

May 14, 2013

**BARTHOLOMEW COUNTY COUNCIL**  
**April 9, 2013**

The Bartholomew County Council met on April 9, 2013 at 6:00 p.m. in the County Council Chambers of the Governmental Office Building, 440 Third Street, Columbus, Indiana. Members present were: President Jorge Morales, Pro-Tem Ryan Lauer, Jim Reed, Bill Lentz, Evelyn Strietelmeier Pence, Rob Kittle, & Chris Ogle. Also in attendance were Auditor Barbara J Hackman and Council Attorney Rod McGillivray.

Minister Ron Bridgewater of the East Columbus Christian Church gave the invocation. Jim Reed led the pledge of allegiance.

The first item on the agenda was the approval of the meeting minutes of March 12, 2013. Ryan Lauer corrected the minutes by adding the word “is” on page 2, line 6 after the word “what”. Evelyn Strietelmeier Pence made a motion to approve the minutes with the noted correction. Rob Kittle seconded the motion which passed unanimously.

The next item on the agenda was the Resolution for the previously approved abatement for George Utz, Inc. in German Township. Being that Attorney McGillivray had the resolution and was not present at the last meeting, this had been tabled. Jim Reed made a motion to approve the Resolution. Evelyn Strietelmeier Pence seconded the motion which passed 6-1, with Ryan Lauer as the nay vote.

The next item on the agenda was a request for an amendment to the 2013 Salary Ordinance by the Prosecutor concerning the Adult Protective Services part-time employee. Brenda Mijares was present representing Prosecutor Bill Nash. They are

May 14, 2013

requesting moving the part-time Adult Protective Services position to full time. This will involve only adding one (1) hour to their current position and it is all grant money, no taxpayer money is involved. Bill Lentz motioned to approve the request as presented. Rob Kittle seconded the motion which passed unanimously.

The next item on the agenda was a request for an amendment to the 2013 Salary Ordinance by Erika Bonnett, Interim Coop Extension Director. She is requesting that they move the current part-time position into a contract position so that it could be a part-time educator position. Evelyn Strietelmeier Pence asked about the benefits and how long Purdue would be responsible for those items. Erika stated that the County would just pay a set contract fee and Purdue would pick up the benefits as a line item within the contract. Evelyn Strietelmeier Pence asked about what had occurred during the four (4) months that we had no Director. Erika explained that the remaining personnel had covered what they could. Due to Mike Ferree's accrued vacation time, they could not re-hire the position for three months. Ryan Lauer asked what it would mean to have a new educator position. Erika responded that it would give the opportunity to find the needs and do impact based programming for those needs. This would not be a one-time thing, but a continuing, on-going basis for a long term impact. That requires someone that can identify, create and maintain those impacts. Ryan Lauer and Jorge Morales stated they had heard great things about Ms. Armstong.

At this time, President Morales opened up the meeting for public comment. Sandy Lovelace spoke in favor of Harriet as having seen the work she has

May 14, 2013

done and the impact she has had in the community. John Finke, Chairman of the Extension Board, stated they had worked hard to get talented personnel for the homemakers and the youth. He would appreciate the continued support of the incredible work that goes on through the Extension Office. Fran Simmermaker stated that based on the programs that she has attended; she is very impressed and sees a need in the community for this to continue.

President Morales closed the public session of the meeting. Rob Kittle asked Erika regarding the fact that she had presented several proposals, including full-time, 75% and 61% proposals. He asked Erika how the 61% proposal would impact the division. She stated that it would not be perfect, but one of the benefits it brings is the opportunity for some flexibility with the 28 hours. It opens the door to prove the need to maintain or increase the position. It also gives the position access to trainings as a Purdue employee, trainings that the current position does not have access to. It also would include health benefits. The 75% is the same, just a few more hours. Evelyn Strietelmeier Pence asked if the job is approved, would it require another secretary position. Erika stated no, they would not hire another secretary.

Rob Kittle asked if they had to act on the agenda statement of part-time to full-time before making any other determination. Attorney McGillivray stated it did not. Rob Kittle motioned to change to a 61% contract employee through Purdue with Purdue covering the benefits. Chris Ogle seconded the motion. Attorney McGillivray wanted to clarify that the motion did state that Purdue was covering the benefits. Ryan Lauer asked

May 14, 2013

what the dollar amount difference was between the 61% and the 75%. Rob Kittle stated he had a figure of \$7,916 as the difference. Auditor Hackman stated that the 61% would require an additional appropriation of \$7,916 and to go to the 75% contract would require an additional appropriation of \$16,646. That is also taking into account the reduction that would be seen in Social Security. Ryan Lauer would like the Council to consider the 75% at budget time. Chris Ogle stated that depending on what the numbers look like at budget time, he would definitely consider that, but they do not have the money at this time. President Morales called for a vote on the motion which passed unanimously.

Auditor Hackman stated they would have to table the next portion until the Commissioners receive the new contract and new amount. It is also President Morales understanding that the part-time secretary has gone away and will not be brought back. Evelyn Strietelmeier Pence asked if they should have a motion to revisit this salary if this individual was to leave the position. It was determined that this motion was not needed.

The next item on the agenda was an additional appropriation for the Coop Extension for \$6,500 toward the summer intern program. Erika Bonnett stated that the money is actually funded through the 4-H program, is given to the County and is then appropriated through the Council. This is not tax dollars. Auditor Hackman stated that there had been discussion as to making these contract employees and she had spoken to Grant Tucker (the County Commissioners Attorney) regarding this. Chris Ogle stated that he is not in favor of contract labor for college students due to the fact that they do not understand the concept of "contracts"; it is for persons that are contractors. Ryan Lauer

May 14, 2013

asked if the Council would have to make any motions concerning the contract question. Attorney McGillivray stated that was up to the Council.

Bill Lentz motioned to approve the request for \$6,500 for the summer intern program for the Coop Extension. Rob Kittle seconded the motion which passed unanimously.

The next item on the agenda was a request for an amendment to the 2013 Salary Ordinance for WIC (Women, Infant & Children). Carla Wolff, Assistant Director of Nursing, stated that the issue they have is a contract employee that is currently working 30 hours a week and with the new Commissioners determination of the 28 hour limit, she would like to have this position continue at 30 hours. Evelyn Strietelmeier Pence asked how this would affect the office if she was dropped to 28 hours. Carla stated it would affect their case load. Rob Kittle stated that he is concerned that if they maintain the 30 hours a week then it would be in direct violation of the recently passed ordinance by the Commissioners limiting part-time to 28 hours per week and he is not in favor of doing that. Evelyn Strietelmeier Pence stated that according to her understanding of the Affordable Healthcare Plan, the County could face a fine for every employee. Attorney McGillivray stated no, they would only be responsible for the one employee. President Morales asked about the fact that the Commissioners have a signed contract for 30 hours that expires at the end of September and now have an ordinance that as of May 1, part-time employees cannot exceed 28 hours. He is concerned that there is a conflict. Attorney McGillivray stated that if the employee works more than 28 hours then they are

May 14, 2013

in violation of the local ordinance, however, they would not be in violation of the Affordable Healthcare Act, except to the extent that they could look at the employee during the look back period (three months). Jim Reed asked if they could void the contract. Attorney McGillivray stated that they only had the power to decide if they are going to pay it or not. Auditor Hackman stated that the contract may not have gone through the Commissioners. Carla stated that the Commissioners had given the healthcare physician the right to sign the contract. Jim Reed stated that he doesn't see that they have any choice but to fund it. Ryan Lauer asked if the employee had a contract. Carla stated no; she was a County Employee. Ryan asked what the total cost would be if the employee were to stay at 30 hours. Carla stated that it would cost the County nothing. Attorney McGillivray stated that the contract has already been signed. Carla had been told to come to the Commissioners and then was told to come to the Council. Rob Kittle stated that the employee had requested the 30 hours as opposed to 40 hours. President Morales stated that the decision would be up to the Commissioners. The Council can only fund or not fund the contract. Auditor Hackman stated that the salary ordinance would be what the Council would have to deal with as to whether or not they can fund it. Also, if the physician has the authority to sign the contract, he would be the one that would have to alter it. A citizen (Susan) asked if the employee was concerned about her pay, could they cut her hours and raise her pay? Chris Ogle stated they had already discussed that thought and it is not in the contract. It was a good question but the hours and the wages are set in the contract. Carla Wolff asked when this

May 14, 2013

decision had to be made. Auditor Hackman stated it would be the effective date. Carla asked that it be tabled at this time. Jim Reed agreed that they should do nothing at this time. Rob Kittle asked if the Council were to take no action, then the situation continues on in violation of the Ordinance that the Commissioners had passed. Attorney McGillivray stated that it would be the Commissioners that were allowing it. Jim Reed motioned to take no action on this request. Evelyn Strietelmeier Pence seconded the motion. Rob Kittle stated that the motion really serves no purpose, so why would we make a motion. Auditor Hackman stated they would take action on it if it becomes an amendment to the 2013 Salary Ordinance. Rob Kittle asked when the next available time would be that the Commissioners could address this. Auditor Hackman stated next week, as they meet every week. Rob suggested possibly tabling it pending the decision of the Commissioners. Auditor Hackman agreed. The original motion was withdrawn. Ryan Lauer motioned to table this item pending a decision by the Commissioners. Rob Kittle seconded the motion which passed unanimously. Rob Kittle asked what the procedure would be to request the Commissioners address this issue. Attorney McGillivray stated that he suggested a letter sent to them from the Council. Auditor Hackman stated that she would see to it that the Commissioners deal with it. It would require two meetings to make a change by the Commissioners, if that is what they decide to do.

The next item on the agenda was a request for transfer of \$1,000 from the 340 line item to the 440 line item for the purchase of a copier/fax/scanner to meet WIC requirements. It will eliminate an old copier and an old fax machine. Ryan Lauer asked

May 14, 2013

if Jim Hartsook (IT Director) was involved. Carla stated that he was. Rob Kittle motioned to approve the transfer of \$1,000 for WIC from the 340 to the 440 account. Evelyn Strietelmeier Pence seconded the motion which passed unanimously.

The next item on the agenda was Danny Hollander, County Engineer, with a request for additional appropriations. He is requesting \$300,000 in the Highway (002) and \$500,000 for Cumulative Bridge (004). This is unspent funds from the previous year. These funds do not revert to County General; they simply stay in their respective funds. He is asking for approval to spend these funds. Engineer Hollander is requesting that the \$300,000 in the Highway Fund be split as \$65,750 into fixed assets and \$234,250 into infrastructure. He explained they are going to spend the \$65,750 for a ditching machine that is pulled by a tractor. They have rented the machine and have the opportunity to purchase it less their rental costs. Jim Reed asked if they walk the ditches prior to running the machine as it throws the dirt into the field next to it. Engineer Hollander stated that they had not. Rob Kittle motioned to approve the request for the \$300,000 for the Highway Fund and the \$500,000 for the Cumulative Bridge Fund as requested. Jim Reed seconded the motion which passed unanimously.

Engineer Hollander then spoke regarding current pending legislation at the State House. If the House Bill version is approved then we would receive additional funding, but if the Senate version is approved then we will not get any additional funding due to the fact that we do not have a Wheel Tax. He stated that the Senate version was to force the Counties to add a Wheel Tax if they did not already have one. The Council thanked



May 14, 2013

Engineer Hollander for bringing this to their attention. Evelyn Strietelmeier Pence asked where they stood regarding County Road 325 West. Engineer Hollander stated that they are getting ready to cut some trees and work on utilities to get them out of the way. They hope to do it within this year.

The next item on the agenda was the modification to the 2013 Salary Ordinance effective May 1, 2013. Auditor Hackman presented a handout for each member with the changes highlighted. This amendment is to comply with the not to exceed 28 hour work week for part-time employees except for temporary or seasonal employees. This only affects offices with part-time employees as not all offices have part-time employees. This is a change from not to exceed 39 hours to not to exceed 28 hours. There are a couple of other changes. On page 7, there is a change which addresses the nurse at the Youth Services Center. On page 11, there were changes regarding the Registered Dietitians under the WIC program. These changes, in regard to the WIC program, would need to be tabled based on the earlier motion regarding the WIC. Also on page 14, it addresses the Adult Protective Services which was just changed earlier in the meeting. Ryan Lauer motioned to approve the 2013 Salary Ordinance Amendment effective May 1, 2013 with the exception of the WIC program. Evelyn Strietelmeier Pence seconded the motion which passed unanimously. Rob Kittle mentioned that the Council needed to take a good look at the WIC pay during the budget session due to a large discrepancy between them. Ryan Lauer followed up regarding this and stated that it would be wise to

May 14, 2013

look at the wages as to whether they are in line to get qualified personnel if the position were to come open.

The next item on the agenda was a request for an Additional Appropriation of \$338,139.36 of CAGIT. Auditor Hackman stated that this was the amount that was unknown at budget time last year. This is to appropriate the amount that was unknown. Per the State Board of Accounts, the Counties had to set up a new County Fund specifically for CAGIT and then the funds are to be dispersed from there. Because of this, in 2014 the Commissioners budget request will be lowered by approximately 1.5 million dollars because of this new fund. The line items that were moved were the Social Security, PERF and Group Health Insurance that totaled 3.9 million dollars. Also moved were the gasoline & oil, automotive supplies, Storm Water Rule 13, the Liability Insurance, Unemployment Compensation and Workmen's Compensation expense. Evelyn Strietelmeier Pence motioned to approve the request as presented. Jim Reed seconded the motion which passed unanimously. Rob Kittle clarified that this was 2013 funds, not 2014.

The next item on the agenda was an appointment by the County Council to the Library Board. Evelyn Strietelmeier Pence motioned to appoint Gail Loesch to the Library Board for a 4 year term. Bill Lentz seconded the motion which passed unanimously.

May 14, 2013

President Morales wanted to acknowledge that City Councilman Frank Miller, Judge Heimann, White River Broadcasting and Lisa Deaton were in attendance in the audience.

The next item was the update by Council members of their Commissions and Boards.

Jim Reed had nothing to report.

Ryan Lauer reported that the Community Corrections Advisory Board had been accepted for a 2 year grant from the State for \$2,175,200. Also there is a new program called the Community Transition Program that allows non-violent offenders to be transferred to a County of which they have ties to or where they are from. The County would be compensated by the State which could result in an additional \$150,000 to \$200,000 a year.

Bill Lentz had nothing to report.

Jorge Morales reported there had been no County Plan Commission since January. The City Plan Commission had 1 meeting at which 3 requests were approved.

Evelyn Strietelmeier Pence stated that all parks except Heflin were open. Heflin will open May 3<sup>rd</sup> and they will be charging \$25 more per night for camping. Free help from Atterbury will be coming down to paint Dunn Stadium.

Rob Kittle reported that the LEPC (Local Emergency Planning Committee) meets tomorrow and will be working on the front end of a table top exercise. He had nothing to report from the Economic Development Board.

May 14, 2013

Chris Ogle had nothing to report.

Jorge Morales stated that Evelyn Strietelmeier Pence would be responsible for leading the invocation and pledge of allegiance at the next meeting.

Ryan Lauer stated they should do the invocation first followed by the pledge.

Chris Ogle made a motion to adjourn the meeting. Jim Reed seconded the motion that passed unanimously.

**BARTHOLOMEW COUNTY COUNCIL**

By: \_\_\_\_\_  
Jorge Morales, President

By: \_\_\_\_\_  
Ryan Lauer, Pro-Tem

By: \_\_\_\_\_  
Chris Ogle, Member

By: \_\_\_\_\_  
Rob Kittle, Member

By: \_\_\_\_\_  
Evelyn Strietelmeier Pence, Member

By: \_\_\_\_\_  
Bill Lentz, Member

By: \_\_\_\_\_  
Jim Reed, Member

ATTEST: \_\_\_\_\_  
Barbara J. Hackman, Auditor

May 14, 2013

Bartholomew County