

**TIPPECANOE COUNTY COUNCIL  
REGULAR MEETING  
MAY 9, 2006**

The Tippecanoe County Council Meeting began at 2:00 P.M. Tuesday, May 9, 2006 in the Tippecanoe Room in the County Office Building. Council members present were: Vice President Jeffrey A. Kemper, Betty J. Michael, Thomas P. Murtaugh, Kevin L. Underwood, and Kathy Vernon. Others present were: Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Councilmembers David S. Byers and Ronald L. Fruitt were absent.)

Vice President Kemper called the meeting to order and led the Pledge of Allegiance. He announced that President Byers was unable to attend today because of personal business.

**AUDITOR'S FINANCIAL REPORT: Robert Plantenga**

Auditor Plantenga reported the 2006 uncommitted County General Funds through April 30, 2006 are \$351,356.08. He noted that this balance reflects \$3,253.01 of Miscellaneous Expenditures that were omitted from the printout. Auditor Plantenga pointed out that \$250,000 was estimated for line 17-10, Inheritance, but \$208,290.29 has already been received for only two quarters of the year.

**TREASURER'S INTEREST REPORT: Chief Deputy Shannon Withers**

Mrs. Withers distributed the Interest Report showing the average interest rate for March 2006 was 4.46%.

Vice President Kemper asked if there is progress toward isolating funds for investment in CDs. Since bank interest rates are going up, Mrs. Withers said they are skeptical about locking into a rate for a certain amount of time.

**APPROVAL OF MINUTES**

- Councilmember Murtaugh moved to approve the minutes of the April 11, 2006 Regular Meeting, seconded by Councilmember Underwood; motion carried.

**REXAM PRECISE: Compliance with Statement of Benefits (CF-1) on Real Estate Improvements and Personal Property**

The following numbers were presented on the CF-1. Since no representative for Rexam Precise was present, Vice President Kemper asked Attorney Luhman how the Council should proceed. Attorney Luhman responded that the Council has 45 days after April 3, 2006, the date Rexam Precise filed, to determine if the company is in substantial compliance with the Statement of Benefits.

<u>Employees and Salaries</u>	<u>Estimated on SB-1</u>	<u>Actual</u>
Current number of employees	68	36
Salaries	1,822,080	1,376,187
Number of employees retained	68	36
Salaries	1,822,080	1,376,187
Number of additional employees	16	
Salaries	354,560	

After comparing the actual numbers with the numbers estimated on the Statement of Benefits, Vice President Kemper said he thinks it will be difficult to find that they are in substantial compliance.

Attorney Luhman explained that, if it is determined today that Rexam Precise is not in substantial compliance, the Council must schedule a hearing date within 30 days after they are notified by letter of the reason they are not in substantial compliance. They will then have the opportunity to appear to present more information before a final decision is made to terminate the abatement. Attorney Luhman advised that the Council has to find that Rexam Precise is not in substantial compliance and that it is not due to reasons beyond their control.

- Councilmember Murtaugh moved to determine that Rexam Precise is not in substantial compliance with the Statement of Benefits but not due to reasons beyond their control and to schedule a hearing within 30 days of mailing the notice, seconded by Councilmember Michael; motion carried.

\*The hearing will be held at 2:00 P.M., Tuesday, June 13, 2006, within 30 days after the notice is mailed.

**SUPERIOR COURT II: Judge Tom Busch**

**Additional Appropriation: \$25,000**

25,000 Pauper Attorney

Judge Busch explained there are several reasons for requesting additional funds for Pauper Attorney. He said a capital murder trial filed in his court requires a higher rate of pay for the attorney as well as a greater amount of required preparation. A vacant full time Public Defender position plus increased filings, caused the Public Defender to reach their case quote which resulted in the judges appointing other pauper counsel to take cases. Judge Busch said he has a \$10,000 balance but anticipates he will need an additional \$25,000 between now and September.

- Councilmember Michael moved to appropriate \$25,000 for Pauper Attorney, seconded by Councilmember Vernon; motion carried.

**ANCILLARY: Judge Tom Busch**

**Additional Appropriation: \$10,000**

10,000 Translator

Judge Busch explained that extra funds are needed to pay an additional Translator when the full time Translator is either busy or it is a language she does not know. He said Judge Morrissey is applying for a \$10,000 grant but it has not been received and there are bills to pay. The current balance is \$3.75.

- Councilmember Michael moved to approve \$10,000 for Translator, seconded by Councilmember Murtaugh.

Auditor Plantenga interjected there is a \$4,500 balance from last year's grant and Vice President Kemper said he understands that they have received verbal approval for the new grant.

Attorney Luhman wanted the Council to be aware that the General Fund will not be reimbursed when the grant money is received.

- Councilmember Michael amended her motion to approve \$5,000 for Translator, seconded by Councilmember Murtaugh; motion carried.

***SUPERIOR COURT V: Judge Les Meade***

**Additional Appropriation: \$1,500**

1,500 Witness Fees

Judge Meade explained that a low amount was approved for Witness Fees in his 2006 Budget. Witness Fees are used to pay court ordered psychologists and psychiatrists to examine defendants with questionable competency. He said they have bills totaling \$822 but a balance of only \$186. Judge Meade thinks \$1,500 will be enough to get them through the end of the year.

- Councilmember Murtaugh moved to approve \$1,500 for Witness Fees, seconded by Councilmember Michael; motion carried.

Judge Meade invited the Council to visit his court to see the upgraded sound system that records onto CDs that result in superior recording quality.

***CASA: Fund 501***

**Additional Appropriation: \$19,645**

8,000 Supplies  
2,000 Educational  
9,645 Miscellaneous

Auditor Plantenga said this is an appropriation of grant funds.

- Councilmember Michael moved to approve the appropriation of \$19,645 for CASA fund 501, seconded by Councilmember Underwood; motion carried.

***COURT SERVICES***

***Drug Court Grant 580***

**Additional Appropriation: \$2,500**

2,500 Urine Drug Screens

Auditor Plantenga said this money has already been appropriated. He Court Services Director Cindy Houseman conversed by e-mail and the request is withdrawn.

***Substance Abuse/Mental Health Fund 575***

**Additional Appropriation: \$2,500**

2,500 Equipment/Capital Outlay Misc

Auditor Plantenga explained this is a donation that doesn't need to be appropriated since there is already a line item for Capital in Fund 575. He and Cindy Houseman conversed by e-mail and this request is withdrawn.

***EMERGENCY MANAGEMENT: Citizen Corps Fund 453: TEMA Director Mark Kirby and Secretary Brenda Melville***

**Additional Appropriation: \$6,484**

300 Travel/Training  
200 Office Expense/Printing  
1,200 Contracts/Contractual  
890 General Operating/Advertisement  
710 General Operating/Printing  
700 Training Costs/Miscellaneous  
2,484 Departmental/Uniforms & Clothing

Director Kirby introduced TEMA Secretary Brenda Melville who heads the Citizen Corps. Mrs. Melville explained that the Citizen Corps is a means of organizing citizens for an emergency. The five areas that comprise the Citizen Corps are CERT (Community Emergency Response Team), Fire Corps, NWP (Neighborhood Watch Program), MRC (Medical Reserve Corps Program), and VIPS (Volunteers in Police Service). Mrs. Melville said this is an on-going grant but the amount varies from year to year. Anyone interested in joining the Citizens Corps should call the TEMA Office at 742-1334.

Auditor Plantenga noted the account numbers for Travel/Training and Contracts/Contractual should be 423 instead of 413.

- Councilmember Underwood moved to approve the appropriation \$6,484 for Fund 453, seconded by Councilmember Michael; motion carried.

***HEALTH DEPARTMENT: Donation Fund 119***

**Transfer: \$4,000**

From:	119-9010-454-62-25	Equipment	4,000
To:	119-9010-453-32-10	Travel & Training	4,000

- Councilmember Murtaugh moved to approve the transfer of \$4,000, seconded by Councilmember Underwood; motion carried.

**IV-D COURT: Juvenile Magistrate Faith Norton****Transfer: \$21,400**

From:	001-6520-411-10-30	Appointed Official	21,400
To:	001-6520-413-46-45	Judge Pro Tem	900
	001-6520-413-46-20	Pauper Attorney	19,000
	001-6520-413-37-35	Internet Access	1,500

Magistrate Norton explained there is extra money in Appointed Official because reimbursement of part of her salary was not taken into account when the annual salary was set. She said she needs funds for Judge Pro Tem because she has some conflicts since she was formerly a Public Defender. The Internet Access line item includes QUEST Licenses and access for IPAQ.

- Councilmember Murtaugh moved to approve the transfers, seconded by Councilmember Underwood; motion carried.

**CLERK: IV-D Incentive Fund 162: Clerk Linda Phillips****Transfer: \$11,459**

From:	162-5810-413-30-90	General Operating-Misc	11,459
To:	162-5810-414-62-90	Capital Outlay-Misc	4,000
	162-5810-412-20-10	Office Supplies	1,000
	162-5810-411-12-20	Part-time	6,000
	162-5810-411-15-10	Social Security	459

Mrs. Phillips said she is taking advantage of a loophole in the law that will close in 2007. By moving all her summer interns that have anything to do with IV-D to Fund 162, 2/3rds of their salaries will be reimbursed to the General Fund.

- Councilmember Michael moved to approve the transfers, seconded by Councilmember Murtaugh; motion carried.

**FYI: Commissioner Knochel**

None.

**PUBLIC COMMENT**

None.

**OTHER BUSINESS**

Councilmember Vernon reminded everyone of the 2-way video with Professor Larry DeBoer regarding budgets that will be held Friday, June 16, 2006 from 1:00 P.M. until 3:30 P.M. at the Extension Office.


**NEXT MEETING**


The County Council will meet in joint session with the County Commissioners and Financial Consultant Greg Guerrettaz at Noon on Tuesday, June 13, 2006. The Council's Regular Meeting will follow at 2:00 P.M. Both meetings will be held in the Tippecanoe Room in the County Office Building.

**ADJOURNMENT**


- Upon Councilmember Vernon's motion, the meeting adjourned.

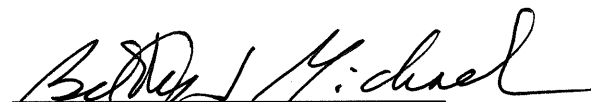
**TIPPECANOE COUNTY COUNCIL**

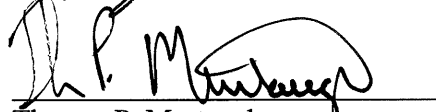
  
David S. Byers, President


  
Jeffrey A. Kemper, Vice President

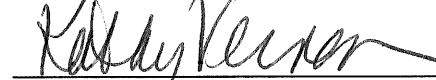
  
Ronald L. Fruitt

Attest:   
Robert A. Plantenga, Auditor

  
Betty J. Michael

  
Thomas P. Murtaugh

  
Kevin L. Underwood

  
Kathy Vernon