

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
MAY 14, 2002**

The Tippecanoe County Council held its regular meeting on Tuesday, May 14, 2002 at 2:00 P.M. in the Tippecanoe Room in the County Office Building. Council members present were: President David S. Byers, Vice President Connie Basham, Jeffrey Kessler, Margaret K. Bell, Jeffrey A. Kemper, Kathy Vernon, and Ronald L. Fruitt; Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Byers called the meeting to order and led the Pledge of Allegiance. He then called upon Father Tim Alkire, St. Boniface Catholic Church, to offer a prayer.

APPROVAL OF MINUTES

Councilmember Basham noted two typographical errors in the minutes of the April 9, 2002 Special Joint Meeting with Commissioners on Page 4: #6: faculty s/b facility and #10: Vie s/b The

- Councilmember Fruitt moved to approve the minutes of the April 9, 2002 Special Joint Meeting with the Commissioners as amended, seconded by Councilmember Vernon; motion carried.
- Councilmember Kemper moved to approve the minutes of the April 9, 2002 Regular Meeting, seconded by Councilmember Basham; motion carried.
- Councilmember Basham moved to approve the minutes of the April 23, 2002 Special Joint Meeting with the Commissioners, seconded by Councilmember Bell; motion carried.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2002 uncommitted County General Funds through April 30, 2002 are \$463,708.36.

INTEREST STATEMENT: Chief Deputy Treasurer Shannon Withers

Chief Deputy Treasurer Withers distributed the Interest Report through March 2002. The March average interest rate increased to 2.41%.

COMPLIANCE WITH STATEMENT OF BENEFITS: Mike Madrid

To determine compliance, estimated numbers from the Statement of Benefits (SB-1) that are filed with the request for abatement are compared with actual numbers on the Compliance with Statement of Benefits (CF-1).

	Est. on SB-1	Actual (CF-1)
Current number of employees	43	69
Number of employees retained	43	43
Number of additional employees	4	10

Owner Mike Madrid stated that economics did not impact his employees or salaries. When asked if the form should be still be filed as Mike Madrid, he corrected that to Madrid Properties LLC.

- Councilmember Fruitt moved to find Mike Madrid, amended to Madrid Properties LLC, is in substantial compliance, seconded by Councilmember Basham; motion carried.

COMPLIANCE WITH STATEMENT OF BENEFITS: Atlas Excavating, Inc.

	Est. on SB-1	Actual (CF-1)
Current number of employees	163	100
Number of employees retained	163	100
Number of additional employees	22	63

Owner Tina Dillon explained that the economy has adversely affected their business, and they are waiting on two (2) projects to start. These circumstances have caused the number of actual

employees to be below their estimate. Mrs. Dillon noted that these numbers were effective at the end of March, but the number of employees increased in April and May by approximately 50.

Auditor Plantenga distributed copies of their CF-1 Forms filed for 1999 and 2000:

1999

	Est. on SB-1	Actual (CF-1)
Current number of employees	163	207
Number of employees retained	163	207
Number of additional employees	22	44

2000

	Est. on SB-1	Actual (CF-1)
Current number of employees	163	186
Number of employees retained	163	186
Number of additional employees	22	23

Councilmember Kessler commented that this year has been more challenging because of the economic situation, but Atlas should be aware that the Council cannot continue to approve a tax abatement if the number of employees continues to drop.

Councilmember Kemper asked Mrs. Dillon to submit a quarterly report of actual employees to the Council. He said Atlas may be penalized because their business is seasonal.

- Councilmember Kessler moved to find Atlas Excavating, Inc. is in substantial compliance, seconded by Councilmember Kemper; motion carried.

PUBLIC DEFENDER: Amy Hutchison

County General Fund 01

ADDITIONAL APPROPRIATION: \$175,013.00

50,013.00 Contractual Services
125,000.00 Professional Services

Mrs. Hutchison requested an additional \$50,013 to pay the eight (8) attorneys who work on a contractual basis as Public Defenders. Since her 2002 request of \$211,904 was cut to \$161,904, she could only contract with them through June 30, 2002. She noted that she cannot extend their contracts until the funding is in place. Since she had a balance of \$100,098.48 at the end of April, Councilmember Kemper thought she should wait until she is down to a month's worth of funds. Mrs. Hutchison acknowledged that she is not yet out of funds, but said she needs time to get extended contracts signed by the attorneys which she cannot do until the funding is in place. Councilmember Kemper said, to be consistent, it isn't the Council's policy to appropriate additional funds when there is a significant balance in the line item.

No action was taken.

Mrs. Hutchison explained that, although she has had several cases with large bills, she thought her request for \$125,000 for Professional Services could be cut to approximately half.

- Councilmember Kemper moved to approve an additional \$50,000 for Professional Services, seconded by Councilmember Kessler; motion carried.

Public Defender Fund 42

ADDITIONAL APPROPRIATION: \$10,000.00

10,000.00 Professional Services

- Councilmember Kemper moved to approve an appropriation of \$10,000 for Professional Services for Fund 42, seconded by Councilmember Kessler; motion carried.

VETERANS SERVICE

ADDITIONAL APPROPRIATION: \$500.00

500.00 Travel & Training

Although Veterans Service Officer Randy Fairchild was not present to accept the award, President Byers announced that Mr. Fairchild was added to the County Fiscal Award plaque for his efforts to secure adequate contributions from various organizations to purchase a van used to transport veterans to and from VA Medical Centers.

Mr. Fairchild's request for additional money is due to funding cuts. The DAV (Disabled American Veterans) Department of Indiana only has funds to reimburse half (\$1,000) of related expenses for volunteer drivers of the van used to transport the veterans to and from VA (Veterans Administration) Medical Centers. To fund the remaining \$1,000, American Legion Post #11 has agreed to contribute \$500 of the needed amount. Mr. Fairchild requested the remaining \$500 for the Travel & Training line item.

- Councilmember Fruitt moved to approve an additional \$500 for Travel & Training, seconded by Councilmember Bell; motion carried.

PROBATION (Juvenile): Deputy Chief Probation Officer Dianne Kearns & Judge Loretta Rush

ADDITIONAL APPROPRIATION: \$20,851.00

16,004.00	Probation Officer
1,225.00	Social Security
761.00	Retirement
2,861.00	Health Insurance

Juvenile Probation's request is for a new Probation Officer who will work from 4:00 P.M. to Midnight at Cary Home in the SHOCAP Tracker's Office. Juvenile Court Judge Loretta Rush said she requires daily contact by the Juvenile Probation Officers with the juveniles. She reported that Juvenile Delinquency cases increased from 173 in 1995 to 412 in 2001. Juvenile Status Offenses increased from 69 in 1995 to 625 in 2001. There are currently 8 juvenile boys at Cary Home who are in Probation Residential Placement.

Ms Kearns outlined the duties of this new Probation Officer:

1. Intake: Because of the current caseload of the current one (1) Intake Probation Officer, it usually takes 4 to 6 weeks from the time of arrest until the intake appointment. In the meantime, she said the juvenile is still on the street.
2. Informal Adjustment with Monitoring: Insures the juvenile is meeting specific terms and conditions.
3. Offender Assessment & Release Program: Following an arrest, the police officer will contact the Intake Officer who will determine if the juvenile needs to be detained or can be released to his parents. If release to the parents is appropriate, the juvenile will be held at Cary Home and the police officer can return to duty.
4. Small Formal Caseload: Cases that will go before the judge. The Probation Officer conducts a Needs Assessment to determine if the case is low, medium, or high risk.

Judge Rush said they came to the Council for funding because there are currently no other grant funds available to help pay for this position. Since approximately \$1,500 to \$1,800 per month is collected in Juvenile User Fees, Chief Probation Officer Joe Hooker said possibly \$5,000 annually could be used to pay for this position.

Councilmember Kessler said he doesn't question the need but asked if there are other new positions the Council will be asked to fund. Besides the new positions at the Jail, President Byers said other departments are interested in asking for new positions. Councilmember Basham said the County need to meet the needs of juveniles and, compared to a new position in the Auditor's Office, she thinks this is a people issue and the Council needs to stress its importance. Councilmember Kessler agreed that money spent on troubled youth today will save money down the road. Councilmember Kemper said he supports the new position, but thinks the users should pay more so that not all taxpayers are paying.

- Councilmember Basham moved to approved the request for \$20,851 for the new Juvenile Probation Officer position, seconded by Councilmember Bell; motion carried.

SALARY ORDINANCE	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Full Time	Probation Officer-Cary Home	1,143.08	16,004.00

- Councilmember Basham moved to approve the Salary Ordinance, seconded by Councilmember Kessler; motion carried.

CARY HOME: Director Rebecca Humphrey**ADDITIONAL APPROPRIATION: \$20,615.00**

15,290.00	Adolescent Care Specialist III
1,170.00	Social Security
727.00	Retirement
2,892.00	Health Insurance
536.00	Workers Comp

Ms Humphrey requested this new position, effective from June 1, 2002 through December 31, 2002, for a Night Supervisor from Midnight to 8:00 A.M. This person will provide assessment and intervention resources and referrals for parents at the time they pick up their son at Cary Home. This position will also save the Lafayette Police Department approximately 55 hours per month supervising youth until they are picked up by their parents. Ms Humphrey said they are seeing more acute cases at Cary Home and an additional supervisor will increase safety.

Councilmember Byers noted that revenue from Cary Home is approximately \$55,000 less than it should be at this time of year. He asked if Cary Home charges fees for these services. Ms Humphrey thinks it would cost the County if Cary Home charged Probation or Superior Court III for its services since those departments operate from County funds. She said this program will be only for Tippecanoe County residents.

Councilmember Kessler asked if this is a priority position because he said he is not sure he wants to fund two (2) new positions on the same day. Councilmember Kemper said this sounds like a needed position.

Commissioner Benson said juvenile positions are a high priority. Commissioner Knochel agreed that the County is spending a lot of money on a few juveniles but thinks you have to ask how will this juvenile proceed with his life without the assistance he needs. Councilmember Vernon stated that the facility has to be staffed even if there are only two (2) juveniles.

Kurt Wolf, Juvenile Division of Lafayette Police Department, said early intervention is the key. Councilmember Basham thinks the money is well spent if we can prevent secure detention costs. She also thinks that 24 hour coverage will make Cary Home more marketable.

There was a discrepancy in the salary amount of \$15,290 on the Additional Appropriation request and \$16,055 on the Salary Ordinance. After checking the amounts with Human Resources Director Frank Cederquist, Auditor Plantenga confirmed the correct amount is \$16,055 but, since \$15,290 was the advertised amount, he said the difference in salary and benefits will have to be transferred from another line item.

- Councilmember Basham moved to approve the Additional Appropriation of \$20,615, seconded by Councilmember Kessler; motion carried with 1 no vote by Councilmember Byers.

SALARY ORDINANCE	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Full Time	House Supervisor-Nights	1,146.75	16,055.00

- Councilmember Basham moved to approve the Salary Ordinance, seconded by Councilmember Kessler; motion carried with 1 no vote by Councilmember Byers.

SALARY ORDINANCE	<u>Position</u>	<u>Rate</u>	<u>Salary</u>
Part-time	Substance Abuse Counselor	16.93/hr	

Ms Humphrey asked the Council to approve the Salary Ordinance for a new part-time Substance Abuse Counselor to work 25 hours per week in June, July, and August on a trial basis. She said she has funding in the Adolescent Care Specialist line due to a vacancy.

Councilmember Basham reported that she asked Judge Zeman and Bill Carey, Administrator of Court Alcohol and Drug Programs, if this position could be paid by Court Services since that department deals with alcohol and substance abuse. They agreed that this position can be paid from Court Services Funds after the three (3) month trial period provided the position is split between Cary Home and Court Services.

- Councilmember Basham moved to approve the Salary Ordinance for the part-time Substance Abuse Counselor, seconded by Councilmember Vernon; motion carried.

ADDITIONAL APPROPRIATION: \$20,615.00

12,432.00	Juv En/Treatment Coordinator
8,417.00	Juv En/Treatment Specialist
1,595.00	Social Security
991.00	Retirement
3,305.00	Health Insurance
730.00	Workers Comp

Ms Humphrey requested this appropriation for the JAMS (Juvenile Alternatives Management Sessions) Program that will be reimbursed by the DFC (Division of Family and Children). She explained there are currently fifteen (15) boys in the program that is an alternative to Boys School. She said David Ling, DFC Director, agreed to pay salaries and benefits for these two positions from May 1, 2002 through August 31, 2002, and Judge Rush cut two other programs at Cary Home to fund these positions from September 1, 2002 through December 31, 2002.

- Councilmember Basham moved to approve the Additional Appropriation of \$20,615.00, seconded by Councilmember Kemper; motion carried with 1 no vote by Councilmember Byers.

CASA

ADDITIONAL APPROPRIATION: \$10,687.71

6,687.71	Supplies
4,000.00	Services

Auditor Plantenga explained this is an appropriation of grant money.

- Councilmember Basham moved to approve the Additional Appropriation, seconded by Councilmember Fruitt; motion carried.

COURT SERVICES: Director Cindy Houseman

ADDITIONAL APPROPRIATION: \$47,100.00

12,600.00	Lease
27,000.00	Adm Contracts
7,500.00	Office Supplies

Ms Houseman requested the additional \$12,600 to rent the other side of the building for education classes and \$27,000 for Administrative Contracts for the Theft Talks Workshop instructors.

Since one of the individuals Ms Houseman wants to hire to teach the Theft Talks Workshop is a County employee, there is a question if she can be a contract worker. The Commissioners approved the special contracts for the Theft Talks Workshop subject to approval by the Indiana Department of Labor at their April 15, 2002 meeting. Ms Houseman reported that she was referred to the United States Department of Labor, the Indiana Department of Labor, Work One, the State Auditor, and the State Board of Accounts who told her this is a local issue.

Attorney Luhman explained that, after analysis, it is his opinion that the services of the contract worker must be substantially different than those as a County employee. If it is decided that the County would be responsible for overtime, an audit would be conducted and any penalties owed would come from the Court Services Budget. Overtime (over 40 hrs.) will have to be paid whether the employee is full time or part-time.

- Councilmember Kemper moved to approve the Additional Appropriations of \$12,600 for Lease, \$27,000 for Adm Contracts, and \$7,500 for Office Supplies, seconded by Councilmember Basham; motion carried with Councilmember Kessler abstaining.

CIRCUIT COURT: Bailiff Sue Lohrman

ADDITIONAL APPROPRIATION: \$6,000.00

6,000.00	Guardian Ad Litem
----------	-------------------

Mrs. Lohrman reported that the Council approved \$1,000 for Guardian Ad Litem for 2002. With encumbrances, she began the year with \$3,011.71 and has paid claims totaling \$2,966.29. As of today, she said she has claims totaling \$5,466.38.

Mrs. Lohrman explained that a Guardian Ad Litem is an attorney appointed to represent children in divorce cases. The Court pays the attorney's fee if the family cannot pay.

President Byers noted that Guardian Ad Litem Grant Fund 8 has a balance of \$2,200 and asked Mrs. Lohrman if she could use that fund to pay her Guardian Ad Litem bills. Mrs. Lohrman responded that she was unaware of such a fund. Auditor Plantenga said he would research how this fund can be spent.

Councilmember Kemper suggested transferring \$4,000 from Jury Expense to Guardian Ad Litem but Mrs. Lohrman said that was too much since they are calling a jury next week. Auditor Plantenga suggested approving an appropriation of \$3,000 and a transfer of \$3,000 from Jury Expense to Guardian Ad Litem so she can pay her bills. He said Mrs. Lohrman can request an Additional Appropriation of \$3,000 next month from Jury Pay Fund 161 to pay her jury expenses.

- Councilmember Kemper moved to approve an Additional Appropriation of \$3,000 for Guardian Ad Litem, seconded by Councilmember Basham; motion carried.
- Councilmember Kemper moved to approve a Transfer of \$3,000 from Jury Expense to Guardian Ad Litem, seconded by Councilmember Fruitt; motion carried.

PARKING GARAGE QUARTERLY REPORT: Commissioners' Assistant Jennifer Weston

For the period ending April 30, 2002:

Receipts	\$83,712.33
Disbursements	\$60,086.23
Net	\$23,626.10

Census:		
<u>DBC-non County</u>	<u>Monthly rate</u>	<u>Number</u>
Signed Reserved	\$115	0
Reserved	\$90	15
Hunt-to-find	\$60	60

<u>Employees-County</u>	<u>Monthly rate</u>	<u>Number</u>
Premium Reserved	\$40	26
Reserved	\$25	95
Hunt-to-find	\$10	139
Part-time	\$5	75

Bond payments are paid from the EDIT Fund.
Revenues are paying the expenses.

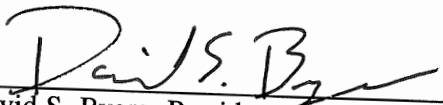
MEETING DATES

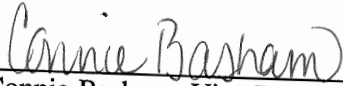
Caucus	Wednesday, June 5, 2002	6:30 P.M.
Special (Wheel Tax 1 st Reading)		7:00 P.M.
Regular (Wheel Tax 2 nd Reading)	Monday, June 24, 2002	7:00 P.M.
Caucus	Tuesday, July 9, 2002	1:30 P.M.
Regular		2:00 P.M.

ADJOURNMENT


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

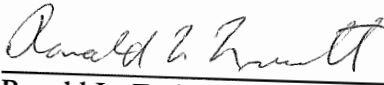
TIPPECANOE COUNTY COUNCIL

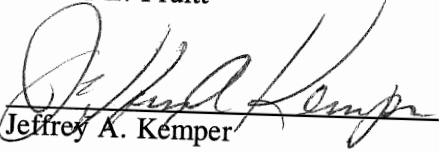

David S. Byers, President



Connie Basham, Vice President



Margaret K. Bell

Attest: 
Robert A. Plantenga, Auditor


Ronald L. Fruitt


Jeffrey A. Kemper


Jeffrey Keasler


Kathy Vernon