

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
APRIL 13, 2004**

The Tippecanoe County Council held its Regular Meeting on Tuesday, April 13, 2004 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President Kathy Vernon, Vice President Ronald L. Fruitt, Connie Basham, David S. Byers Jeffrey A. Kemper, Jeffrey Kessler, and Betty J. Michael. Others present were: Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Vernon called the meeting to order and led the Pledge of Allegiance. She then called upon Councilmember Kessler to offer a prayer.

APPROVAL OF MINUTES

- Councilmember Kessler moved to approve the minutes of the March 9, 2004 Special Joint Meeting with the Commissioners and Financial Consultant, seconded by Councilmember Fruitt; motion carried. Councilmember Basham abstained due to her absence from that meeting.

Councilmember Kessler noted the following corrections to the minutes of the March 9, 2004 Regular Meeting.

Page 2, Declaratory Resolution 2004-13-CL: The statement should say Lafayette Venetian Blind, Inc. is requesting an ERA designation for a period of ten (10) years, not three (3) years.

Page 3, the last paragraph is duplicated at the top of page 4.

- Councilmember Byers moved to approve the minutes of the March 9, 2004 Regular Meeting as amended, seconded by Councilmember Michael; motion carried.

CONFIRMATORY RESOLUTION 2004-15-CL: ERA Designation for Lafayette Venetian Blind, Inc. (Declaratory Resolution 2004-13-CL was approved March 9, 2004.): Controller Mark Trowbridge and Lafayette-West Lafayette Economic Development Corp. President Mike Brooks.

Resolution 2004-15-CL will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Mr. Trowbridge thanked the Councilmembers who attended the tour of the plant last week. Councilmember Michael said she was very impressed with the facility. President Vernon agreed and cited some things she observed that showed they value their employees.

Councilmember Kessler asked Attorney Luhman to clarify the time line for filing for the deduction. Attorney Luhman responded they have to file their application for deduction within three (3) years from the passage of this resolution. Mr. Brooks interjected the company will submit their application for deduction on the building improvements within thirty (30) days following receipt of Form 11 (Notice of Assessment) from the Assessor.

- Following Councilmember Kessler's motion and Councilmember Kemper's second to approve Resolution 2004-15-CL, President Vernon asked the Auditor to conduct a roll call vote:

| | |
|---------------|-----|
| Betty Michael | Yes |
| Jeff Kessler | Yes |
| Jeff Kemper | Yes |
| Ron Fruitt | Yes |
| Dave Byers | Yes |
| Connie Basham | Yes |
| Kathy Vernon | Yes |

- The motion to approve Resolution 2004-15-CL passed 7 - 0.

DECLARATORY RESOLUTION 2004-18-CL: ERA Designation for McKinney Corporation: President Murf McKinney and Greater Lafayette & West Lafayette Progress, Inc. President Mike Brooks.

Resolution 2004-18-CL will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Mr. McKinney said they began making components and chassis for drag racing equipment in 1981 in Otterbein. Because they are out of space at their current location, they would like to relocate in Tippecanoe County which will position them closer to Indianapolis, the racing hub. They currently have 22 employees and plan to add 5 employees when they are in the new facility. Locating near Lafayette will give them a greater labor pool. Mr. McKinney requested tax abatements of ten (10) years on real estate and six (6) years on new manufacturing equipment.

Councilmember Kessler commended Mr. McKinney's responses to questions on the Application regarding their intention to complement existing businesses, provide employee benefits, and use labor from the local economic region.

Councilmember Byers asked where their employees reside. Mr. McKinney estimated half reside in Benton County and the other half in Tippecanoe County. Councilmember Byers noted the application states they are applying for lease financing and asked if they will lease or own the building. Mr. McKinney said it will be a lease back with option to purchase financing package. They will own the facility. Councilmember Byers asked Attorney Luhman if leasing to own will affect the abatement if the company decides to leave. Attorney Luhman said abatement applies to the owner of the property.

- Councilmember Byers moved to approve Declaratory Resolution 2004-18-CL designating the property as an Economic Revitalization Area entitling the owner to deductions for ten (10) years on real estate and six (6) years on new manufacturing equipment, seconded Councilmember Michael; motion carried.

INTEREST STATEMENT: Treasurer Oneta Tolle

Mrs. Tolle distributed the Interest Report showing the average interest rate for February 2004 was 1.14%. She distributed a graph comparing interest rate percentages from 1999 through 2003. Mrs. Tolle said the new property tax payment method with Bank One Pay Connexion is almost ready. The May installment deadline has been extended to May 28, 2004; the second installment will be due November 10. She said she plans to run two work shifts and Saturdays during the busy time.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2004 uncommitted County General Funds through March 31, 2004 are \$539,926.46. In the Revenue Report he noted line 41-32, Cary Home, shows estimated year to date collections of \$174,999 but actual collections of \$398,713.69. In the Fund Report, Fund 329, Voting Equipment Reimbursement, shows the receipt of that money. As requested by Councilmember Byers, Auditor Plantenga distributed a Property Tax Abatement Summary showing the name of the company, the length of abatement, the designating body, and the amount of abated taxes.

SUPERIOR COURT IV:

ADDITIONAL APPROPRIATION: \$5,000.00

5,000.00 Pauper Attorney

Councilmember Kemper explained that he talked to Debbie Tague who is a Court Reporter and also responsible for Payroll and Claims. She has a balance of \$0.66 in the Pauper Attorney line item but no outstanding bills. He suggested waiting until they have bills to appropriate funds. Councilmember Fruitt asked if a portion of the request should be approved today. Attorney Luhman advised against waiting until the expense is incurred to appropriate funding. In his opinion, the Council doesn't want to encourage departments to wait until after the money is spent to request an appropriation.

- Councilmember Kemper moved to appropriate \$1,000 for Pauper Attorney, seconded by Councilmember Byers; motion carried.

SUPERIOR COURT II: Judge Tom Busch**ADDITIONAL APPROPRIATION: \$26,296.00**

| | |
|-----------|-----------------|
| 1,800.00 | Part-time |
| 1,200.00 | Overtime |
| 230.00 | Social Security |
| 66.00 | Retirement |
| 7,000.00 | Pauper Attorney |
| 16,000.00 | Jury Expense |

Judge Busch explained he felt it necessary to sequester the jury during the Lichti trial, one of the two murder trials held in his court this year. Because of this added expense, he transferred funds from Pauper Attorney to Jury Expense to pay his bills. During these two trials, he also incurred extra Part-time and Overtime. Judge Busch said he doesn't expect to have extraordinary expenses for remaining trials but needs to replenish these line items in his budget. He noted he will return next month for additional funds to pay an \$11,000 bill for Pauper Attorney he received after the submission deadline for today's meeting. Judge Busch reported current balances of \$2,014 in Pauper Attorney, \$7,915 in Jury Expense, and \$911.18 in Jury Pay Fund 550.

- Councilmember Byers moved to approve \$1,800 for Part-time, \$1,200 for Overtime, \$230 for Social Security, \$66 for Retirement, \$5,000 for Pauper Attorney, and \$12,000 for Jury Expense, seconded by Councilmember Michael; motion carried.

Judge Busch reported the Commissioners approved the establishment of a IV-D Court that will employ a Part-time Magistrate and a full time Court Reporter. The funding is 66% reimbursable from IV-D funds with the remainder from the General Fund. He said the IV-D Court will reduce the caseload in four other courts. He will present this funding request at the May meeting.

PROSECUTOR: Jerry Bean**TRANSFER: \$8,000.00**

| | | | |
|-------|-------------------|--------------|----------|
| From: | 001-5910-412-2010 | Supplies | 8,000.00 |
| To: | 001-5910-413-4675 | Witness Fees | 8,000.00 |

Prosecutor Bean reported he paid bills for the Lichti trial totaling approximately \$25,000 from his Diversion Funds.

- Councilmember Byers moved to approve the transfer, seconded by Councilmember Kessler; motion carried.

PUBLIC DEFENDER: Attorney Tom O'Brien**ADDITIONAL APPROPRIATION: \$41,000.00**

| | |
|-----------|-----------------------|
| 1,000.00 | Law Books |
| 40,000.00 | Professional Services |

Mr. O'Brien appeared for the Public Defender who was unable to attend today's meeting. He reported a balance of \$7,000 in Professional Services and less than \$100 in Law Books. He said the Law Books request is to pay for updates.

- Councilmember Kemper moved to approve \$1,000 for Law Books and \$15,000 for Professional Services, seconded by Councilmember Kessler; motion carried.

CLERK RECORDS PERPETUATION FUND 160: Linda Phillips**ADDITIONAL APPROPRIATION: \$14,765.00**

| | |
|-----------|-----------------|
| 2,000.00 | Equipment |
| 10,000.00 | Part-time |
| 765.00 | Social Security |
| 2,000.00 | Software |

Mrs. Phillips said her request will pay for records' storage equipment, part-time summer interns to index records, and software.

- Councilmember Michael moved to approve the appropriations as requested, seconded by Councilmember Fruitt; motion carried.

***COURT SERVICES SUBSTANCE ABUSE/MENTAL HEALTH ASSESSOR FUND 575:
Director Cindy Houseman***

ADDITIONAL APPROPRIATION: \$60,000.00

60,000.00 Legal Contracts

Mrs. Houseman said this appropriation will replenish funds in this line item that were transferred to Cary Home's Budget to provide funding for JAMS.

- Councilmember Basham moved to approve the appropriation of \$60,000, seconded by Councilmember Michael.

Councilmember Kemper asked if there is a trend for monies coming into this fund. Mrs. Houseman estimated this fund should bring in \$800,000 this year.

- The motion carried with Councilmember Kessler abstaining.

CASA: Director Coleen Hamrick

TRANSFER: \$24,078.00

| | | | |
|-------|--------------------|-------------------|-----------|
| From: | 001-7310-411-12-10 | Part-time Regular | 24,078.00 |
| To: | 001-7310-413-46-20 | Pauper Attorney | 24,078.00 |

Mrs. Hamrick explained funds were budgeted in the Part-time Regular line item because she thought they would have a staff attorney. Since that is not the case, she requested the transfer of funds to Pauper Attorney.

- Councilmember Basham moved to approve the transfer, seconded by Councilmember Kemper; motion carried.

COUNTY ASSESSOR REASSESSMENT FUND 281

TRANSFER: \$3,300.00

| | | | |
|-------|--------------------|----------------------|----------|
| From: | 281-0510-413-36-10 | Maintenance & Repair | 3,300.00 |
| To: | 281-0510-414-62-90 | Capital Outlay Misc | 3,300.00 |

This transfer will pay for a computer for use with the GIS Department.

- Councilmember Fruitt moved to approve the transfer, seconded by Councilmember Michael.

Councilmember Byers asked how long Reassessment Fund 281 will continue to grow. Auditor Plantenga responded that the State tells us how much money we need to collect in Property Taxes to pay for the next Reassessment. He cautioned we don't want to collect too little.

- The motion carried.

SURVEYOR: EDIT SECTION CORNER PERPETUATION FUND 301

TRANSFER: \$1,000.00

| | | | |
|-------|--------------------|----------------------|----------|
| From: | 301-0420-412-20-60 | Operating Supplies | 1,000.00 |
| To: | 301-0420-413-36-10 | Maintenance & Repair | 400.00 |
| | 301-0420-413-30-25 | Advertising | 200.00 |
| | 301-0420-413-32-10 | Travel & Training | 300.00 |
| | 301-0420-413-37-20 | Utilities-Telephone | 100.00 |

- Councilmember Kemper moved to approve the transfer, seconded by Councilmember Fruitt; motion carried.

RESOLUTION 2004-17-CL: Endorses Resolution 2004-16-CM, an Amendment Adding Project QQ to Cum Cap Plan

Resolution 2004-17-CL will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Project QQ provides funding for the acquisition and installation of a new IBM I-Series/X Series server, which will host the new E-Quest and upgraded CourtView court case management databases and the County's GIS Database. The new server will provide a reliable and improved solution for these applications.

- Councilmember Kessler moved to approve Resolution 2004-17-CL, seconded by Councilmember Michael; motion carried.

MITIS: Cum Cap Fund 010

ADDITIONAL APPROPRIATION: \$50,000.00
50,000.00 Equipment-Hardware

Approval of this appropriation will provide \$50,000 of the total \$100,000 needed to purchase the new IBM server. The MITIS Department has another funding source for the remaining \$50,000.

- Councilmember Kessler moved to approve the appropriation of \$50,000 in Cum Cap Fund 010, seconded by Councilmember Basham; motion carried.

FYI: Commissioner Benson

- ♦ Commissioner Ruth Shedd will be out the entire week due to her sister's death.
- ♦ The Commissioners heard Wheel Tax over and over again at Road School. There is no supplemental road funding at the State level.
- ♦ The 2005 AIC Conference will be held in South Bend.
- ♦ There will be a Proclamation for the 209th Quartermaster Company at 1:00 P.M., Saturday, April 17th at the Fairgrounds.
- ♦ Council and Commissioner participants in the New York trip will meet with Greg Guerrettaz at 1:30 P.M., Monday, April 19th.
- ♦ As an example of one of the capabilities of GIS, Commissioner Benson distributed a map showing average emergency response times and total number of runs by political townships for 2003.

OTHER BUSINESS

Public Defender Reimbursement Program Update: Committee member Pat Harrington (Refer to 1/13/2004 Minutes)

Mr. Harrington reported that the committee met with the State Public Defender Commission on March 10, 2004 and received approval of Tippecanoe County's 5 year phase-in plan that started on April 1, 2004. He expects we will receive approximately 32% of what we expend but, in order to get the reimbursement, participants will need to track all expenditures. As a requirement of the State Plan, Mr. Harrington said the Public Defender's salary will have to be increased to 90% of the Prosecutor's salary by the end of the year. In addition, the County will need to hire two more attorneys to be in compliance with the plan by April 2005. Mr. Harrington announced that one of the bills the Legislature passed last session will automatically increase the Public Defender's Reimbursement Fund \$1 million over the next three to four years.

Mr. Harrington said the committee plans to meet with the judges at the end of the month to discuss tracking procedures. They will discuss collecting additional Public Defender Fees as well as the collection of unpaid fees.

PUBLIC COMMENT

None.

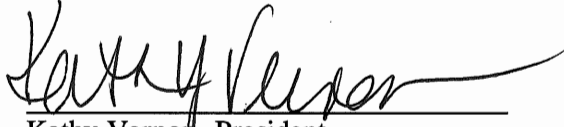
UPCOMING MEETINGS

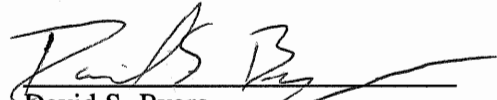
President Vernon asked Councilmembers to set aside Monday, August 23rd, Tuesday, August 24th, and Wednesday, August 25th for the 2005 Budget Hearings. The next Regular Council Meeting will be held at 2:00 P.M., Tuesday, May 11, 2004 in the Tippecanoe Room in the County Office Building.


ADJOURNMENT

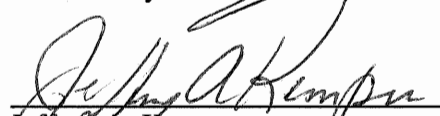
- Upon the motion of Councilmember Fruitt and the second of Councilmember Michael, the meeting adjourned.


TIPPECANOE COUNTY COUNCIL

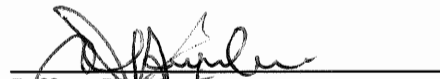

Kathy Vernoff, President



David S. Byers

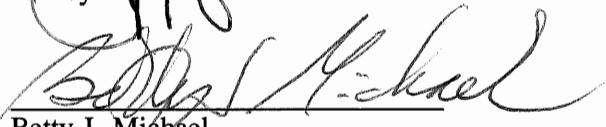

Ronald L. Fruitt, Vice President


Jeffrey A. Kemper


Connie Basham


Jeffrey Kessler

Attest: 
Robert A. Plantenga, Auditor


Betty J. Michael