# TIPPECANOE COUNTY COUNCIL MEETING
# COUNTY OFFICE BUILDING – TIPPECANOE ROOM
# TUESDAY, FEBRUARY 10, 2015
# 8:30 A.M.

The Tippecanoe County Council met Tuesday, February 10, 2015 at 8:30 a.m. in the Tippecanoe Room of the County Office Building. Council members present were: President David R. Williams, Vice-President John R. Basham II, Bryan E. Metzger, Sally J. Siegrist, Kevin L. Underwood, Kathy Vernon, and Roland K. Winger. Others present were: Auditor Bob Plantenga, Attorney Doug Masson, and Recording Secretary Tillie Hennigar.

## *PLEDGE OF ALLIANCE*

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

## *AUDITOR'S FINANCIAL REPORT – Bob Plantenga*

Auditor Plantenga reviewed the General Fund and COIT Fund Financial Statement for January, 2015 stating the beginning Cash Balance for the General Fund is $9,564,171.62. Including miscellaneous revenue and projected property taxes, the total funds available was $41,061,784.62. Deducting encumbrances, the approved budget, the minimum balance, and the $40,000 granted to the General Fund last month; the net balance available for appropriation is $1,298,521.62. The COIT Fund beginning cash balance was $2,293,808.98. Deducting the encumbrances and the budget, the total uncommitted balance available for appropriation is $446,169.98.

**Financial Statement**
**Through January 31, 2015**

| | | General Fund | COIT Fund | Combined Funds |
|---|---|---|---|---|
| Cash Balance (01/01/2015) | | $9,564,171.62 | $2,293,808.98 | $11,857,980.60 |
| Council Approved 2015 Projected Miscellaneous Revenue | | $9,797,613.00 | $8,397,574.00 | $18,195,187.00 |
| Projected Property Tax Levy (98% of abstract levy) | | $21,700,000.00 | $0.00 | $21,700,000.00 |
| Less: Abstract Circuit Breaker Credit | | $0.00 | $0.00 | $0.00 |
| Total Funds Available | | $41,061,784.62 | $10,691,382.98 | $51,753,167.60 |
| Less: 2015 Encumbrances | | $1,061,342.00 | $57,132.00 | $1,118,474.00 |
| Less: Council Approved 2015 Budget | | $32,661,921.00 | $8,688,081.00 | $41,350,002.00 |
| Less: Council approved Minimum Balance (Res 2013-24-CL) | | $6,000,000.00 | $1,500,000.00 | $7,500,000.00 |
| Beginning Net Balance | | $1,338,521.62 | $446,169.98 | $1,784,691.60 |
| Additional Appropriations | Requested | Granted | Granted | Granted |
| January | $40,000.00 | $40,000.00 | $0.00 | $40,000.00 |
| February | $28,000.00 | | | $0.00 |
| March | | | | $0.00 |
| April | | | | $0.00 |
| May | | | | $0.00 |
| June | | | | $0.00 |
| July | | | | $0.00 |
| August | | | | $0.00 |
| September | | | | $0.00 |
| October | | | | $0.00 |
| November | | | | $0.00 |
| December | | | | $0.00 |
| Total Additional Appropriations | $68,000.00 | $40,000.00 | $0.00 | $40,000.00 |
| Budget Reductions | Requested | Gen Fund Granted | COIT Fund Granted | Total Granted |
| None to Date | $0.00 | $0.00 | $0.00 | $0.00 |
| Total Additional Appropriations | $0.00 | $0.00 | $0.00 | $0.00 |
| Miscellaneous Expenditures (year to date total) | | $0.00 | $0.00 | $0.00 |
| Available for Appropriation | | $1,298,521.62 | $446,169.98 | $1,744,691.60 |

Auditor Plantenga reviewed the 2014 County General Revenue with corrections (from the January handout) to the budget estimates for the General Fund. Also included in the packet was a January Revenue report. January is a light month for revenue as some departments don't turn money in. Inheritance Tax is almost finished; the amount of $7,316.34 shown is late filings. Account 335-32-55, the Public Defender Commission reflects the third quarter reimbursement which comes quarterly. Account 341-41-15, Treasurer – Demand Fees amount of $2,769.77 is the 2012 issued and uncashed checks. The COIT Revenue indicates $0.00 for January as always. There will be a double payment in February.

Reviewing the Statement of Cash Receipts and Disbursements, the January disbursements are higher than normal for any Fund including payroll due to three paychecks. One area of note is Court Services Funds 575 and 576 which will be discussed later in the agenda – those combined funds are negative approximately $100,000. Also attached is a list of reported encumbrances for all Funds.

***TREASURER'S REPORT***

Treasurer Weston presented the Summary of 2014 Interest by Month, stating the General Fund received $237,212.46 in interest. The budget was revised at budget time to be around $235,000; the actual came in at $242,000 because it also included some interest from the Clerk.

At the end of December, 2014, Chase Bank had an Account Balance of $14,581.23 and Lafayette Bank & Trust had an Account Balance of $69,538,398.68. The weighted average interest rate was 0.34%. Morgan Stanley had an Account Balance of $11,406,030.76; First Empire had an Account Balance of $3,361,225.58.

Treasurer Weston provided a handout of End of Month Bank Balances for 2014 for the banks and also the investments. The amounts will be used to determine 25% of the portfolio or how much can be invested long term. The end of December balance with Morgan Stanley was approximately $11.5 million; another $8 million has now been sent. An updated list of all investments will be available at the next meeting. The last handout shows a summary of when to expect interest maturity for Morgan Stanley and First Empire.

***PUBLIC COMMENT*** (Agenda Items) - *none*

***ORDINANCE 2015-05-CL – AMENDING 2015 SALARIES TO ACCOMMODATE 26 PAY PERIODS***

Auditor Plantenga said the Council approved an Ordinance establishing 27 pays for County employees in 2015. There are 27 pays but the last pay would normally be scheduled January 1, 2016; however, per the personnel policy, it has been moved up a day. Reviewing the analysis, it doesn't appear to be what should be done for 2015 as it will leave some appropriation on the table that should be paid. Auditor Plantenga said the pays should be returned to 26 pays. The 27th pay could not be encumbered because it goes through 1/9/16 and monies can't be encumbered after 1/1/16; employees would have received a decrease in pay. At some point, 27 pays will possibly be necessary.

- Councilmember Metzger moved to approve Ordinance 2015-05-CL as presented, second by Councilmember Basham.

Auditor Plantenga recorded the vote.

| | |
|---|---|
| Williams | Aye |
| Basham | Aye |
| Metzger | Aye |
| Siegrist | Aye |
| Underwood | Aye |
| Vernon | Aye |
| Winger | Aye |

Ordinance 2015-05-CL passed 7-0 on first reading.

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

- Councilmember Metzger moved to approve Ordinance 2015-05-CL on second reading, second by Councilmember Basham.

| | |
|---|---|
| Winger | Aye |
| Vernon | Aye |
| Underwood | Aye |
| Siegrist | Aye |
| Metzger | Aye |
| Basham | Aye |
| Williams | Aye |

***CONSENT AGENDA***

Approval of Meeting Minutes - Regular Meeting – January 13, 2015

| | | | |
|---|---|---|---|
| Superior Ct 4- General Fund 001 | | | |
| Transfer | $ | 250 | Judge Pro Tem to Office Supplies |
| Prosecutor – Drug Enforcement Fund 257 | | | |
| Transfer | $ | 1,000 | Gen Operating to Office Supplies |
| Prosecutor – ICAC Task Force Fund 189 | | | |
| Transfer | $ | 1,933 | Gen Operating to Equipment |

Auditor Plantenga said page 12 of the minutes stated the new building on 4th Street was purchased on November 19; the date should be corrected to read December 19.

- Councilmember Winger moved to approve the Consent Agenda as amended, second by Councilmember Underwood; motion carried.

***CIRCUIT COURT*** - *Judge Thomas H Busch*
**Alternative Dispute Resolution Fund 545**

Circuit Court Judge Busch introduced Cynthia Garwood who is familiar with the Funds. Ms. Garwood requested an appropriation of $16,000 for Fund 545. The money is collected through filing fees, divorce cases, and private praternity cases to fund Mediation Programs. There is no impact on the budget. In 2014, over $14,000 was collected.

**Appropriation $16,000**

$ 16,000 Court Expense / Mediation

- Councilmember Winger moved to approve the appropriation for Fund 545 as presented, second by Councilmember Metzger; motion carried.

**Family Court Grant Fund 623**

Ms. Garwood said the Family Court Grant Fund 623 is an appropriation coming from the State Court of Administration and used to fund the Speed Mediation program through the IV-D Court. The fund has also been used for alternative dispute resolution services or parenting coordination. The administration was taken on by the former Grant Facilitator Laurie Wilson. Judge Busch said the funds have been granted; a letter has been received.

**Appropriation $10,000**

$ 10,000 Administrative / Miscellaneous

- Councilmember Winger moved to approve the grant appropriation for Fund 623 as presented, second by Councilmember Metzger; motion carried.

***ANCILLARY COURT*** *– Judge Thomas H Busch*
**General Fund 001**

Judge Busch requested the appropriation for Ancillary Court be tabled. He met with Councilmembers Winger and Siegrist yesterday. With four new Judges and two new Magistrates, they will meet to decide how the new court system will be organized and how the budget will be managed. The Ancillary Court does the work where cooperative activity is needed by all courts including the translator, transcription of records, and floating court reporters. A part time court reporter is needed to fill in for employees on leave and/or vacation, emergencies, those needing desk time to prepare orders, and completing orders from incoming mail. Each court requires more than a day of court reporting to provide a day of work and extra help is also needed during a jury trial. The part time employees in other courts will be reviewed to see how they might be utilized. Judge Busch said he will return at a later date to present a plan.

**Appropriation $10,000**

$ 10,000 Administrative/Miscellaneous

Councilmember Winger said it would be best to withdraw the request at this time. The appropriation request for Ancillary Court was withdrawn.

***SUPERIOR COURT IV*** *– Judge Laura Zeman*
**General Fund 001**

Superior Court IV Bailiff Deb Shuler said the $3,000 will pay for the Pauper Attorney appointments made to cover Kim Robinson as the Conflict Public Defender. After submitting the appropriation request, an additional $412.50 of bills was received. Bailiff Shuler asked if the request could be amended to include the additional amount. Auditor Plantenga said the request was advertised as $3,000; an additional amount cannot be considered.

**Appropriation $3,000**

$ 3,000 Pauper Attorney

- Councilmember Winger moved to approve $3,000 for Superior Court Pauper Attorney as presented, second by Councilmember Siegrist; motion carried.

***CLERK*** – *Christa Coffey*
**Clerk Record Perpetuation Fund 160**

Clerk Coffey said she did not budget money for office supplies in Perpetuation Fund 160 and is requesting an appropriation to pay a bill.

**Appropriation $1,500**

$ 1,500 Office Supplies

- Councilmember Winger moved to approve an appropriation for Fund 160 as presented, second by Councilmember Siegrist; motion carried.

***COURT SERVICES*** – *Cindy Houseman*
**General Fund 001**

Court Services Executive Director Houseman requested $15,000 to pay three months of rent and utilities, saying it will help them move toward sustainability. Director Houseman provided a handout, reading the opening statement while adding a few comments:

"In 1999 Court Services was piloted as a financially self-sufficient agency and I totally realize that. Several county programs started this way, including CASA. At some point the Commissioners and County Council decided the CASA program was worthwhile and the county agreed to fund it. We work with the parents of those same children and communicate with Court 3 on parental progress. I am not asking that the county continues to fund Court Services; I am only asking you to help us through this hardship and recognize what we do for our clients and the community is a valuable service."

Director Houseman continued to cover the nine positive steps that have been taken:

1. Members of the Advisory Board have met with Judge Persin. (Councilmember Winger said he and Council member Siegrist met with Judge Persin yesterday).
2. Judge Persin will chair the Advisory Board meetings once per quarter; special meeting as needed.
3. The fee schedule will be changed. The reason it has taken a little while is due to Judge Persin acting as Magistrate and Judge in January. At the end of the month, he was in Reno for Judges' training.
4. This Thursday they will meet with a collection agency to determine if this option is better than a collection's attorney.
5. Revenue coming in February (for March revenue) is projected at $50,000.
6. All options including grants and scholarships to raise revenue are being explored.
7. We have committed a part-time employee to work solely on monitoring all payment plans and all accounts turned over for collections.
8. Along with seven full-time employees and a part-time employee, we have two Purdue student interns, one student intern from Indiana Wesleyan and two student interns from Ivy Tech. We also have a Work Experience person. That is six people not coming out of the budget.

9. Hopefully, soon we will be moving into the 111 N 4th Street building and won't have to worry about building maintenance and utilities...which has cost us.

Director Houseman said in estimating the 2014 revenue, what they didn't realize is that the percentage of filings was going to go down so much. Since 2006, the cases filed have gone down; in 2014, they went down by 21.5%. Also, the advisory board recommended asking the Clerk to become part of the tax intercept program; however, upon meeting with the Clerk, this is not currently possible. We have been holding over 115 files to go to collections upon the recommendation of the advisory board until after we were able to meet with the Clerk. In 2014, Court Services had a higher rate of indigent clients.

Director Houseman included a Recidivism Report for 2011, saying they have to go two years out to see if someone reoffended – the 2011 report can be ran at the end of 2013. 1,551 records (clients) were evaluated to complete the report; 1,243 clients did not reoffend; 308 clients did reoffend. The recidivism rate was 20% which is about 13% below the national average of 33%; 18% of the 2011 clients were students.

Councilmember Basham asked if rent would be charged in the 111 N 4th building. Commissioner Murtaugh said the overall numbers presented at budget hearings in regard to the new facility did include the same amount of rent currently paid by Court Services; it was the only rental income used in the calculation.

Director Houseman said even paying the same lease; they would not have utilities or building maintenance which has including painting, buying interior doors, plastering, plumbing and carpeting. Councilmember Basham asked what the percent of collection has been. Director Houseman said the percent of collection from Premier has been around 80%, based on the database.

- Councilmember Winger moved to approve a $15,000 appropriation for Court Services, second by Councilmember Siegrist.

Councilmember Basham said he understands resources are down and Purdue is contributing more. Director Houseman said Purdue is sending all education; they are not doing any alcohol education. Councilmember Basham said revenue should be up by receiving more patients and asked what type of treatment the patients are receiving from Court Services. Director Houseman said they do not do treatment, only refer out for treatment.

Councilmember Winger said there are two issues: 1) paying ongoing bills when there is no revenue to support the bills and 2) $102,000 behind as of the end of January. He continued to say we have been in the hole on the two funds for years and the Council is aware of it with reminders at budget time. The immediate issue is paying bills which can be done with Council awareness. The question is how to resolve the issue of being in the red in Court Services – the reason the advisory board was formed last year. Reports have shown they have made progress in trying to get their arms around the broader issue. Cases are down in the misdemeanor court by 40% from 2007. With Judge Persin being involved now and Judge Zeman pulling appropriate cases to her court instead of Court Services, there will be changes. Councilmember Winger said he believes Court Services will need *bailed out* at some point but until everything is under control, he is not in favor of $15,000 here and there. He would prefer to give them a chance in 2015 to move in the right direction with the new factors and review at mid to late year.

Councilmember Basham said he agreed with Councilmember Winger's comments and added it is not designed for the taxpayer to help pay for those people who are seeking help or have been directed to get help but are not paying their share. He said to give it a chance a little longer and hopefully bring in more patients. Councilmember Siegrist said she would feel different about the $15,000 if it would get them

through the end of the year; however, it sounds like it may only get them through next month. Every month, needing an additional $10, 000 to $20,000 doesn't make sense.

Councilmember Vernon said she sees seven full time employees, the numbers are all negative, and there is a need for $15,000, she questions if this program is appropriate for County government to be doing or is there another agency the County should be partnering with that has the expertise in the therapy component or collections and billing, etc. The numbers are staggering and every dollar spent has the face of a taxpayer on it. There needs to be a mechanism for education and treatment, but is Court Services the appropriate place for helping our citizens. There is still a need to help the 1,500 clients who come through the program each year.

Councilmember Winger said Court Services was set up because the judges have to have a referral network. At one point, it was viable as a referral system but it has gotten completely off the rails, both in control of costs and the lack of judges support of the program. The number of cases may not increase but the judges support will. The County has proven at one point that it can be a viable program and he is willing to give the advisory committee a chance, give the revenue a chance to increase, and give the Court Services team a little more time to get costs and revenue under control through the end of the year.

Director Houseman said 20% of the clients do not pay. Court Services charges Purdue University $200; Purdue charges the student $130. Councilmember Basham asked if the 20% were to pay, would the $103,000 revenue be reached. Director Houseman said it would, adding that accounts receivables is approximately $400,000; the 20% would add an additional $80,000.

Councilmember Basham said he is willing to give the advisory committee a chance. Director Houseman said they had 15 employees, two employees died, five employees were laid off and they now have seven. Going to fewer employees would mean offering fewer services such as the pre-trial program.

Auditor Plantenga said the concern he has is that he is not supposed to pay a bill when there isn't money unless it is a reimbursable grant. 2014 was the first year that the two combined funds were negative; in 2013, it was less than $1,200. Substantial more revenue than expenditures is needed in 2014 to make up $80,000 of negative money. Councilmember Basham asked if there would be a buyout for the lease. Councilmember Vernon asked where the money for salaries is coming from. Auditor Plantenga said it is coming from the General Fund - the Fund balance is currently over $100,000 negative; the appropriation will bring it to negative $85,000. He doesn't feel as if increased revenue will make up the negative difference by the end of the year. Councilmember Winger said he is skeptical as well but prefers to give it time. President Williams said Director Houseman indicated March revenue would be around $50,000 with expenses around $43,000, three months down the road will provide a better chance of obtaining referrals and a better idea of the type of revenue coming in. Auditor Plantenga added that there was a time a number of years ago when Court Services covered a position for Cary Home.

**Appropriation $15,000**

| | | |
|---|---|---|
| $ | 15,000 | General Operating / Miscellaneous |

- Councilmembers Basham and Vernon voted yes, Councilmembers Metzger, Siegrist, Underwood, and Winger voted no, President Williams did not vote; motion failed.

***PROSECUTOR*** *– Pat Harrington*
**Prosecutor's IV-D Incentive Fund 256**

Prosecutor Harrington requested approval for a new position in Child Support. The salary will come from the Child Support Incentive Fund which currently has approximately $263,000. The position will be self-supporting as the average income from the fund is $75,000 - $80,000 per year. The person in the position will be tasked to a new program within the office as a caseworker working on writs (criminal warrant for arrest due to failure to appear for a court case). Currently, there are over 300 writs with an average of 45 received per month. Prosecutor Harrington has met with the Sheriff and Chiefs of Police and a plan is in place to arrest a person when located. A prompt hearing will be facilitated so the person does not sit in jail for any length of time.

**Salary Statement $33,963**

| | | |
|---|---|---|
| $ | 33,963 | Child Support Caseworker (FT) |

- Councilmember Winger moved to approve the Salary Statement for Prosecutor Fund 256 as presented, second by Councilmember Siegrist; motion carried.

***SHERIFF*** *– Barry Richard*
**COIT Fund 002 / E911 Fund 191**

Sheriff Richard said the request for a PC Technician will replace the Network Specialist position which was held by Brad Alexander. Creating the PC Technician position will save about $18,000 of County and 911 funds. The Network Specialist salary was approximately $59,000; the PC Tech position salary is $41,371. Major Williams said the Network Administrator and other employees in MITS will be integrated to work with the new PC Technician.
Councilmember Vernon stated it is a great collaboration between MITS and the Sheriff Department; it's a great example for other County departments.

**Salary Statement $41,371**

| | | |
|---|---|---|
| $ | 41,371 | PC Technician (FT) |

- Councilmember Metzger moved to approve the Salary Statement for the Sheriff E911 Fund 191 as presented, second by Councilmember Basham; motion carried.

***ANNOUNCEMENTS/APPOINTMENTS***
**Wabash Valley Alliance Board**
**County Maintenance (Council Representatives)**

- President Williams said the current appointment to the Wabash Valley Alliance Board is Joe Seaman. The appointment runs through February and Mr. Seaman has agreed to be reappointed.

- The County Representative for County Maintenance should be changed from Vernon to Basham.

***COMMITTEE REPORTS***

Councilmember Basham reported on the Romney Sewer District, stating that 61 homes have signed up – 89 homes are needed for the 72% qualification of the grant. The next meeting is scheduled for February 23, 2015.

***UNFINISHED/NEW BUSINESS*** *- none*

***COMMISSIONER FYI***

Commissioner Murtaugh made the following comments:

- Introduced and welcomed Sharon Hutchison as the new Grant Facilitator.
- Commissioner Brown will celebrate a birthday on Thursday, February 12.

***PUBLIC COMMENT***

As there were no public comments, Councilmember Basham moved to adjourn.

Meeting adjourned at 9:39 a.m.

TIPPECANOE COUNTY COUNCIL

David R. Williams, President

John R. Basham II, Vice President

Bryan E. Metzger

Sally J. Siegrist

Kevin L. Underwood

Kathy Vernon

Roland K. Winger

ATTEST:

Robert A. Plantenga, Auditor 3/10/2015

Minutes prepared by Tillie Hennigar, Auditor Administrative Assistant