TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
October 12, 2010

The Tippecanoe County Council met at 8:30 a.m. on October 12, 2010 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, and Kathy Vernon. Others present were: Auditor Jennifer Weston, Attorney David W. Luhman, and Secretary Kay Muse. Absent was: Councilmember Betty J. Michael.

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

APPROVAL OF MINUTES

- Councilmember Kemper moved to approve the minutes of the September 14, 2010 regular meeting as presented, second by Councilmember Basham; motion carried.

AUDITOR'S REPORT *– Jennifer Weston*

Auditor Weston reported that the beginning net balance for the year was $472,982.50. To date, the Council has granted a total of $152,639.00 in additional appropriations and granted reductions of $77,280.00. Removing miscellaneous expenditures of $3,671.00 leaves an uncommitted fund balance of $393,951.82. There are request for appropriations of $14,330.00 and reductions of $149,587.00 for this month. If the reductions are granted, the net between appropriations and reductions will increase the cash balance. Any fund with a negative balance is typically a grant fund.

Beginning Net Balance	$472,982.50
Total Additional Appropriations	$152,639.00
Total Budget Reductions	$ 77,280.00
Miscellaneous Expenditures (to date)	$ 3,671.68
Uncommitted Funds	**$393,951.82**

TREASURER'S REPORT*–Bob Plantenga*

Treasurer Plantenga said that when comparing August and June's interest the amount is comparable. The difference being interest earned in August is based on $67,900,000 of deposits and June's interest is based on $97,000,000 of deposits. Although there was $30,000,000 less in August the interest earned was about the same. This is due to the changes made to the banking arrangements. The General Fund will receive $24,000 of that interest. Fund 320 Edit Landfill is lower because of recent movement from First Financial to Smith Barney. Those funds have been placed in CD's and bonds that will not mature for 1 to 2 years. Monthly interest rates show an average rate of .87%, the weighted average is .95%. Funds are being moved out of Chase because of the low interest rate offered, however there is a balance of $236,000 in that account. Lafayette Bank & Trust shows a balance of $44,000,000 First Financial shows $10,000,000 and Lafayette Savings Bank $20,500,000. Fall taxes are due November 10, 2010; about $10,000,000 has been paid of the $70,000,000 due. Treasurer Plantenga presented an estimated loss of revenue to the General Fund if the County reduced it's levy growth by $100,000. The estimation showed a loss of about 4.7 million.

PUBLIC COMMENT *– Agenda Items*

Paul Wright, *West Point* – said this would be the second year that social security recipients would not receive a raise. During that time, the County has not cut their budget; a small reduction is not a cut. Elected officials have continued to maintain their salaries at the taxpayer's expense. A system of checks

and balances is needed at every level of government. Mr. Wright added that his only remaining option would be his support and vote. He added that most elected officials have earned neither.

Michelle Blaas, *Lafayette* – said the local newspapers have reported that a new cattle barn at the Fairgrounds would cost approximately $300,000 with one third of the cost coming from private funds. The remaining $200,000 would be the County's responsibility. Today's agenda has an appropriation request for $300,000 from the EDIT Fund. If the request is for the cattle barn, it should be for $200,000.

Dan Altepeter, *Lafayette* – said the County Council is charged with the task of being good stewards with the money collected from taxpayers of this County and something is amiss when the part-time positions of Council members receive full time health care benefits. Health care for part time Council members needs to be brought to the table and justified today.

CIRCUIT COURT
General Fund 001

Councilmember Kemper stated that a detailed explanation is attached to the appropriation request and the balance of the jury pay fund for Circuit Court is minimal. He added that he has spoke with Judge Daniel and Sue Lohrman and this appropriation should finish the year out.

Appropriation $ 12,500

$ 7,500	Court Expense / Pauper Attorney
$ 5,000	Court Expense / Jury Expense

- Councilmember Kemper moved to approve the additional appropriation as presented, second by Councilmember Underwood; motion carried.

SUPERIOR COURT 2 – *(tabled at September meeting)*
General Fund 001

- Councilmember Kemper moved to remove this item from the table for discussion, second by Councilmember Underwood; motion carried.

Councilmember Gutwein said that this item has been resolved through the Jury Pay Fund no action is needed at this time. Item died due to lack of a motion.

SUPERIOR COURT 3
Court Improvement Project Fund 631

Grant Facilitator Laurie Wilson said that this $20,000 is a grant from the Indiana Judicial Center; it will fund the mediation of CHINS cases. The match is paid through office supplies and office space.

Appropriation $ 20,000

$20,000	Contracts / Consultant

- Councilmember Vernon moved to approve the appropriation as presented, second by Councilmember Basham; motion carried.

SUPERIOR COURT 4
General Fund 001

Councilmember Kemper said a special case earlier in the year exhausted much of Superior Court 4's pauper funds. This appropriation will cover Superior Court 4 for the remainder of the year.

Appropriation $ 500

$ 500	Court Expense / Pauper Attorney

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Underwood; motion carried.

SUPERIOR COURT 5 *– (tabled at September meeting)*
General Fund 001

- Councilmember Kemper moved to remove the request for Superior Court 5 from the table, second by Councilmember Underwood; motion carried.

Councilmember Kemper stated that Superior Court 5 used funds at the beginning of this year to pay pauper bills remaining from 2009. Judge Meade has provided adequate detailed information.

Appropriation $ 5,000

$5,000	Court Expense / Pauper Attorney

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Underwood; motion carried.

PROBATION
Adult Fund 510 – User Fees

Office Manager Leslie Curry said this appropriation would move funds from the Adult 510 Fund to Juvenile 511 Fund. An appropriation is required because it is a transfer between funds, not within funds.

Appropriation $ 65,000

$ 65,000	General Operating / Miscellaneous

- Councilmember Underwood moved to approve the appropriation as presented, second by Councilmember Kemper; motion carried.

PUBLIC DEFENDER
Fund 555 – User Fees

Public Defender Amy Hutchinson said these funds are used to pay for expert psychological examinations. Monies for this fund are obtained through user fees and do not affect the General Fund.

Appropriation $ 12,000

$ 12,000	Administrative / Other Professional Svc

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Underwood; motion carried.

CLERK – Linda Phillips
Record Perpetual Fund 160

Clerk Linda Phillips said that this request is end-of-year adjustments. However, unexpected unemployment costs are also included. Clerk Philips explained that a previous employee took a position elsewhere, and has since been dismissed. The County fell into the window of employment that is considered when determining unemployment benefits therefore making the County responsible for a portion of those costs.

Transfer $ 20,166

$ 5,400	Office / Office Supplies to Salaries & Wages / Part Time
$ 10,500	Contracts / Microfilm to Salaries & Wages / Part Time
$ 345	Contracts / Microfilm to Social Security
$ 250	Contracts / Microfilm to Unemployment
$ 2,600	Capital Outlay / Equipment to Salaries & Wages Part Time
$ 1,071	Capital Outlay / Equipment to Salaries & Wages Part Time

- Councilmember Winger moved to approve the transfer as presented, second by Councilmember Basham; motion carried.

CARY HOME
General Fund 001

Clinical Services Director Tammy Patrick said this request is for the purchase of a used vehicle that will be used by employees for the in-home service program. A vehicle may become available for use through the probation department however, with 3 to 4 employees doing home visits an additional vehicle will be needed.

Transfer $ 2,500

$ 800	Administrative / Other Professional Svc to Capital Outlay / Vehicle
$ 1,700	Garage / Maintenance to Capital Outlay / Vehicle

- Councilmember Vernon moved to approve the transfer as presented, second by Councilmember Underwood; motion carried.

TEMA
Grant Fund 418 – District 4 / AHIMT Conference

Grant Facilitator Laurie Wilson said this would pay for the attendance of two people at the All Hazard Incident Management conference in Denver, Colorado this December. The All Hazard Incident Management Training is a program the state has undertaken and this is the National Conference. The employees who will be attending the conference have attended all training available at the State level. Indiana and District 4 are in the beginning stages of this training and this is the first time that District 4 will be qualified to go.

Appropriation $ 3,000

$ 700	Training Costs / Travel & Training
$ 300	Training Costs / Conference Registration
$ 250	Training Costs / Meals
$ 1,460	Training Costs / Lodging
$ 290	Training Costs / Miscellaneous

- Councilmember Underwood moved to approve the appropriation as presented, second by Councilmember Basham.

Fund 419 – District 4 Training & Exercise 11/12

Grant Facilitator Laurie Wilson said that District 4 is required to do a full-scale exercise in the spring of 2012. This is for the preparation and planning of that exercise.

Appropriation $ 80,000

$ 1,000	General Operating / Miscellaneous
$10,000	Training Costs / Travel & Training
$ 4,000	Training Costs / Training Certificates
$10,000	Training Costs / Miscellaneous
$50,000	Contracts / Consultant
$ 5,000	Contracts / Miscellaneous

- Councilmember Basham moved to approve the appropriation as presented, second by Councilmember Kemper; motion carried.

ACAMS Fund 412

Grant Facilitator Laurie Wilson said these unused funds are from a grant that was set up to assess the vulnerability of different sites. The State has approved the purchase of emergency equipment with the remaining funds.

Transfer $927

$ 808	Salaries & Wages / Overtime to Equipment / Emergency Equipment
$ 63	Social Security to Equipment / Emergency Equipment
$ 56	Retirement / PERF to Equipment / Emergency Equipment

- Councilmember Basham moved to approve the appropriation as presented, second by Councilmember Kemper; motion carried.

SHERIFF
Fund 178 – County Misdemeanant

Deputy Sheriff Charlie Williams said this appropriation would be used for uniforms, medical expenses, and miscellaneous expenses at the jail. These funds are received from the State for housing misdemeanant inmates.

Appropriation $ 98,950

$15,000	Supplies / Uniforms & Clothing
$50,000	Departmental / Medical
$33,950	Supplies / Miscellaneous

- Councilmember Winger moved to approve the appropriation as presented, second by Councilmember Kemper; motion carried.

COMMISSIONERS
General Fund 001

Commissioner Byers said this transfer would cover the remaining salary for a soil and water conservation position. Previously the Commissioners had asked for an additional appropriation for this item, at that time the Council suggested the Commissioners look for those funds within their 2010 budget.

Transfer $ 4,364

$ 3,807	Agency Support / SWCD to Salaries & Wages / Full Time
$ 291	Agency Support / SWCD to Social Security
$ 266	Agency Support / SWCD to Retirement / PERF

- Councilmember Underwood moved to approve the transfer as presented, second by Councilmember Kemper; motion carried.

General Fund 001

Commissioner Byers said this appropriation is for the remaining salary of two part time positions in the Soil and Water Conservation department. Soil and Water Conservation generated the partial funding for these positions through the sale of trees and equipment rental fees.

Appropriation $ 1,330

$ 1,235	Salaries & Wages / Part Time
$ 95	Social Security

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Winger; motion carried.

General Fund 001

Auditor Weston stated that each year assessed values are estimated for budget approval. Last year it was estimated that the assessed values would increase. However, assessed values decreased resulting in less levies owed; the surplus is being returned to the General Fund. This reduction does not impact the amount paid to the local agencies affected by these levies.

Reduction $ 149,587

$ 2,571	Tax Levies / Mental Health
$ 125,655	Tax Levies / Mental Health
$ 21,361	Tax Levies / Community Health Clinic

- Councilmember Basham moved to approve the appropriation as presented, second by Councilmember Kemper; motion carried.

EDIT Fund 301

Commissioner Knochel said this transfer is for the replacement of the chillers for the County Building. Maintenance Director Mike Haan said that the cooling system failed many times over the summer and closed the County Building on August 13. The new system will be energy efficient and reduce the number of repairs needed. The life span of a cooling/heating system is approximately 20 years; the current system was in installed in 1992. Director Haan added that approximately $20,000 has been spent this year to repair the current cooling system. He added that all seven compressors would be replaced.

Transfer $ 300,000

$300,000	Administrative / Other Professional Svc to Buildings / Office

- Councilmember Basham moved to approve the transfer as presented, second by Councilmember Winger; motion carried.

Drug Free Coalition / SIG Grant Fund 616

Grant Facilitator Laurie Wilson said that this would be the final year for this funding source. The Family and Social Services Administration fund it and there is no match.

Appropriation $112,356

$112,356	General Operating / Miscellaneous

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Basham; motion carried.

Drug Free Coalition / Substance Abuse and Mental Health Services Administration (SAMHSA) Grant Fund 667

Grant Facilitator Laurie Wilson said this is year 2 of 3 for this grant funding by the Substance Abuse and Mental Health Services Administration. The match of $160,000 is provided through volunteers and community donations. The County is the administrator since a governmental agency must apply for the grant on behalf of the Drug Free Coalition; however, the County is not responsible for the match.

Appropriation $ 124,522

$ 78,644	Administrative / Other Professional Svc
$ 6,108	Administrative / Miscellaneous
$ 6,944	Training Costs / Travel & Training
$ 32,826	Contracts / Miscellaneous

- Councilmember Kemper moved to approve the appropriation as presented, second by Councilmember Underwood; motion carried.

COMMITTEE REPORTS

None

***CIVIL TAXING UNITS** – Budget Review*

City of Lafayette

Councilmember Kemper said that the City of Lafayette employees received a flat $300 salary increase, which represents less than one-half of one percent on average. The City's General Fund is up less than one percent although one fund did grow by 2%. However, the city's health insurance rates went up approximately 7.9%. They have not added any new positions and they will most likely leave three fire department positions and six motor vehicle positions vacant. They are within the maximum levy.

- Councilmember Kemper moved to find that the City of Lafayette does meet the growth quotient and is in line with other jurisdictions and make recommendation of the Council's non-binding approval, second by Councilmember Underwood; motion carried.

Wildcat Creek Solid Waste District

Councilmember Underwood stated that this budget is a binding approval. He went on to say in order for Wildcat Creek Solid Waste District make funds available for capital projects, those projects must be put into the budget on an annual basis. Council members discussed the progress of the planned permanent facility and suggested that TEMA might have a portable decontamination unit available for temporary use until a permanent facility is completed. Before the project can move forward, the Commissioners and Wildcat Creek Solid Waste District must agree on a long-range plan for the design, construction, and use of the facility. Attorney Luhman stated that a permanent facility for Wildcat Creek Solid Waste District could not build a facility on County property without the approval of the Commissioners. The only action needed today is approval of the budget. Director Boston said the operating budget is down by about 5% from last year adding the capital building budget fund is higher than 2010 and any reductions would most likely come from the building fund.

- Councilmember Underwood moved to approve the 2011 budget for Wildcat Creek Solid Waste District as presented, second by Councilmember Basham; motion carried.

***ORDINANCE 2010-15-CL** – 2nd reading of Appropriation and Tax Rates 2011*

Auditor Weston said this would be the second reading for Ordinance 2010-15-CL. The forms accompanying the ordinance are categorized by personal services, supplies, other services, charges, and capital for all of the property tax funds. The budgets, rates, and levies are in consideration of cash balances for 2011. Most of the changes were made during the 2½ days of budget hearings and have been incorporated into the budgets. The health insurance reflects a 5% reduction across all funds. There were no increases in salaries.

Councilmember Winger said he would vote yes to Ordinance 2010-15-CL based on the accountability and the responsibility the Council has to the taxpayers of Tippecanoe County. This process by law is practiced openly by the Council and is completely accountable. The Council has done its best to adjust the budget to reflect the current financial situation without sacrificing any necessary services to the taxpayers of Tippecanoe County.

Councilmember Vernon said that she would be voting no to Ordinance 2010-15-CL because she is not in agreement with the compensation concerning the Council. She suggested President Gutwein appoint a committee to look at and evaluate the compensation of the County Council.

Councilmember Basham said elected officials are looked upon as leaders in the community and that many taxpayers in Tippecanoe County cannot afford health insurance due to the current economic climate adding, he would be voting no to Ordinance 2010-15-CL.

- Councilmember Kemper moved to approve Ordinance 2010-15-CL Appropriation and Tax Rates 2011 on second reading, including the amendments and consensus of the County Council during budget hearings over the past three months, second by Councilmember Underwood; motion carried.

Auditor Weston recorded the vote:

Basham	Nay
Gutwein	Aye
Kemper	Aye
Underwood	Aye
Vernon	Nay
Winger	Aye

Ordinance 2010-15-CL passes 4-2 on second and final reading.

***ORDINANCE 2010-22-CL** – 2011 Salary*

Councilmember Gutwein stated that Ordinance 2010-22-CL approves the salaries for County employees for 2011. Auditor Weston stated that there have been no changes to salaries from the current year. However, those employees scheduled for longevity pay adjustments would receive them. Councilmember Basham said that he was not in agreement with longevity and made the following motion

- Councilmember Basham moved to remove the longevity pay adjustments from the salary ordinance for 2011, second by Councilmember Vernon.

Councilmember Vernon said that although she is not in favor of longevity, considering the lack of compensation to employees for the past two years, she would vote yes to Ordinance 2010-22-CL. She added that she would not support the motion to remove longevity.

Councilmember Winger said that County employees could not be expected to work indefinitely without increased compensation. Councilmember Gutwein added that elected officials would not be impacted by longevity. Only employees below market rate would receive a longevity adjustment.

Auditor Weston recorded the vote:

Basham	Aye
Gutwein	Nay
Kemper	Nay
Underwood	Nay
Vernon	Nay
Winger	Nay

Motion failed 5-1

- Councilmember Underwood moved to approve Ordinance 2010-22-CL as presented, second by Councilmember Kemper; motion carried.

Auditor Weston recorded the vote:

Basham	Aye

Gutwein	Aye
Kemper	Aye
Underwood	Aye
Vernon	Aye
Winger	Aye

Ordinance 2010-22-CL passes 6-0 on first reading.

- Councilmember Vernon moved to suspend the rules and hear Ordinance 2010-22-CL on second reading, second by Councilmember Underwood; motion failed.

- Councilmember Underwood moved to reconsider the suspending of the rules, second by Councilmember Winger; motion carried.

- Councilmember Underwood moved to suspend the rules and hear Ordinance 2010-22-CL on second reading, second by Winger; motion carried.

- Councilmember Kemper moved to approve Ordinance 2010-22-CL as presented, second by Councilmember Winger; motion carried.

Auditor Weston recorded the vote:

Basham	Nay
Gutwein	Aye
Kemper	Aye
Underwood	Aye
Vernon	Aye
Winger	Aye

Salary Ordinance 2010-22-CL passes 5-1 on second and final reading.

RESOLUTION 2010-16-CL – *Confirms & Ratifies 2011 Salary of County Coroner*

President Gutwein said the salary for the County Coroner is unchanged. Councilmember Kemper added that the resolution does state and differentiates for a coroner who is or is not licensed to practice in Indiana.

- Councilmember Kemper moved to approve Resolution 2010-16-CL as presented, second by Councilmember Winger; motion carried

RESOLUTION 2010-17-CL – *Confirms & Ratifies 2011 Salary of County Surveyor*

President Gutwein said that this resolution would confirm and ratify the salary of the County Surveyor. Councilmember Kemper stated for the record that the resolution does include the salary difference for registered and non-registered County surveyors under Indiana Code 25-21.5 or IC 25-31.

- Councilmember Kemper moved to approve Resolution 2010-17-CL as presented, second by Councilmember Basham; motion carried.

RESOLUTION 2010-18-CL *– Confirms Mental Retardation 2011 Funding*

Attorney Luhman stated that this resolution provides the funding for the operation of Mental Retardation Centers in Tippecanoe County for 2011. It is equivalent to the amount that would be raised by an annual tax rate of one hundredths of one percent, which is .01% on each $100 of taxable property and is in accordance to Indiana Code 12-29-1-1.

- Councilmember Winger moved to approve Resolution 2010-18-CL confirming funding of Mental Retardation Centers as presented, second by Councilmember Underwood; motion carried.

RESOLUTION 2010-19-CL *– Confirms 2011 Funding of Community Mental Health*

Attorney Luhman said this resolution is in accordance with Indiana Code 12-29-2-2, which requires the County to fund Community Mental Health Centers. It is in the amount of $914,453 and is subject to the growth quotient.

- Councilmember Kemper moved to approve Resolution 2010-19-CL confirming the funding of Community Mental Health Centers as presented, second by Councilmember Basham; motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

COMMISSIONER FYI

Commissioner Knochel said the countywide burn ban is still in effect and urged caution.

Commissioner Byers congratulated Highway Director Opal Kuhl for receiving Indiana's Engineer of the Year award by the Association of Indiana Counties.

Commissioner Byers announced the following fundraisers for the annual United Way campaign. He invited everyone to attend and help support United Way.

- Pizza by the Slice October 12th between 11:30a.m. - 1:30 p.m.
- Root Beer floats on October 19th between 10:00 a.m. - 2:00 p.m.
- Tailgate party on October 28th in the parking garage between 11:00 a.m. - 2:00 p.m.

PUBLIC COMMENT

Councilmember Winger introduced freshman Scott Baldwin from Harrison High School. He is here to complete requirements for a career class. Councilmember Winger said the Council was happy to host him and thanked him for being here.

Councilmember Underwood moved to adjourn.

Tippecanoe County Council

Andrew S. Gutwein, President

Roland K. Winger, Vice President

John R. Basham II

Jeffrey A. Kemper

ABSENT

Betty J. Michael

Kevin L. Underwood

Kathy Vernon

Attest: October 12, 2010

Jennifer Weston, Auditor