendation for Shelby Township 2012 Tax Rate, Levy and Budget saying, "Be it resolved that having reviewed the proposed 2012 tax rate, tax levy and budget for Shelby Township the Tippecanoe County Council now finds that the proposed increase in the township's 2012 budget and levy exceed the 2.9% average increase in Indiana nonfarm personal income for the preceding six (6) calendar years and the average increase in nonfarm personal income for Tippecanoe County for the preceding six (6) calendar years, and exceed the increases in the budgets and tax levies of other civil taxing units in the county; however they should nonetheless be approved because they are justified by extenuating circumstances.", second by Councilmember Underwood; motion passed.

Wabash Township – Resolution 2011-23-CL

Councilmember Winger said the General, Township Assistance and Cumulative Fire funds are either less than or equal to the budgets from last year. The Fire and Fire Building Debt funds, while not cumulative funds, have been used as such in the past to build a new fire station, which depleted all the money from these funds. The township has been working with DLGF to create a budget geared towards staying under the maximum levy while paying for major building and equipment repairs that are needed elsewhere in the township. The township cannot manage current and future building and equipment needs without the increased budget request.

- Councilmember Winger moved to approve Resolution 2011-23-CL Non-Binding Review and Recommendation for Wabash Township 2012 Tax Rate, Levy and Budget saying, "Be it resolved that having reviewed the proposed 2012 tax rate, tax levy and budget for Shelby Township the Tippecanoe County Council now finds that the proposed increase in the township's 2012 budget and levy exceed the 2.9% average increase in Indiana nonfarm personal income for the preceding six (6) calendar years and the average increase in nonfarm personal income for Tippecanoe County for the preceding six (6) calendar years, and exceed the increases in the budgets and tax levies of other civil taxing units in the county; however they should nonetheless be approved because they are

justified by extenuating circumstances.", second by Councilmember Underwood; motion passed.

Fairfield Township – Resolution 2011-24-CL

Councilmember Winger explained in the past the township had passed budgets under the maximum levy, reducing the base on which future budgets are calculated. Township Trustee Julie Roush worked with the State Legislature to find a solution. HEA 1004-2011 was passed allowing the township to adjust the max levy by $130,000 each year for four years.

- Councilmember Winger moved to approve Resolution 2011-24-CL Non-Binding Review and Recommendation for Wabash Township 2012 Tax Rate, Levy and Budget, saying "Be it resolved that having reviewed the proposed 2012 tax rate, tax levy and budget for Fairfield Township, the Tippecanoe County Council now finds that the proposed increase in the township's 2012 budget and levy exceed the 2.9% average increase in Indiana nonfarm personal income for the preceding six (6) calendar years and the average increase in nonfarm personal income for Tippecanoe County for the preceding six (6) calendar years, and exceed the increases in the budgets and tax levies of other civil taxing units in the county; however they should nonetheless be approved because they are within the parameters of IC 6-1.1-18.5-13.7 (HEA 1004 - 2011) which authorizes an adjustment to the township's maximum tax levy of up to $130,000 per year for up to four years, beginning with property taxes first due and payable in 2012.", second by Councilmember Underwood; motion passed.

Greater Lafayette Public Transportation System (aka City Bus)

Councilmember Jeff Kemper said the budget increased by 2.51%, which is within the 2.9% allowable growth. Salary increases are within the range of other county units; insurance costs for health and the wind turbines has not been finalized so the amount has been estimated on the high side.

- Councilmember Kemper moved City Bus adopt a budget in a manner consistent with the 2.9% state growth factor in keeping salary and other budget items consistent with other civil taxing units, second by Councilmember Winger; motion carried.

Town of Shadeland- Resolution 2011-25-CL

Councilmember Kevin Underwood stated the Cumulative Capital Development fund has been greatly increased because plans are in the works to either remodel or demolish and rebuild the community center. To keep the General, Motor Vehicle & Highway, and Local Road & Street funds within the 2.9%, approximately $26,000 would need to be cut. Town officials explained if they moved forward with the community center building project, maintenance expenses for the old building and fire house would be reduced by about that much in those funds. All other expenses are in line with other county units.

- Councilmember Underwood moved to approve Resolution 2011-25-CL Non-Binding Review and Recommendation for the Town of Shadeland 2012 Tax Rate, Levy and Budget saying, "Be it resolved that having reviewed the proposed 2012 tax rate, tax levy and budget for the Town of Shadeland the Tippecanoe County Council now finds that the proposed increase in the town's 2012 budget and levy exceed the 2.9% average increase

in Indiana nonfarm personal income for the preceding six (6) calendar years and the average increase in nonfarm personal income for Tippecanoe County for the preceding six (6) calendar years, and exceed the increases in the budgets and tax levies of other civil taxing units in the county; however they should nonetheless be approved because they are justified by extenuating circumstances.", second by Councilmember Basham; motion passed.

Wildcat Creek Solid Waste District (WCSWD) – Ordinance 2011-26-CL; 1st reading

WCSWD Director Dawn Boston explained to the Council that 40% of the proposed budget is the money earmarked for the new building. This amount causes the budget to exceed the growth factor. There are several options when considering the budget as presented. Option 1 would be to either seek an additional appropriation in 2011 or a reduction in 2012. Option 2 would be to pass a resolution similar to those of the townships with extenuating circumstances and allow the budget to remain as is. Ms. Boston also presented a revised version of the initial budget showing cuts to line items other than the building. Council member Kemper stated the informal budget meeting last week with Ms. Boston concerned the original budget. The figures presented today are new to him so he is not prepared to make a motion since this is a binding resolution. Councilmember Basham asked if the cuts reflected in the budget presented today are from the building line. Ms. Boston said the cuts have come from other line items. Tippecanoe County Commissioner David Byers explained bids for the new building will be opened at the October 3, 2011 meeting. Once they have a better idea of actual building costs the budget would be amended to reflect those costs. Attorney David Luhman explained today is a first reading only and adoption is subject to any amendments made during the course of budget hearings. The second reading would be reflective of those approved amendments. Director Boston asked if the Council wants her to seek an additional appropriation for 2011 before the next hearing. President Gutwein replied the new figures would have to be reviewed and she should wait to hear from her council representative before taking any action.

- Councilmember Kemper moved to approve the Ordinance for Appropriation and Tax Rate for Wildcat Creek Solid Waste District on first reading subject to any changes that may occur during subsequent budget hearings prior to approval on second reading, second by Council member Underwood; motion passed.

CONSENT AGENDA

Budget Hearing Minutes – August 23/24, 2010

Regular Meeting Minutes – August 9, 2011

Assessor Reassessment 2017 Fund 280

Transfer	$2,400	General Operating / Software to Office Expense / Office Supplies

Highway Excise Surtax Fund 105

Transfer	$259,360	Roads / Infrastructure-Paving to Highway/Road/Materials- Other

TEMA District 4 Training and Exercise 11/12 Grant Fund 419

Transfer	$495	Training Costs/Certifications to

	Salaries & Wages/Overtime
$38	Training Cost/Certifications to Social Security
$36	Training Cost/Certifications to Retirement/PERF

- Councilmember Williams moved to approve the Consent Agenda, second by Councilmember Winger; motion carried.

SUPERIOR COURT 2
General Fund 001

Brenda Rody, Bailiff of Superior Court 2, stated they feel money can be transferred out of Jury Expense/General Fund and put into the payroll accounts and still pay jurors out of the Jury Pay Fund without having to do an Additional Appropriation as originally requested. She stated that there are extra funds in Jury Expense/General Fund and that the total amount transferred out of Jury Expense/General Fund would be $8,262 and would go to pay for part-time wages, overtime wages, social security and retirement/PERF for employees.

Additional Appropriation $8,262

$5,000	Salaries & Wages / Part Time
$2,500	Salaries & Wages / Overtime
$ 574	Social Security
$ 188	Retirement / PERF

- Councilmember Kemper moved to approve an additional appropriation request in the amount of $8,262 for Superior Court 2 within their general fund items per their request, second by Councilmember Underwood; motion carried.

SUPERIOR COURT 3
Drug Free Coalition Grant 11/12 Fund 156

Rebecca Humphrey, Youth Services Executive Director, requested the approval to accept a grant from the Drug Free Coalition for the Juvenile Substance Abuse Assessment in the amount of $5,750. She stated that this is for those kids who do not have traditional Medicaid insurance or other resources to pay for substance abuse assessment. She explained that the assessments help determine the right services to get a child into.

Grant Appropriation $5,750

$5,750	General Operating / Misc

- Councilmember Williams moved to approve the grant request from the Drug Free Coalition to Fund 156 in the amount of $5,750, second by Councilmember Underwood; motion carried.

SUPERIOR COURT 4
General Fund 001

Councilmember Kemper spoke on behalf of Judge Donat, stating that he considered asking Judge Donat to transfer the money from within due to the small amount needed. He explained that Judge Donat and staff have made it very clear that this was for a specific bill that required a Pauper Attorney and if he did a transfer from within, it would have caused him to be out of money elsewhere.

Additional Appropriations $450

$450	Court Expense / Pauper Attorney

- Councilmember Kemper moved to approve the Additional Appropriation in the amount of $415 for Superior Court 4 Pauper Attorney amended from the original request, second by Councilmember Underwood; motion carried.

CLERK
Salary Statement

Clerk Christa Coffey has reclassified some positions in the Clerk's office to the same job description. She stated that she is trying to streamline the office so that everyone is cross-trained so it is easier to cover vacancies and vacations more effectively. The jobs were condensed into a new job title, Case Filing Payment Processing Clerk. Three positions were classified as COMOT 1, 2, and 3 and now will all be COMOT 2 positions.

Salary Statement

$26,845	Case Filing Payment Processing Clerk
$29,416 (2)	Case Filing Payment Processing Clerk

- Councilmember Kemper moved to approve the three salary statements presented by Clerk Coffey as presented, second by Councilmember Underwood; motion carried

PUBLIC DEFENDER
General Fund 001

Public Defender Amy Hutchison explained the $80,000 request for Professional Services is due to recently acquiring five murder defendants; one is a potential life without parole/death penalty case. This dollar figure is an estimate based on current case discoveries and will most likely be higher. The part time request is for three individuals who perform general office duties and track reimbursement. Overtime is for the investigator, who is working more due to the murder cases. President Gutwein asked if this appropriation would be used this year or does she plan on spreading payments into 2012. Ms. Hutchison said these funds would be used to pay for other cases her office is handling as well as the murder cases. Councilmember Kemper added with the potential for a large expense it would be wise to fund them in advance, possibly even using the Rainy Day Fund. With her staff working closely with the Clerk, reimbursements have also increased the revenue stream, adding to funds that may be used. Councilmember Underwood concurred.

Additional Appropriation $91,296

$80,000	Administrative / Other Professional Svc
$ 6,000	Salaries & Wages / Part Time

$ 4,200	Salaries & Wages / Overtime
$ 781	Social Security
$ 315	Retirement / PERF

- Councilmember Kemper motioned to approve the Additional Appropriations for the Public defender totaling $91,296, second by Councilmember Underwood; motion passed.

Ms. Hutchison presented a Salary Statement request for a Chief Deputy Public Defender with an annual salary of $84,798. This salary is based on statute and is calculated as a percentage of the Chief Public Defender's compensation. One full time attorney position would be cut to accommodate this addition. Most counties have a Deputy, and in those that don't, the Chief does not carry a caseload. Ms. Hutchison has been carrying a full caseload. The Deputy position would allow the full caseload to be split between the two positions and allow for extra supervision and time with staff. Councilmember Kemper said with the increase in revenue that would be generated coupled with the increase in responsibilities, he felt this position was justified.

Salary Statement

$84,798	Chief Deputy Public Defender

- Councilmember Kemper motioned to approve the Salary Statement for the Chief Deputy Public Defender position, second by Councilmember Underwood; motion passed.

PROBATION
Drug Free Coalition Grant 11/12 Fund 509

Chief Probation Officer Kipp Scott stated that a probation staff member applied for and was granted $2,000 from the Drug Free Coalition. He stated that this grant will be used for incentives for youth who are continuing through the drug free and alcohol free program and are doing well under court order requirements.

Grant Appropriation $2,000

$2,000	General Operating / Incentives

- Councilmember Underwood moved to approve the Drug Free Coalition grant in the amount of $2,000 for the Probation Department, second by Councilmember Basham; motion carried.

JUVENILE ALTERNATIVES
Drug Free Coalition Grant 11/12 Fund 537

Youth Services Executive Director Rebecca Humphrey stated that she received a grant from the Drug Free Coalition in the amount of $3,030 for the substance abuse drug screening. She stated that this grant will be used for those kids who have no other resources to pay for the drug screening. She explained that the children need to be held accountable and are being monitored by the staff.

Grant Appropriation $3,030

$3,030	Departmental / Drug Screens

- Councilmember Underwood moved to approve the Drug Free Coalition grant in the amount of $3,030 for the Juvenile Alternatives, second by Councilmember Basham; motion carried.

COURT SERVICES
Drug Free Coalition Grant 11/12 Fund 578

Court Services Coordinator Lisa Smith is requesting a grant appropriation for the Prime for Life program used by Court Services.

Grant Appropriation $9,000

$9,000	Departmental/ Educational Materials

- Councilmember Underwood moved to approve the Drug Free Coalition grant in the amount of $9,000 for the Prime for Life program, second by Councilmember Kemper; motion carried.

AREA PLAN
SURP FY 2012 Grant Fund 404

Executive Director of Area Plan Sallie Fahey stated Small Urban and Rural Transportation Planning Assistance Program (SURTP) is an INDOT grant program. It funds transportation planning agencies to conduct transportation planning in rural and small urban areas, like Carroll County. The planning activities typically include such things as traffic counting and vehicle crash analysis. This is the second year the County has received a grant from INDOT to do planning activities in Carroll County.

Grant Appropriation $33,400

$ 2,500	Salaries & Wages/Appointed Official
$ 20,659	Salaries & Wages
$ 1,772	Social Security
$ 1,969	Retirement/PERF
$ 6,500	Contracts/Contractual Services

- Councilmember Winger moved to approve the SURP FY for the fiscal year 2012 grant as present, second by Councilmember Vernon; motion carried.

HIGHWAY
Excise Surtax Fund 105

Executive Director of Highway Opal Kuhl stated that this was an additional appropriation from wheel tax money to pay for the Paving program for the year. She explained this would help with extra paving of areas and the materials needed.

Additional Appropriation $871,000

$871,000	Highway/Road/Materials-Others

- Councilmember Winger moved to approve the additional appropriation for the Excise Surtax fund as presented, second by Councilmember Basham; motion carried.

HEALTH DEPARTMENT
Master Tobacco Settlement Fund 762

Director Ron Cripe stated that the Health Department is in need additional appropriations from the Master Tobacco Settlement Fund to help pay for the following:

Additional Appropriation $25,828

$10,218	Salaries and Wages/Part Time-Other
$ 4,000	Administrative/Other Professional Svc
$ 9,728	Departmental/Medical (vaccines)
$ 100	Maintenance/Maintenance and Repair
$ 1,000	Departmental/Environmental Supplies
$ 782	Social Security

- Councilmember Williams moved to approve the Master Tobacco Settlement Fund 762 additional appropriation in the amount stated, second by Councilmember Kemper; motion carried.

SHERIFF
General Fund 001

Sheriff Tracy Brown stated that he would like to request the additional appropriation in the General Fund. He stated that an officer's squad car was damaged in a recent accident and he received the insurance check in the amount of $2,500 for the deductible. He stated that the check was placed in the General Fund and would like to request the money be placed into the Garage account given the fact that gasoline is over $2.00 a gallon.

Additional Appropriation $2,500

$2,500	Departmental/Vehicle

- Councilmember Vernon moved to approve the General Fund 001 for the Additional Appropriation for the sheriff as stated, second by Councilmember Williams; motion carried.

County Misdemeanant Fund 178

Sheriff Tracy Brown stated the Misdemeanant Fund is money that is given to the Sheriff's Department each year by the State Department of Corrections and represents a funding formula that goes back into the county to help funding for county homes. He explained that the Misdemeanant Fund from the county jail process is better than two decades old and that the amount has not changed. He stated that the amount of this fund is $98,950.

Annual Appropriations $98,950

$15,000	Departmental/Uniforms and Clothing
$50,000	Departmental/Medical
$33,950	Departmental/Miscellaneous (Jail Supplies)

- Councilmember Williams moved to approve the Additional Appropriation for the Sheriff's Department from the Misdemeanant Fund in the amount stated, second by Councilmember Vernon; motion carried.

COMMITTEE REPORTS

Councilmember Kemper stated that during the Revenue Committee Meeting, Auditor Jennifer Weston was able to provide the certified COIT amount for 2012 and the committee met to further discuss some revenues that will be discussed in budget hearings.

UNFINISHED/NEW BUSINESS

Auditor Jennifer Weston stated that she had some new business. She had received some items that would normally be presented under the Consent Agenda. She stated that the items came in after the deadline, but there is somewhat of urgency for these items to be presented.

Auditor Weston presented a Salary Statement for the vacant Property Manager position at the Fairgrounds. Human Resources Coordinator Shirley Mennon stated that in reviewing all the Maintenance positions, there were some discrepancies found in the way the position of Property Manager is currently being paid. She explained that the position is being paid as a LTC 4 and it was recommended that the position be paid as a LTC 3. With this recommendation from Waggoner, Irwin, Scheele & Associates, Inc, and since the position became vacant and now needs to be filled as soon as possible, the discrepancy to move the position to a LTC 3 needed to be corrected. She stated that if the Salary Statement was not approved before the hiring process, then they would be forced to hire someone at the LTC 4 rate and then later reduce the rate down to the LTC 3 rate. She stated she has gone over the job description and did another Fair Labor Standard questionnaire to ensure that the position was in the right category as determined by Waggoner, Irwin, Scheele & Associates, Inc.

- Councilmember Underwood moved to approve the Salary Statement for the Fairgrounds Property Manager/Caregiver as presented in the amount of $29,963, second by Councilmember Williams, motion carried.

Auditor Weston requested a transfer of $1,000 from Part-Time to other Professional Services to help pay the temporary agency for a temporary Recording Secretary/Administrative Assistant position that has come available recently as Kay Muse has accepted another position outside the County. She stated that the temporary employee would help stay on top of meeting minutes and other paper work so that work does not get behind until the position could be filled permanently.

- Councilmember Winger moved to approve the transfer for the Auditor's Office in the amount of $1,000 as presented, second by Councilmember Basham; motion carried.

COMMISSIONER FYI

Commissioner Byers stated the following:

- A Thank You note was received from the Historical Association for the annual contribution.
- Friday, September 16, 2011at 11:00 A.M. there will be a ribbon cutting at South River Road Trail. The trail has been completed.

- Thank you to Sheriff Tracy Brown for carrying the 9/11 ceremony on Sunday, September 11, 2011. Commissioner Byers stated that Sheriff Brown did a great job.
- Thursday, September 22, 2011 at 6:00 P.M. will be Light the Night walk for Lymphoma and Leukemia research.
- United Way campaign is up and running. Executive Director of Highway Opal Kuhl has agreed to be the County's chairman.
- Thursday, October 13, 2011 Leadership Lafayette will have a current reality session which will be held at the County Building.
- Courthouse windows are moving along slowly, but they are moving along. Commissioner Byers stated that since the windows came under budget the Commissioners did an emergency expenditure for the limestone restructuring.
- Ron Highland has announced his retirement at the end of 2011 and Commissioner Byers wanted to thank him for all the years of service.

PUBLIC COMMENT

There were comments.

Councilmember Kemper moved to adjourn.

Tippecanoe County Council

Andrew S. Gutwein, President

Roland K. Winger, Vice President

John R. Basham II

Jeffrey A. Kemper

Kevin L. Underwood

Kathy Vernon

David R. Williams

ATTEST:

Jennifer Weston, Auditor 9-13-2011