

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
OCTOBER 8, 2002**

The Tippecanoe County Council held its regular meeting on Tuesday, October 8, 2002 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President David S. Byers, Vice President Connie Basham, Jeffrey Kessler, Jeffrey A. Kemper, Kathy Vernon, and Ronald L. Fruitt; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Councilmember Margaret K. Bell was absent.)

President Byers called the meeting to order and led the Pledge of Allegiance. He then called upon Dan Peter, member of the pastoral staff of Victory Christian Center, to offer a prayer.

APPROVAL OF MINUTES

- Councilmember Kemper moved to approve the minutes of the 2003 Budget Hearings held August 26-27, 2002, seconded by Councilmember Vernon; motion carried.
- Councilmember Fruitt moved to approve the minutes of the September 5, 2002 Working Session, seconded by Councilmember Kessler; motion carried with 1 no vote by Councilmember Kemper.
- Councilmember Kessler moved to approve the minutes of the September 10, 2002 Special Joint Meeting with the Commissioners, seconded by Councilmember Basham; motion carried.
- Councilmember Basham moved to approve the minutes of the September 10, 2002 Regular Meeting, seconded by Councilmember Fruitt; motion carried.
- Councilmember Vernon moved to approve the minutes of the September 17, 2002 Special Meeting, seconded by Councilmember Basham; motion carried.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2002 uncommitted County General Funds through September 30, 2002 are \$158,520.41. Although an uncommitted fund balance of \$150,000 for 2002 was figured into the 2003 Budget, Auditor Plantenga said that might not be possible because of requests for additional funding in November.

Considering the number of requests for additional funds already submitted for November, Councilmembers Kessler and Vernon endorsed the idea of the Auditor asking departments with an excess in the Health Insurance line item to request a reduction in November. A budget reduction is one time the funds will revert to Uncommitted County General Funds.

Other suggested fund sources:

- ♦ Money in the Prosecutor's Pre-trial Diversion Fund cannot be transferred to the General Fund.
- ♦ Use of the Jury Pay Fund is controlled by Statute.
- ♦ The Late Fee Fund was established by ordinance to be used for security related items. Councilmember Kemper asked Attorney Luhman to amend the ordinance to expand its usage. Attorney Luhman asked Councilmember Kemper to work with him on the language.

INTEREST STATEMENT: Treasurer Oneta Tolle

The Interest Report showed the average interest rate for August 2002 was 1.59%. The average interest rate for MBIA was 1.57%.

According to Ordinance 2001-44-CL, a person who fails to file a return or pay the full amount of the Innkeeper's Tax will be subject to a 10% penalty. Mrs. Tolle said she would like that money to be deposited into the General Fund rather than the Innkeeper's Fund. Since the Ordinance is not specific, Attorney Luhman said he will check into this possibility.

PUBLIC DEFENDER: Amy Hutchison

County General Fund 01

ADDITIONAL APPROPRIATIONS: \$41,005.00

16,000.00 Professional Services
25,005.00 Contractual Services

Public Defender Fee Fund 42

ADDITIONAL APPROPRIATION: \$9,000.00
 9,000.00 Professional Services

Auditor Plantenga noted that \$10,000 for Professional Services in Fund 42 was advertised because there is an approximate unappropriated cash balance of \$14,000 in that Fund.

Mrs. Hutchison said action on some cases has come to a halt because she doesn't have funding for Professional Services and Contractual Services that pays the attorneys. She said she has the option of asking the court for money but there is none available. Her other option is to withdraw from the case but this denies defendants their constitutional right to representation. If she withdraws, she said the court will appoint an attorney who must be paid at the Supreme Court rate which is higher.

Mrs. Hutchison was asked if the courts enforce payment of her fees. She said she thinks they do a good job of ordering the defendants to pay but she said serious offenders who are in jail or prison don't have the money to pay. Offenders placed in Work Release can pay. Attorney Luhman interjected that, if a defendant has assets, the court can place a lien on those to assure payment or reimbursement of defense costs.

- Councilmember Kemper moved to approve \$16,000 for Professional Services in General Fund 01, \$10,000 for Professional Services in Public Defender Fee Fund 42, and \$25,005 for Contractual Services in General Fund 01, seconded by Councilmember Basham; motion carried.

ANCILLARY: Christa Coffey

ADDITIONAL APPROPRIATIONS: \$23,852.00
 3,000.00 Pauper Transcripts
 18,550.00 Overtime
 1,420.00 Social Security
 882.00 Retirement

Councilmember Kemper said he is concerned about the large cost for Overtime. Ms Coffey responded that only two (2) employees type transcripts but she thinks the Part-time line item added for 2003 will help next year. She noted an increase of 10% to 15% in transcript requests.

Councilmember Byers asked what will happen if the County has no money to appropriate for Overtime. Ms Coffey said she will file a motion for an extension with the Indiana Supreme Court but she knows they will not grant an extension for criminal appeals, termination of parental rights, and child custody cases.

Ms Coffey said the requests could be reduced to \$1,600.00 for Pauper Transcripts, \$15,500.00 for Overtime, 1,185.75 for Social Security, and \$736.25 for Retirement.

Councilmember Vernon said the Council has no choice since Ms Coffey has deadlines she must meet.

- Councilmember Kessler moved to approve \$1,600.00 for Pauper Transcripts, \$9,275.00 for Overtime, \$710.00 for Social Security, and \$441.00 for Retirement, seconded by Councilmember Kemper; motion carried.

COMMUNITY CORRECTIONS: Work Release Director Pat Scowden

ADDITIONAL APPROPRIATION: \$69,930.00
 52,080.00 WR Personnel
 3,985.00 Social Security
 2,474.00 Retirement
 9,568.00 Insurance
 1,823.00 Workers Comp

SALARY ORDINANCE	Position	Rate	Salary
Full Time	Head Case Manager	28,487.00	27,487.00
	Case Manager	23,593.00	23,593.00

Mr. Scowden requested the appropriation to fund the new positions of Head Case Manager and Case Manager for the Work Release Program. The new Head Case Manager will supervise the Case Managers and have a case load as well. The additional Case Manager will bring the total

to six (6) and will enable round-the-clock coverage seven days per week. These positions will be paid from Project Income (user fees).

Councilmember Kemper asked if Community Corrections Funds can be transferred and used to pay General Fund line items. Attorney Luhman responded that Community Corrections Funds can only be used for their programs. Auditor Plantenga asked if Community Corrections could pay administrative costs to the General Fund. Mr. Scowden said he thought they could but those costs would have to be included in their Budget they submit to the Department of Corrections in November. Attorney Luhman suggested working with them now while they are preparing their Budget.

- Councilmember Basham moved to approve the appropriation for Work Release personnel, seconded by Councilmember Kemper; motion carried.

A typo in the Salary Ordinance was noted. The Total Annual Salary for the Head Case Manager should be \$28,487.00.

- Councilmember Basham moved to approve the Salary Ordinance as corrected, seconded by Councilmember Kemper; motion carried.

PROSECUTOR IV-D

REDUCTION OF APPROPRIATION: \$9,045.00

9,045.00 Receptionist

This reduction request is to correct an error. The IV-D Receptionist was paid from the Prosecutor's Budget instead of the IV-D Budget as intended. Since both departments are in the General Fund, this will balance the budgets.

- Councilmember Kessler moved to approve the Reduction of Appropriation, seconded by Councilmember Fruitt; motion carried.

PROSECUTOR

ADDITIONAL APPROPRIATION: \$9,045.00

9,045.00 Secretary II

- Councilmember Kessler moved to approve the Additional Appropriation, seconded by Councilmember Basham; motion carried.

HIGHWAY: Cum Bridge Fund 25

REDUCTION OF APPROPRIATION: \$325,000.00

325,000.00 Bridge #102

ADDITIONAL APPROPRIATION: \$325,000.00

325,000.00 Culverts/Bridges-Rehab

The reduction is requested because funds budgeted specifically for Bridge #102 (CR 350 W @ CR 10 N) are not needed since it is included in the 2002 Bridge Rehabilitation contract. The additional request will put those funds into the Culvert/Bridges-Rehabilitation line item where they are needed.

- Councilmember Kessler moved to approve the Reduction of Appropriation, seconded by Councilmember Kemper; motion carried.
- Councilmember Kessler moved to approve the Additional Appropriation, seconded by Councilmember Kemper; motion carried.

COMMISSIONERS: Commissioners' Assistant Jennifer Weston

ADDITIONAL APPROPRIATION: \$25,500.00

5,000.00 Unemployment
 3,500.00 Other Professional
 17,000.00 Postage

TRANSFER: \$5,000.00

From:	01-34-330000-3000	Self Insurance	5,000.00
To:	01-34-182400	Unemployment	5,000.00

Mrs. Weston withdrew the Additional Appropriation request because there are sufficient funds to transfer from other line items. She requested approval of a transfer from Self-Insurance and Unemployment because they are in two different series of numbers.

- Councilmember Basham moved to approve the Transfer, seconded by Councilmember Kessler; motion carried.

TCOB/CH: Commissioners' Assistant Jennifer Weston

ADDITIONAL APPROPRIATION: \$99,927.00

18,000.00	Telephone
54,250.00	Electric
27,677.00	Heating Fuel

If it is allowable expense, Mrs. Weston said she would request the appropriation for the Telephone Maintenance Contract from Cum Cap Funds in November. It will be necessary to amend the Cum Cap Plan to increase Hardware Maintenance to include this appropriation.

Mrs. Weston said she based her request for Electric and Heating Fuel on 2 ½ months' usage at the Courthouse, the 629 Building, and TCOB. She noted that our cost for Electric is \$10,000 higher than at this time last year, but they can find no one cause for this increase. President Byers thought conservation measures such as turning off lights in unoccupied areas should be addressed. Attorney Luhman pointed out that usage at the 629 Building is different than last year because of the addition of the Morgue.

- Councilmember Kessler moved to approve \$46,000 for Electric and \$13,500 for Heating Fuel, seconded by Councilmember Fruitt; motion carried.

THIRD QUARTER PARKING GARAGE REPORT: Commissioners' Assistant Jennifer Weston

The Third Quarter Report showed an approximate increase of \$10,000 in receipts from last quarter. She said the Net amount won't match the Fund balance because all revenue is not in from the DBC. The number of employee reserved spaces is down slightly but the monthly DBC reserved spaces is the same. The average number of vehicles per day and the average dollar amount per day are similar to last quarter's numbers. Mrs. Weston noted that Dennison has taken over management duties from the DBC but is operating under the same contract. Because Dennison is a large nation-wide company, they have the ability to analyze, evaluate, and make recommendations for better operation of the garage.

SHERIFF'S RETIREMENT PLAN: Sheriff William "Smokey" Anderson

Sheriff Anderson requested approval of the First Amendment to the Tippecanoe County Police Retirement Plan that includes changes to satisfy IRS requirements. There is no increase in funding.

- Councilmember Vernon moved to approve the First Amendment to the Police Retirement Plan, seconded by Councilmember Kemper; motion carried.

UPCOMING MEETINGS

Tuesday, October 15	8:00 A.M.	Revenue Committee Meeting
Thursday, November 7	11:30 A.M.	Lunch Meeting with Legislators, Council, and Commissioners
Tuesday, November 12	Noon	Joint Meeting with Commissioners and Greg Guerrettaz

Auditor Plantenga was asked to invite Greater Lafayette Progress President Mike Brooks and County Assessor Bob McKee to discuss the Inventory Tax at the meeting on November 7th.

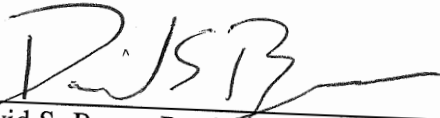
LETTER TO DEPARTMENT OF LOCAL GOVERNMENT FINANCE

Commissioners' Assistant Weston submitted a letter addressed to Budget Division Director Melissa Henson with signature places for the County Council and County Commissioners. The letter expresses Tippecanoe County's displeasure with the receipt of our revised COIT revenue estimate after the 2003 Budget Hearings were completed. A copy will also be sent to Governor O'Bannon.

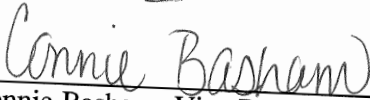
ADJOURNMENT

There being no further business, the meeting adjourned.

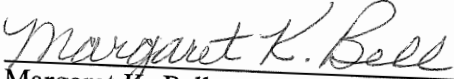
TIPPECANOE COUNTY COUNCIL



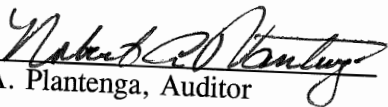
David S. Byers, President



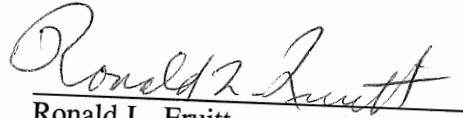
Connie Basham, Vice President



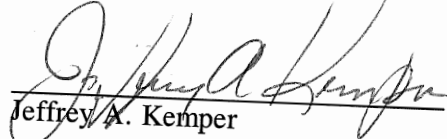
Margaret K. Bell

Attest: 

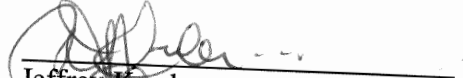
Robert A. Plantenga, Auditor




Ronald L. Fruitt



Jeffrey A. Kemper



Jeffrey Kessler



Kathy Vernon