

BARTHOLOMEW COUNTY COUNCIL
March 13, 2012

The Bartholomew County Council met in regular session on March 13, 2012 at 6:00 p.m. in the County Council Chambers of the Governmental Office Building, 440 Third Street, Columbus, Indiana. Members present were: Larry Fisher, Chris Ogle, Evelyn Strietelmeier Pence, Rob Kittle, Bill Lentz, Ryan Lauer, and Jorge Morales. Auditor Barbara J. Hackman, Chief Deputy Auditor Sandra Beatty, Second Deputy Auditor Carey Nusbaum, and County Council Attorney Rod McGillivray were also in attendance.

Council President Bill Lentz called the meeting to order at 6:00 p.m. and introduced Reverend William Bailey of the Parkside Baptist Church, who gave the invocation. The Pledge of Allegiance followed the invocation and all of the County Council members participated.

The first order of business was the approval of the February 15, 2012 County Council minutes. Evelyn Strietelmeier Pence made the following changes to the minutes. On page 1, Second Deputy Auditor Carey Nusbaum needs to include her name in the first paragraph to show she was in attendance at the meeting. On page 8, line 13 should have the word “**increased**” instead of increase. On page 8, line 16 should read, “\$65,994.00. Everyone on the Substance Abuse Council is **a volunteer**, so this money does”. On page 10, lines 13 and 14 should read, “thanked the volunteers. Mr. Lauer said that at the work session **there was** a discussion on ‘Spice’ and **it was** highlighted where ‘Spice’ is found

in Bartholomew County”. Finally, on page 12, line 7 should say, “The Parks and Recreation Board also met and there is a new manager”. Jorge Morales made a motion to approve the February 15th minutes as amended. Larry Fisher seconded the motion that passed unanimously.

Next, Court Services Director Brad Barnes came before the Council to request amending the 2012 Salary Ordinance for Probation Officer #24. The salary should be modified to \$48,940.00 and will be covered by the grant budget line item 016-15-01-11. Probation Officer #24 will reach the fifteen (15) year mark in April 2012. The \$48,940.00 salary is mandated by the Indiana Judicial Conference in the 2012 Minimum Salary Schedule for Probation Officers. No additional appropriation is requested. Larry Fisher made a motion to approve amending the 2012 Salary Ordinance for Probation Officer #24 to a salary of \$48,940.00. Jorge Morales seconded the motion that passed unanimously on a vote of 7:0.

Next, Superior Court II Judge Kathleen Coriden presented the County Council with a request for an Additional Appropriation in the Jury Supplemental Fund (310) in the amount of \$7,500.00 from the User Fee Fund (018). This appropriation will be used to pay jurors. The User Fee Fund (018) money is collected through court costs, speeding tickets, etc. Evelyn Strietelmeier Pence asked how long the \$7,500 will last. Judge Coriden said that she is not sure because it depends on how many cases are tried. A three (3) day trial costs approximately \$1,600 and a five (5) day trial costs approximately \$5,000. Jorge Morales made a motion to approve the Additional Appropriation for

\$7,500 to the Jury Supplemental Fund (310). Evelyn Strietelmeier Pence seconded the motion that passed unanimously on a vote of 7:0.

Next, Assistant Director of Nursing Carla Wolff presented the Council with a request for an Additional Appropriation from the Health Department Fund (007) into line item (440) Machinery and Equipment in the amount of \$2,500.00. The Indiana State Department of Health (ISDH) HIV Core/Incidence Surveillance Department awarded the nursing division a stipend of \$2,500.00 in 2008, for completion and submission of adult and pediatric case reports including the testing, treatment, history questions, and entering this information into the Luther Evaluation System. The HIV division's only stipulation for use was that it must be used by the nurses in the HIV Department. It could be used on anything that would assist them with running the clinic. There was no deadline as to when the money was to be used by, so this money will be added to the \$7,000.00 given at budget time in the Health Maintenance Fund to purchase seven (7) new desks. Larry Fisher made a motion to approve the additional appropriation for the Health Department in the amount of \$2,500.00 for new desks. Jorge Morales seconded the motion that passed unanimously.

Next, Commissioner Chairman Larry Kleinhenz came before the Council to request an Additional Appropriation for the Commissioners into line item (443) Computers in the amount of \$16,310.51. This money is a reimbursement from insurance from lightning damage that occurred on August 18, 2011. This money will be applied towards the purchase of a new Storage Area Network (SAN) or to expand the existing

SAN. Jorge Morales made a motion to approve this additional appropriation for the Commissioners in the amount of \$16,310.51. Evelyn Strietelmeier Pence seconded the motion that passed unanimously on a vote of 7:0.

Next, Bartholomew County Sheriff Mark Gorbett came before the County Council to request an Additional Appropriation for the Sheriff's Department into line item (440) Machinery and Equipment in the amount of \$58,585.00. This money will be used to purchase fifty (50) Tasers for the officers that will make dangerous situations safer. Sheriff Gorbett would like to have the Tasers purchased by the end of May and have the training completed and the Tasers in the field by July 1st. Chris Ogle asked if the amount of shock administered can be adjusted. Sheriff Gorbett said no the amount of shock is the same, but more than one (1) shock can be administered. Sheriff Gorbett said approximately 1.5 million people have been Tasered. The Tasers will be used as a deterrent, as well as to protect the safety of our officers. Jorge Morales made a motion to approve the additional appropriation for the Sheriff's Department in the amount of \$58,585.00 to purchase fifty (50) Tasers. Larry Fisher seconded the motion.

Auditor Barb Hackman reminded the Council that during their work session on March 5th, they discussed paying for the Tasers out of the 2012 CEDIT money that has been earmarked for public safety instead of using County General funds. President Lentz said that is a viable option. Therefore, Jorge Morales withdrew his original motion.

Then, Jorge Morales made a motion to approve the additional appropriation for the Sheriff's Department in the amount of \$58,585.00 to purchase fifty (50) Tasers that

will be paid out of the 2012 CEDIT money earmarked for public safety. Larry Fisher seconded the motion. Ryan Lauer said that this is important and essential for both officer safety and public safety. President Lentz asked for a vote on the motion which passed unanimously on a vote of 7:0. President Lentz also wanted to thank the Reserve Officers for all that they do.

Next, Circuit Court Judge Stephen Heimann and Youth Services Center Director Jason Bowser came before the Council to request an Additional Appropriations for the Youth Services Center to line item (120) Overtime in the amount of \$5,332.00 and to line item (124) Holiday Pay in the amount of \$21,775.00. To begin, Judge Heimann mentioned that the Council suggested in November 2011 of letting the kids in the Youth Services Center (YSC) go home for Christmas to save some money on Holiday Pay. Judge Heimann handed out some photos of a young man in the YSC that tore a metal desk apart a couple of weeks ago. This young man tried to tear the window out and used the shank as a weapon against the YSC officers. This young man also broke through a door in the secure section and entered into the unsecure section and escaped, but was captured by the police shortly thereafter. This young man was transported to Boys' School that same evening thanks to the help of Sheriff Gorbett. Judge Heimann also said that there were two (2) kids at the Youth Services Center that were put in suicide smocks last week. Therefore, these kids cannot go home at Christmas because they can be fairly dangerous.

Judge Heimann also gave the Council a handout that showed 100% compliance on mandatory standards and 98.14% compliance on non-mandatory standards for the Bartholomew County Youth Services Center from the Commission on Accreditation for Corrections and the American Correctional Association.

Judge Heimann and Director Bowser have met with the Council members on a few occasions in hopes of having a better understanding of the way that the Youth Service Center (YSC) handles both Overtime and Holiday Pay. It is both Judge Heimann and Director Bowser's opinion that the current way the YSC handles Holiday Pay is the best practice. Therefore, the YSC is requesting to have the monies returned in both the Overtime (120) and Holiday Pay (124) line items that were removed during budget time in 2011.

Judge Heimann said that he talked with Council President Bill Lentz a while back and was asked to think outside the box to make this situation a win-win situation. Judge Heimann said that three (3) to four (4) years ago the YSC housed more youth because they accepted youth from other counties. Therefore, the YSC received State funding. Where there was significant renovation of the YSC building, the YSC had to quit taking out of county youth. Monroe County then sent their youth to a facility in southwest Indiana that transports the kids. Monroe County does not use the Bartholomew Youth Services Center because we do not transport. Judge Heimann and Director Bowser have talked and are wondering if it would be appropriate to offer transporting the out of county youth to the Bartholomew County YSC to increase revenue collected. In order to

transport the youth, a new employee would need to be hired. This extra person could be used to backfill holiday time. Therefore, the County would receive additional money from out of county youth and help cover holiday time. Judge Heimann has not checked with Monroe County to see if they would consider coming back to Bartholomew County because they do not want to initiate this service if no one intends to use it. This is just an idea and the YSC is not ready to initiate this yet, so this is merely a suggestion. President Lentz said he appreciates the suggestion.

The first additional appropriation for Overtime will be considered first in the amount of \$5,332.00. Rob Kittle asked if the rate of pay for Holiday Pay for 2012 is consistent to where you were in 2011. Is this higher? Lower? Director Bowser said that it should be consistent with the previous year but could be higher because of the cost of living raise received, but he could not give the Council numbers at this time.

President Lentz asked if the salary was set by the State for Probation Officers. Director Bowser said the State does set their salaries. President Lentz asked how Overtime and Holiday Pay affect the salaries of the Probation Officers. Director Bowser said the Probation Officers, Intake Officers, and Administration do not get Overtime or Holiday Pay, but they do get comp time. The line staff gets Overtime and Holiday Pay. Judge Heimann said that Intake Officers are the Probation Officers because you have to be a Probation Officer to make intake decisions. President Lentz asked how many employees would be eligible for Holiday Pay. Director Bowser said all of the line staff, that works in the facility, is eligible for Holiday Pay. The full-time staff is all eligible for

Holiday Pay whether they work the holiday or not. The Relief Staff and part-time staff are only eligible for Holiday Pay if they work the holiday. Rob Kittle asked what the difference was between the job functions of the Relief Staff and the part-time staff. Director Bowser said the Relief Staff does not have set hours. The part-time has set hours and works 30-32 hours a week or as needed. Rob Kittle asked if the pay for Holiday Pay is paid following YSC policy. Director Bowser said yes.

Ryan Lauer asked if the operation of the YSC would be affected if the requested additional appropriations of approximately \$25,000.00 were not given. Director Bowser said it would affect it severely for the 100 series (where the salaries are paid). Both Holiday Pay and Overtime pay are set and there is still not enough money to pay the salaries, so to not receive the \$26,000.00 back into the budget would be devastating because there will not be enough money in the 100 series to pay the salaries to the end of the year. Ryan Lauer asked how long the current 100 series budget would carry them. Director Bowser said he does not know the answer to that.

Rob Kittle asked how the Holiday Pay and Overtime pay is set. Is the schedule set, so the employees will know what holidays they will be working? Director Bowser said yes, the employees know what holidays they will be working. For example: The employees know if they will be working on July 4th now.

Larry Fisher made a motion to approve the additional appropriation for the Youth Services Centers in the amount of \$5,332.00 that will be placed into line item (120)

Overtime. Evelyn Strietelmeier Pence seconded the motion that passed on a vote of 6:1 with Ryan Lauer voting against the motion.

Next, the Council considered the request for an Additional Appropriation for the Youth Services Center in the amount of \$21,775.00 that will be placed into line item (124) Holiday Pay. Rob Kittle said that every year there is a shortfall in Holiday Pay, and a transfer is made from line item to add in more money to cover the Holiday Pay, so why is transferring money from one line item to Holiday Pay not an option at this point? Director Bowser said it is an option, but now the YSC budget will have to cover an additional \$21,775.00 which is the problem.

President Lentz said there is \$114,000 in the Youth Care Workers line item, so could a transfer from this line item be used to help with Holiday Pay. Director Bowser said that he does transfer from several line items throughout the year. President Lentz said that the money from the Youth Care Workers line item can be transferred without Council action. If more money is needed, then Director Bowser could come back to the Council to have that transfer granted.

Auditor Barb Hackman said that the balance from 2011 in the YSC 100 series was \$51,645.22, but of that \$18,468.67 was encumbered. President Lentz said there was \$33,176.55 that was leftover. Director Bowser said that the challenge is that years ago they would have \$70,000 to \$80,000 left, but due to the increase in salaries this year, the remaining money in the 100 series has dropped.

Evelyn Strietelmeier Pence said it is really early in the year to request an additional appropriation. Judge Heimann said this was the money that was cut out of the 2012 budget in 2011. Therefore, this really is not an additional, but rather a request to return this money to put the budget back to where it was. Chris Ogle said if the YSC budget has \$35,000.00 left over in the 100 series at the end of 2011 and you take away the \$21,775.00 there is still a bonus amount of \$14,000. If in October 2012 the \$35,000 is used, then Council will consider giving an additional appropriation, but to give the YSC the requested additional appropriation now would give no incentive to work with what you have in your budget.

Judge Heimann said this is contradictive because the YSC turned back in \$35,000 and did not just keep it and spend it, so what incentive is there to turn in money this year if the Overtime and Holiday Pay money is not returned. Chris Ogle said if this is your initiative, then you do not need this money because you managed without it last year and had money remaining. Judge Heimann said this issue came up not because of overall monies spent on employees, but because the Council wanted the way in which the money was spent on Holiday Pay changed. The Council took the money out of Holiday Pay and gave Judge Heimann instructions to go talk to the Sheriff and the E911 Director to discuss their practices. Judge Heimann said he did that and has talked to the Council about this issue a couple of times since October. Now there is a different issue than the original issue. The issue now is that the YSC needs to try and pay the salaries for their employees out of other line items. If YSC budget runs short, then at the end of the year

they can come back to Council to request an additional appropriation. Chris Ogle said he agrees with Judge Heimann 100% after he explained giving back the \$35,000 in 2011. Mr. Ogle believes that the YSC needs to wait until the end of the year and see if they can do with less money. Judge Heimann said they have done everything the Council has asked of them, so he wants to be ensured that there will be money there to pay the staff instead of waiting until crunch time.

Rob Kittle stated that it makes sense to transfer funds from other line items to Holiday Pay until it needs to be revisited towards the end of the year. It was mentioned earlier that this has been done in years past, so this seems to be the best practice right now. Ryan Lauer asked if there was any consideration to go to a holiday neutral scheduling or to take some cues from the other 24/7 offices that seem to be working pretty well. Judge Heimann said that two (2) more employees will be needed to do that. Ryan Lauer asked to see a plan on that. Bill Lentz asked how many employees it takes to run the Jail compared to the YSC. Judge Heimann said that there are different standards, and the YSC is a different facility and is not designed for maximum efficiency for keeping an eye on kids. However, a state of the art facility could be built.

Evelyn Strietelmeier Pence asked how many inmates are there today. Director Bowser said there are fifteen (15) in the YSC, three (3) in the shelter, and three (3) in day treatment. Rob Kittle asked when you have a holiday event, does that have an impact Holiday Pay line item, the Overtime line item, the part-time line item, and the relief workers line item. Director Bowser said it would depend on when the holiday falls

because if the holiday falls on a Wednesday, then it will not affect the part-time workers because they do not work on Wednesdays. However, if the holiday is on a Friday, Saturday, Sunday, or Monday, then it would affect the part-time budget.

Ryan Lauer asked if there is a part-time worker and it is their first week of work and a holiday occurs during their scheduled work time, then would they get holiday pay. Director Bowser said yes because the holiday occurs during their scheduled day to work. President Lentz asked if it takes the same number of employees to work on a holiday. Director Bowser said it takes the same number of line staff, but the administration is not there during a holiday. Director Bowser is often asked why he does not send some of your line staff down if your numbers are down, but those employees will be needed to respond if there is an emergency situation.

Ryan Lauer asked why schedule a part-time worker on a holiday. Director Bowser said the schedule is set by the day of the week not by the position. Rob Kittle asked of the Overtime, Holiday Pay, Relief Workers, and part-time which one pays out at a lesser rate in terms of payroll. Director Bowser said he guesses overtime. President Lentz and Evelyn Strietelmeier Pence suggested that Judge Heimann and Director Bowser to come back after they have transferred money and are in need of an additional appropriation for Holiday Pay. Council Attorney Rod McGillivray said the Council must table the issue, accept it, or deny it, but they must do something.

Jorge Morales made a motion to table this request for Holiday Pay until September or October 2012. Attorney McGillivray said if this is tabled, then it comes

back as requested as an additional appropriation in the amount of \$21,775 for the Holiday Pay (124) line item. President Lentz seconded the motion. The motion failed on a vote of 3:4 with Bill Lentz, Jorge Morales, and Chris Ogle voting in favor of the motion. Evelyn Strietelmeier Pence, Ryan Lauer, Larry Fisher, and Rob Kittle voted against the motion.

Evelyn Strietelmeier Pence made a motion to deny granting this additional appropriation to the Youth Services Center in the amount of \$21,775 for Holiday Pay. Ryan Lauer seconded the motion. Rob Kittle asked if the Council denies this request is this with or without prejudice. Attorney McGillivray said that the YSC can come back every month with the same request. President Lentz asked for a vote on the motion. The motion that passed on a vote of 4:3 with Bill Lentz, Rob Kittle, Evelyn Strietelmeier Pence, and Ryan Lauer voting in favor of the motion. Chris Ogle, Jorge Morales, and Larry Fisher voted against the motion.

Next, Financial Consultant Dan Eggermann came before the Council to provide a financial update for the Bartholomew County Unit. Mr. Eggermann gave each Council member a handout that contained the table shown on page 14. Also, the property tax levy assumes 100% collections. The line items that denote an * are apportioned from the Legislative Services Report, but the March abstract will update this number. Based on our recent 1782 notice this table shows the Bartholomew County standings for 2012.

DLGF Fund Number	0101	0124	0702	0706	0790	0801
Fund Name	General	2015 Reassessment	Highway	Local Road and Street	Cumulative Bridge	Health
1. Property Tax Levy (Line 16)	\$12,329,331	\$148,089	\$0	\$0	\$1,427,727	\$941,692
2. Levy Excess applied (Line 15)	\$0	\$0	\$0	\$0	\$0	\$0
3. PTRC from Cagit (Line 13)	\$848,062	\$0	\$0	\$0	\$0	\$0
4. Misc. Revenue Estimate (Line 8B)	\$8,928,468	\$13,605	\$2,361,693	\$520,115	\$185,964	\$434,722
5. January 1 Cash Balance	\$4,948,060	\$262,411	\$499,863	\$160,658	\$2,506,201	\$976,408
6. Total Funds Available (1+2+3+4+5)	\$27,053,921	\$424,105	\$2,861,556	\$680,773	\$4,119,892	\$2,352,822
7. DLGF Approved Budget (Line 1)	\$21,151,200	\$313,247	\$2,277,259	\$500,000	\$1,600,000	\$1,650,110
8. Encumbered Appropriations	\$512,080	\$13,290	\$39,538	\$44,375	\$1,740,925	\$25,985
9. Total Beginning Appropriations (7 + 8)	\$21,663,280	\$326,537	\$2,316,797	\$544,375	\$3,340,925	\$1,676,095
10. Surplus Funds (6 - 9)	\$5,390,641	\$97,568	\$544,759	\$136,398	\$778,967	\$676,727
11. Amount additionally appropriated since January 1 less any reductions in appropriations	\$0	\$0	\$0	\$0	\$0	\$0
12. Estimated Circuit Breaker Loss*	\$452,486	\$5,435	\$0	\$0	\$52,338	\$34,560
13. Surplus Funds Remaining (10-11-12)	\$4,938,155	\$92,133	\$544,759	\$136,398	\$726,629	\$642,167

Next, the Council members gave updates on the Boards, Commissions, and/or Committees they sit on. Chris Ogle, Bill Lentz, Larry Fisher, and Ryan Lauer did not have any new updates to share.

Rob Kittle said the Economic Development Strategic Plan was explained at the County Council Work Session on Monday, March 5th, so there is nothing new to report.

Evelyn Strietelmeier Pence said that the Park Board is doing some electrical work at Heflin Park. A French drain is being put in at the BMX track by volunteers and by members of the group. Owens Bends is going to replace the gate to the entrance. Grammar and Mt. Healthy need new roofs on their shelters. Ms. Pence went to a service agency meeting headed up by Harriet Armstrong that included lots of service people in attendance to find out what they could do to enhance her job.

Jorge Morales said the County Plan Commission met and approved a replat of one (1) lot in the Tannehill area. The City Plan Commission discussed displaying new signage for Columbus Regional Hospital.

Next, Emergency Operation E911 Center Director Ed Reuter gave the Council an update on legislative bill SB345 addressing an increase in 911 fees for wire-line phones, wireless phones, and prepaid phones. Director Reuter said that numerous people have been instrumental the last several years to bring parity to the 911 fees collected. SB345 was recently passed and will decrease the 911 fees collected from wire-line phones to 90¢ from a previous fee of \$1.84, increase the fees collected from wireless phones to 90¢ from a previous fee of 50¢, and finally increase the fees collected from pre-paid phones to 50¢ from a previous fee of 25¢. This will become effective on July 1, 2012.

The State of Indiana will receive all of the 911 revenues collected and divide it amongst the counties based on an average of the 911 revenues that each county has collected over the last three (3) years, as well as the population of each county. Any new money collected from the 911 fees will also be divided amongst the counties. This increase will help stabilize the 911 budgets. Therefore, each county will receive a set amount of 911 fee money each month and will know what their 911 budgets are. The Wireless Board will have some new members sitting on this board, so there will be more local government representation for both the City and County.

Director Reuter said that what they have to watch is that three (3) out of five (5) phones are prepaid devices, so they will have to make sure enough money is collected to

ensure they do not get into the same situation they were in. Also, the State statute allows the Wireless Board to increase the 911 fees collected up to 10¢ on each type of device per year. Director Reuter said that the local control of the 911 fee money is also controlled by State statute. State statute mandates that each county can have no more than two (2) PSAPs (Public Safety Access Points) per county. The 911 fees collected cannot be used to build new emergency operation centers, but can only be used to pay for operational expenses.

There being no other business, Larry Fisher made a motion to adjourn the meeting at 7:48 p.m. Chris Ogle seconded the motion that passed unanimously. The next County Council meeting is scheduled for Tuesday, April 10, 2012 at 6:00 p.m. in the County Council Chambers.

BARTHOLOMEW COUNTY COUNCIL

By: _____
Bill Lentz, President

By: _____
Jorge Morales, Pro-Tem

By: _____
Chris Ogle, Member

By: _____
Rob Kittle, Member

By: _____
Evelyn Strietelmeier Pence, Member

By: _____
Ryan Lauer, Member

By: _____
Larry Fisher, Member

ATTEST: _____
Barbara J. Hackman, Auditor
Bartholomew County