

**TIPPECANOE COUNTY COUNCIL  
AGENDA REVIEW  
REGULAR MEETING  
FEBRUARY 11, 2003**

The Tippecanoe County Council held its Agenda Review on Tuesday, February 11, 2003 at 1:00 P.M. and its Regular Meeting at 2:05 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President Connie Basham, Vice President Ronald L. Fruitt, David S. Byers Jeffrey Kessler, Jeffrey A. Kemper, and Betty J. Michael; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr.

**AGENDA REVIEW**

Auditor's Financial Statement

Auditor Plantenga explained the printouts attached to the January Financial Statement are somewhat different due to the implementation of new financial software. The Statement of Receipts & Disbursements shows a Beginning Balance of \$0.00 for January since everything was considered a receipt when moved into the new software. The Revenue Report was briefly discussed.

→ Councilmember Kathy Vernon entered the meeting.

As a result of combining some funds and eliminating others due to inactivity, the number of funds was reduced from 194 to 150. Councilmember Byers asked for an updated description of the funds and how they can be spent.

Fund 310, County Self Insurance, shows a negative balance of \$137,647.89 which is a reduction from the negative balance of \$313,000 in September 2002. It was noted the County's contribution was increased 15% for 2003. Human Resources Director Frank Cederquist was asked to provide a report showing typical claims and Great West's Administrative Fee per month in 2002 for the March meeting.

Superior Court II

Auditor Plantenga reported 2003 Budgets:

Overtime	\$3,278.00 budgeted	\$742.00 used
Part-time	\$4,400.00 budgeted	1,116.00 used

Superior Court

Auditor Plantenga reported 2003 Budgets:

Overtime	3,216.00 budgeted	\$150.00 overspent
Part-time	0.00 budgeted	2,600.00 overspent

Councilmember Kemper reported that Superior Court Bailiff Kelly Davis said they accumulate \$1,200.00 to \$1,500.00 per month in overtime. He would favor approving \$6,000.00 in each to get the account out of the hole and give the court a 2 month working balance. Councilmember Byers disagreed by saying the Council is not trying to control the budget, but the Judge needs to be accountable.

Auditor Plantenga pointed out that the software will not stop payment if there is insufficient funding in a salary appropriation.

Superior Court:	796 new cases in 2002.
Superior Court II:	781 new cases in 2002.

Commissioners/EDIT Fund 301

Councilmember Kemper questioned the \$75,000 request for Ambulances. Mrs. Weston explained that \$75,000 was approved for 2003 but, they are requesting an additional \$75,000 so they can get back on their replacement schedule. They fell behind in their replacement cycle after skipping a year due to a problem with the bid. Councilmember Vernon asked if it is possible for our Grant Coordinator to secure a \$75,000 grant from North Central Health Services to purchase the ambulances. Mrs. Weston said she will ask.

Commissioners/Cum Cap Fund 010

Councilmember Kemper questioned the \$20,000 Equipment request for MITS. Commissioners' Assistant Jennifer Weston explained that MITS requested \$40,000 for replacement of 2 servers for 2003. Although the 2003 Budget Minutes reflect the Council's approval of \$40,000, only \$20,000 was budgeted.

***RECESSED/RECONVENED***

The Agenda Review recessed at 1:55 P.M. and the Regular Meeting convened at 2:05 P.M.

**REGULAR MEETING**

President Basham called the meeting to order and led the Pledge of Allegiance. She then called upon Verdell Releford to offer a prayer. She noted that, in addition to their 4 biological children, Mrs. Releford and her husband have fostered 59 children and adopted 6 children.

**APPROVAL OF MINUTES**

- Councilmember Byers moved to approve the minutes of the January 9, 2003 Working Session, seconded by Councilmember Michael; motion carried.
- Councilmember Kemper moved to approve the minutes of the January 14, 2003 Regular Meeting, seconded by Councilmember Vernon; motion carried.

**FINANCIAL STATEMENT: Auditor Robert Plantenga**

Auditor Plantenga reported the 2003 uncommitted County General Funds through January 31, 2003 are \$706,737.63.

***REPORT: Juvenile Institutional Care***

President Basham reported that she and Auditor Plantenga attended the third meeting of the Attorney General's Working Committee regarding the State's withholding of COIT money from counties that have outstanding debt to the DOC (Department of Corrections) for Juvenile Institutional Care.

Auditor Plantenga summarized the recommendations of the Committee:

- 1) The county rate is changed from 50% of the per diem to a cap of \$50/day per child.
 

The \$50 rate is higher than the \$35 the State pays to house prisoners in a county jail because the cost for juvenile incarceration is higher. The Committee hopes this will encourage the State to develop a long range plan to avoid the steep rise in juvenile incarceration cost and improve the budgeting process for counties.
- 2) The county share of \$50 per day per child cannot exceed 365 days. A child incarcerated beyond this period shall be paid 100% by the state.
 

Currently County judges have no control over the sentencing period for juveniles but this will improve the budgeting process so the County will know how long they will be responsible for juvenile incarceration.
- 3) County will begin paying current payments in the arrears starting in calendar year 2005 based on the state's reimbursement billing from July 1, 2003 through June 30, 2004, and each year thereafter. Counties that are current and able to pay their juvenile reimbursement will pay the first six months of 2003 under normal payment procedures.
 

Under the schedule, counties will know their annual juvenile cost during the budgeting process and can begin to pay the debt in the arrears.
- 4) Beginning in 2005, counties can budget for the outstanding debt that was accrued through June 30, 2003, and that remains unpaid, by placing the debt outside the levy limit for a period of four years. Final payoff of the debt will occur in 2009.

This will allow counties with a debt to the DOC to develop a levy outside the property tax cap and allow a sufficient period to pay the debt without imposing a hardship on taxpayers.

- 5) County Option Taxes and other taxes collected on behalf of county government by the State Department of Revenue may not be held by the state for the repayment of debt.

According to the Attorney General's recent "Official Opinion", the role of the Department of Revenue for the collection of local option taxes is that of a pass through for local funds.

The Committee believes these steps will help counties repay their debt, improve the budgeting process and utilize precious limited resources to develop new local programs aimed at reducing juvenile incarceration in our communities.

Because the Governor disagrees with the Attorney General, the State is still holding our COIT money. President Basham said some counties, Allen, Grant, and Miami, received at least a portion of their COIT money because they agreed to pay all their debt. She said Tippecanoe County representatives as well as representatives from other counties aren't willing to agree to that until the DOC makes changes in their charges.

Auditor Plantenga explained that the Department of Local Government and Finance corrected our 2003 Budget, based on the withholding of our COIT money, by moving the \$236,000 of anticipated 2002 COIT Revenue into the 2003 Interest Line.

Councilmember Byers asked if the Council should take \$500,000 of the Uncommitted Funds to pay toward the debt and live with the remainder. Auditor Plantenga pointed out that the \$700,000 the Council budgeted for Superior Court III for 2003 may enable us to stay current although this line item also pays for institutions other than the DOC.

Councilmember Kessler suggested that President Basham and Auditor Plantenga devise a course of action regarding this issue for the March meeting.

***SUPERIOR COURT II (Tabled 1/14/03)***

**ADDITIONAL APPROPRIATION: \$8,802.00**

4,000.00	Overtime
4,000.00	Part-time
612.00	Social Security
190.00	Retirement

This request was not taken from the table. Councilmember Kessler noted that he information supplied during the Agenda Review showed this court still has operating money in these line items.

Attorney Luhman advised it will be necessary to advertise this request for the March meeting.

***SUPERIOR COURT: Bailiff Kelly Davis***

**ADDITIONAL APPROPRIATION: \$59,841.00**

36,000.00	Overtime
18,000.00	Part-time
4,131.00	Social Security
1,710.00	Retirement

Councilmember Kemper noted that both Overtime and Part-time have negative balances and asked Ms Davis if she could address the issue of rising costs in these two accounts. Ms Davis said the request was based on last year's usage of approximately \$3,000 per month for Overtime and approximately \$1,200 per month for Part-time.

Councilmember Byers pointed out that Superior and Superior II Courts have similar caseloads but there are two (2) Clerk's employees in Superior but only one (1) in Superior II. While other courts' expenses in these two line items are holding steady, Superior Court's has increased approximately \$25,000.

	<u>Overtime</u>	<u>Part-time</u>
2001	19,000	13,800
2002	35,000	23,800

Ms Davis said all the employees work flex hours but she turns in Overtime for herself in addition to working flex hours. She thinks the forty six (46) jury trials in 2002 compared to 31 in 2001 account for the increases in Part-time and Overtime.

Councilmember Vernon observed that this court may need another employee to cut down on the Overtime.

As Council representatives to Superior Court, Councilmember Kemper and Councilmember Fruitt agreed to set a meeting with Judge Johnson.

- Councilmember Kemper's motion to approve \$6,000 for Overtime, \$6,000 for Part-time, \$918 for Social Security, and \$285 for Retirement died for lack of a second.
- Councilmember Byers moved to approve \$3,000 for Overtime, \$3,000 for Part-time, \$459 for Social Security, and \$143 for Retirement, seconded by Councilmember Fruitt.

Councilmember Kessler said these appropriations will clear the deficit but asked if there will be extra for operating expenses. Auditor Plantenga responded there would be \$2,800 for Overtime and \$400 for Part-time, but he speculated they may already have accrued that much in Part-time. Councilmember Kessler said he thinks the County is obligated to pay if people have worked, but the Council's message to the court is don't have people work if there is no funding.

Attorney Luhman explained that the Auditor is not authorized to pay money if it has not been appropriated. If there are not sufficient funds to operate the court, the Judge can request an Emergency Meeting of the Council to request additional funds. He predicted such a meeting might be requested as early as next week.

Referencing the Quarterly Case Status Report from January 1, 2002 thru December 31, 2002 distributed by Councilmember Michael, Attorney Luhman noted:

	<u>Jury Trials</u>	<u>Total Cases</u>
Superior Court	22	2,696
Superior Court	08	1,962

II

Councilmember Vernon asked if the \$400 for Part-time in the motion is already spent. Auditor Plantenga responded that \$400 was left as of last Friday's payroll on February 7<sup>th</sup> but there is one more payroll in February. He observed \$400 may not last long with three (3) Part-time employees. Councilmember Vernon said she is uncomfortable calling an Emergency Meeting so soon before the representatives have had an opportunity to talk to Judge Johnson. She thought an additional employee in this court might be a cost savings to the County.

Councilmember Kemper said his motion to appropriate \$6,000 in each line item would give the Council more time to work something out with the Judge. He thinks the Council is asking for an Emergency Meeting if only \$3,000 is appropriated in each.

- Councilmember Fruitt withdrew his second since Councilmember Byers did not want to amend his motion.
- Councilmember Michael seconded Councilmember Byers' motion.

Checking the payroll records on-line during the Council's discussion, Auditor Plantenga discovered that one Part-time employee was incorrectly paid from Superior Court II because of a Payroll problem. With one less employee, the Part-time balance is \$800 instead of \$400.

- The motion to approve \$3,000 for Part-time and \$3,000 for Overtime plus benefits passed with no votes from Councilmembers Kemper, Vernon, and Basham.

#### ***AREA PLAN***

##### **ADDITIONAL APPROPRIATION: \$5,630.00**

5,008.00	Assistant Director
384.00	Social Security
238.00	Retirement

- Councilmember Vernon stated she thinks this request is inappropriate at this time and, since Mr. Hawley is not available to answer the Council's questions today, she moved to table this request until the March meeting, seconded by Councilmember Kessler; motion carried.

***COURT SERVICES, Violence in Community Fund 576: Director Cindy Houseman***

**ADDITIONAL APPROPRIATION: \$44,516.68**

32,761.68	Full time Employee
2,507.00	Social Security
1,557.00	Retirement
6,544.00	Health Insurance
1,147.00	Workman's Comp

Mrs. Houseman explained this full time employee will work part-time as an Evaluator for Court Services during daytime hours and part-time as a Counselor at Cary Home at night.

- Councilmember Kemper moved to approve the appropriation, seconded by Councilmember Vernon; motion carried with Councilmember Kessler abstaining.

Note: The Salary Ordinance for this position was approved in January.

***E-911 FUND 176: Sheriff William "Smokey" Anderson and E-911 Director Capt. Mark Kirby***

**ADDITIONAL APPROPRIATION: \$40,000.00**

26,827.00	PC Technician
2,053.00	Social Security
1,275.00	Retirement
4,908.00	Health Insurance
939.00	Workers Comp

<b><i>SALARY ORDINANCE</i></b>	<b><i>Position</i></b>	<b><i>Rate</i></b>	<b><i>Salary</i></b>
Full Time	PC Technician	1,310.50/ 1,387.54	26,827.00

Sheriff Anderson requested the Additional Appropriation from E-911 Fund 176 to pay a new PC Technician Level III for E-911. Auditor Plantenga noted the request is for \$40,000 but the salary and benefits total only \$36,002.00. Capt. Kirby said \$36,002.00 is the correct amount because the position will not begin until March 1, 2003. He requested \$40,000 in case the person hired was a current County employee with experience.

- Councilmember Kessler moved to approve the appropriation of \$36,002.00 for a PC Technician Level III, seconded by Councilmember Fruitt; motion carried.
- Councilmember Kessler moved to approve the Salary Ordinance, seconded by Councilmember Kemper; motion carried.

***RESOLUTION 2003-09-CL, Approves Lease of Office Space in Loeb Building for Juvenile Alternatives: Director Cathy Smith***

The full text of Resolution 2003-09-CL will appear in the Ordinance and Resolution Book in the County Auditor's Office.

Ms Smith requested approval of Resolution 2003-09-CL approving a lease for office space in the Loeb Building for Juvenile Alternatives (JAG). Since she became Director ten (10) years ago, the staff has increased from two (2) to thirteen (13) employees. She reported JAG programs diverted a minimum \$266,625 from the DOC (Department of Corrections) for juvenile incarceration last year. Since their current office space in the Courthouse is suitable for a maximum of four (4) employees, she said leasing space in the Loeb Building seems to be the best option available. The five (5) year lease that begins March 1, 2003 is contingent on an annual appropriation from JAG User Fees.

Attorney Luhman explained JAG will be leasing 2002 sq. ft. at an average amount of \$9.81 per sq. ft. The first year cost is \$8.00 per sq. ft. and a fifth year cost will be \$11.85 sq. ft. The lease amount includes all remodeling necessary to meet JAG's needs as well as gas and electricity.

- Councilmember Fruitt moved to approve Resolution 2003-09-CL, seconded by Councilmember Kessler; motion carried.

***PUBLIC HEARING: Tippecanoe County Public Library 2004 Capital Projects Fund Plan***

Van Phillips, Tippecanoe County Library Board of Directors and Chair of the Capital Projects Fund Sub-Committee, requested approval of their 2004 Capital Projects request. They want to replace eight (8) of the domestic level HVAC units with commercial grade units because they are at the end of their life expectancy. The second project is to install a newer fire suppression system in the office space that houses their computer servers. This system will replace a water sprinkling system.

Mr. Phillips said they are requesting the Council's approval of the Plan but will let the County Auditor supply the tax rate when it is available. Councilmember Vernon established that it is assumed the rate will be the same as in 2003.

No others spoke in favor or in opposition to the 2004 Capital Projects Fund Plan.

***RESOLUTION 2003-12-CL: Approves the Library Capital Projects Plan***

The full text of Resolution 2003-09-CL will appear in the Ordinance and Resolution Book in the County Auditor's Office.

- Councilmember Kessler moved to approve Resolution 2003-09-CL, seconded by Councilmember Byers; motion carried.

***INTEREST report: Chief Deputy Treasurer Shannon Withers***

Mrs. Withers distributed the Interest Report for 2002 that showed the year to date total averaged 1.62%.

Councilmember Kemper asked the Auditor how the Department of Local Government and Finance adjusted our estimated 2003 interest amount. Auditor Plantenga explained that the 2003 Annual Budget was calculated on eighteen (18) months beginning July 1 using estimated revenue from the second half of 2002 and all of 2003. Knowing that we did not receive our second COIT distribution in 2002, the Department of Local Government and Finance added the \$236,000 of anticipated COIT revenue to our estimated \$750,000 interest revenue to balance our 2003 Budget.

***RESOLUTION 2003-10-CL: Endorses Amendment to EDIT Capital Improvement Plan***

The full text of Resolution 2003-10-CL will appear in the Ordinance and Resolution Book in the County Auditor's Office.

Commissioners' Assistant Jennifer Weston prepared a handout showing the following:

(quote)

**ESTIMATED 2003 EDIT & CUMULATIVE CAPITAL FUNDS BALANCE**

	Fund 301 EDIT	Fund 10 CUM CAP
Cash Balance 12/31/02	7,715,713.26	3,305,720.89
Encumbrances (Year 2002)	(408,718.08)	(380,313.29)
2003 Budget	(6,596,157.00)	(1,074,617.00)
Anticipated Revenue (Year 2003)	4,500,000.00	1,500,000.00
Cushion	(2,000,000.00)	(500,000.00)
 2003 Working Balance	 \$3,210,838.18	 \$2,850,790.60

(unquote)

It was clarified that the 2003 Working Balance is currently unappropriated.

- Councilmember Kessler moved to approve Resolution 2003-10-CL, seconded by Councilmember Kemper; motion carried.

**COMMISSIONERS EDIT FUND 301****ADDITIONAL APPROPRIATIONS: \$78,000.00**

1,500.00 Wabash River Parkway – Agency Funding  
 1,500.00 Wabash River Parkway - Brochure  
 75,000.00 Ambulances

- Councilmember Kessler moved to approve the Additional Appropriations, seconded by Councilmember Byers; motion carried.

***RESOLUTION 2003-11-CL: Endorses Amendment to Cum Cap Tax Capital Improvement Plan***

The full text of Resolution 2003-11-CL will appear in the Ordinance and Resolution Book in the County Auditor's Office.

- Councilmember Byers moved to approve Resolution 2003-11-CL, seconded by Councilmember Michael; motion carried.

**COMMISSIONERS CUM CAP FUND 010****ADDITIONAL APPROPRIATIONS: \$35,000.00**

13,930.00 Part-time  
 1,070.00 Social Security  
 20,000.00 Equipment – Data Processing

The request for Part-time and Social Security are for the services of part-time employees with special construction and cabinet-making skills to provide furnishings and repairs for the Courthouse, TCOB, and 629 Buildings.

Auditor Plantenga noted only \$1,066.00 is needed for Social Security.

- Councilmember Byers moved to approve the Additional Appropriations of \$13,930 for Part-time, \$1,066 for Social Security, and \$20,000 for Equipment – Data Processing, seconded by Councilmember Michael; motion carried.

***PARKING GARAGE 4<sup>TH</sup> QUARTER REPORT: Commissioners' Assistant Jennifer Weston***

Mrs. Weston's 2002 4<sup>th</sup> Quarter Report showed:

**Census 12/31/2002**

Monthly - Denison			Employees-County		
\$115	Signed Reserved	0	\$40	Premium Reserved	23
\$90	Reserved	17	\$25	Reserved	79
\$60	Hunt-to-Find	78	\$10	Hunt-to-Find (full time)	134
			\$5	Part-time	75

Total Revenue	\$134,813.95
Total Expense	\$ 81,495.83
Net	\$ 53,318.12

Councilmember Kessler asked if the Parking Garage Bonds can be renegotiated for a lower interest rate. Attorney Luhman suggested asking Financial Consultant Greg Guerrettaz to determine if it would be cost effective to refinance.

**Report on Ambulance Funding**

Mrs. Weston reported that Grant Coordinator Jessica Rebmman just spoke on the phone with John Walling, President of North Central Health Services, and was told they don't fund projects that are normally paid by tax supported government. Mrs. Weston pointed out the County is obligated by code to provide Ambulance Service.

***APPOINTMENT CHANGES***

Since the Council approved their 2003 Appointments by Resolution 2003-05-CL on January 14, 2003, two changes have occurred. Sue Teder agreed to replace Mary Vaca on the Wabash Valley Hospital Board and Mary Fuqua agreed to replace Sandy Marchel on Area IV Agency on

Aging. President Basham explained there was confusion regarding Ms Fuqua's appointment because there is an Area IV Agency on Aging as well as a Tippecanoe County Council on Aging.

- Councilmember Michael moved to appoint Sue Teder to the Wabash Valley Hospital Board and Mary Fuqua to Area IV Agency on Aging, seconded by Councilmember Fruitt; motion carried.

***CORRECTION: Ancillary***

The Council approved a Transfer of \$17,500 from Overtime/Transcripts to Pauper Transcripts at the January 14, 2003 meeting but Auditor Plantenga reported that Ancillary only had \$16,605 available in that line item.

- Councilmember Byers moved to correct the amount transferred from Overtime/Transcripts to Pauper Transcripts to \$16,605, seconded by Councilmember Kessler; motion carried.

***MEETINGS***

Thursday, March 6, 2003	8:00 A.M.	Site visit to County Health Department, 629 N. 6 <sup>th</sup> St.
	9:00 A.M.	Cash Management Meeting
Tuesday, March 11, 2003	11:00 A.M.	Special Joint Meeting with Commissioners and Financial Consultant Greg Guerrettaz
	1:00 P.M.	Agenda Review
	2:00 P.M.	Regular Council Meeting

***FYI: Commissioner KD Benson***

- The County Organizational Chart is printed and copies are available for distribution.
- Commissioners' Assistant Jennifer Weston attended training regarding Economic Development at Ball State University last month
- The Energy Evaluation for TCOB & Courthouse resulted in a recommendation to replace Courthouse single windows.
- The annual Jury Draw took place per the new State requirement of only one per year.
- Commissioner Benson will speak at the Chamber of Commerce Meeting this Friday, February 14<sup>th</sup>.
- Councilmember Byers and Commissioner Benson will attend the Soil & Water Conservation Meeting on March 4<sup>th</sup>.
- Mike Piggott presented the Vision 2020 Intergovernmental Commission Update for 2002 to the Commissioners on February 3<sup>rd</sup>.
- The Clerk's Office will be open until 6:30 P.M. on Tuesday evenings beginning February 18<sup>th</sup>.
- Pat Scowden was appointed Community Corrections Executive Director.
- The Department Heads' Meeting will be held at noon, February 18<sup>th</sup>.
- A Rally for the Gas Tax Bill will be held in Indianapolis February 18<sup>th</sup>. This bill is tied to the Wheel Tax.

***PUBLIC COMMENTS: 3 Minutes Allowed per Speaker***

Susan Smith, Family Services Director, thanked the Councilmembers and Commissioners who attended the meeting to discuss Family Services and the role they might play in partnership with the County. Noting the growth Juvenile Alternatives has experienced over the past ten (10) years, she wondered if Juvenile Alternatives might partner with existing organizations to improve the flow of services and coordinate their efforts for greater economy to save the County money.

To clarify, Ms Smith explained Area IV Agency on Aging is a quasi-governmental body that is required to have a representative from the Fiscal Body from each of the eight (8) counties it serves. The Tippecanoe County Council on Aging is a United Way not-for-profit non-governmental agency.

Bryan Coulter, a former SIA (Subaru Indiana Automotive) employee, appeared to speak regarding SIA Tax Abatements. Although they have laid off workers, he said SIA continues to receive new abatements and is found to be in compliance with continuing abatements. He maintained that a lay-off policy was posted at SIA prior to Tom Easterday's (SIA General



Counsel) appearance before the County Council for an update on August 13, 2002, but Mr. Easterday did not inform the County Council. Mr. Coulter said SIA has laid off over 400 employees with no consequences but employees at the top of the pay scale have no realistic chance of being rehired.

President Basham announced Mr. Coulter's time had expired but asked him to put his written comments in the Councilmembers' mailboxes in the Mail Room.


Councilmember Fruitt asked Mr. Coulter to "cut to the chase" and tell the Council what he is requesting. Mr. Coulter responded he wants the County Council to require SIA to rehire laid off workers instead of hiring new workers.

There were no other comments.


**ADJOURNMENT**

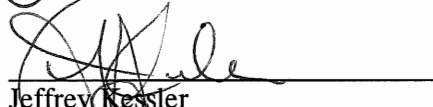
- Councilmember Fruitt moved to adjourn, seconded by Councilmember Kemper; motion carried.

**TIPPECANOE COUNTY COUNCIL**

  
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 Connie Basham, President

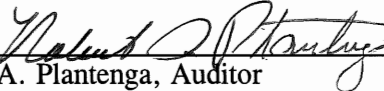
  
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 Jeffrey A. Kemper

  
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 Ronald L. Fruitt, Vice President

  
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 Jeffrey Kessler

  
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 David S. Byers

  
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 Betty J. Michael

Attest:   
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 Robert A. Plantenga, Auditor

  
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 Kathy Vernon

VOID