

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
NOVEMBER 9, 2004**

The Tippecanoe County Council held its Regular Meeting at 2:00 P.M., Tuesday, November 9, 2004 in the Tippecanoe Room in the County Office Building. Council members present were: President Kathy Vernon, Vice President Ronald L. Fruitt, Connie Basham, Jeffrey A. Kemper, Jeffrey Kessler, and Betty J. Michael. Others present were: Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Councilmember David S. Byers was absent.)

President Vernon called the meeting to order and led the Pledge of Allegiance. Councilmember Kessler introduced Mark Dutton, Co-Sr. Pastor at Faith Baptist Church, who offered a prayer.

APPROVAL OF MINUTES

- Councilmember Michael moved to approve the minutes of the October 12, 2004 Regular Meeting, seconded by Councilmember Fruitt; motion carried.

INTEREST STATEMENT

Treasurer Oneta Tolle was not present but dispersed the Interest Report prior to the meeting showing the average interest rate for September 2004 was 1.74%.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2004 uncommitted County General Funds through October 31, 2004 are \$43,861.58. He noted receipt of Revenue in lines:

- ♦ 33-40: Reimbursement received from the City of Lafayette for two (2) Animal Warden positions. They have paid the salary for the entire year plus Overtime for the first three quarters.
- ♦ 42-20: Receipt of \$268,695 for the Sheriff's housing of DOC inmates. We received payment through April 2004 totaling \$596,995.

He noted an increase in Fund 716, Surplus Tax Sale, that shows October receipts of approximately \$5.1 million. Auditor Plantenga said the County paid approximately \$1 million in taxes but received approximately \$6 million in bids for properties with delinquent taxes. We will hold and collect interest on the \$5.1 million until the property is redeemed or a Tax Sale Deed is issued.

SUPERIOR COURT V: Judge Les Meade

General Fund 001
Jury Pay Fund 550

ADDITIONAL APPROPRIATION: \$2,000.00
2,000.00 Jury Expense

- Councilmember Kessler moved to approve the appropriation of \$2,000 from Jury Pay Fund 550, seconded by Councilmember Michael; motion carried.

EMPLOYEE INSURANCE

REDUCTION OF APPROPRIATION: \$60,000.00
60,000.00 Health Insurance

Because there is currently an excess appropriation in the Health Insurance line item in the General fund, a reduction of appropriation will increase the uncommitted balance and can be used for General Fund appropriation requests today.

- Councilmember Kessler moved to approve the \$60,000 reduction of appropriation in General Fund 001, seconded by Councilmember Kemper; motion carried.

CIRCUIT COURT: Bailiff Sue Lohrman

General Fund 001

ADDITIONAL APPROPRIATIONS: \$5,114.00
1,114.00 Law Books (tabled 10/12/04)
4,000.00 Jury Expense

Jury Pay Fund 550

ADDITIONAL APPROPRIATION: \$4,000.00
4,000.00 Jury Expense

Councilmember Kessler said that, because the County is down to very little money and many requests, he is not certain he believes law books are imperative at this time. He said he realizes the judges need law books but he would like a better explanation of that need and thinks the appropriation should be delayed until January.

Mrs. Lohrman explained that Judge Daniel has three (3) separate subscriptions: Indiana Practice that includes updates and Anderson's Probate forms used by Circuit Court, West Annotated Code, and Indiana Cases, weekly pamphlet-type books. She noted that the library in Circuit Court has been cut substantially in the last two years. Mrs. Lohrman thinks most of the judges access the law books on the internet but said they may need information that is not included on the web.

Councilmember Kemper asked if she can hold the bills for another 60 days until the January meeting. Mrs. Lohrman said she is holding bills since before the October Council meeting and has received notice that they are overdue. She was not sure if they will be charged a late fee but they have been charged in the past. Mrs. Lohrman explained she has no funds in other line items to transfer. Councilmember Kemper said he has no objection to postponing payment.

- Councilmember Kessler moved to approve \$4,000 for Jury Expense in Jury Pay Fund 550, seconded by Councilmember Kemper; motion carried.

SUPERIOR COURT: Bailiff Angie Thompson

General Fund 001

ADDITIONAL APPROPRIATIONS: \$77,787.00

5,000.00	Jury Expense
55,000.00	Pauper Attorney
2,975.00	Law Book Subscriptions
2,560.00	Overtime
5,319.00	Full Time Employee
973.00	Retirement
1,609.00	Social Security
4,351.00	Part-time

Jury Pay Fund 550

ADDITIONAL APPROPRIATION: \$5,000.00

5,000.00	Jury Expense
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Councilmember Kemper explained Judge Johnson had another commitment and could not attend today's meeting. He recommended approving \$20,000 for Pauper Attorney. Ms Thompson explained the court has been threatened with a lawsuit if outstanding law book bills from 2002 and 2003 totaling \$2,975 are not paid. Councilmember Kessler requested a more complete account of law books actually needed when future requests are submitted.

Auditor Plantenga noted the Retirement amount should be decreased to \$434 and the Social Security amount decreased to \$936.

- Councilmember Kessler moved to approve \$20,000 for Pauper Attorney, \$2,975 for Law Books, \$2,560 for Overtime, \$5,319 for Full Time Employee, \$434 for Retirement, \$936 for Social Security, and \$4,351 for Part-time, seconded by Councilmember Basham.

Councilmember Kemper asked why they need \$5,319 for Full Time Employee. Ms Thompson responded she transferred funds from Full Time to other accounts and now she needs the funds to pay her salary and the Court Reporter's salary.

- The motion carried.

SUPERIOR COURT II: Judge Tom Busch

General Fund 001

Jury Pay Fund 550

ADDITIONAL APPROPRIATION: \$5,979.00

5,979.00	Jury Expense
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Judge Busch reduced his request to \$4,000. He explained he is requesting additional funds for Jury Expense to repay that line item following transfers to Part-time and Overtime plus benefits at the October 12th meeting.

- Councilmember Michael moved to approve \$4,000 for Jury Expense in Jury Pay Fund 550, seconded by Councilmember Fruitt; motion carried.

PROSECUTOR: Prosecutor Jerry Bean

ADDITIONAL APPROPRIATIONS: \$7,815.00

4,107.00	Deputy Prosecutor
315.00	Social Security
226.00	Retirement
541.00	Insurance
1,842.00	File Clerk
141.00	Social Security
102.00	Retirement
541.00	Insurance

SALARY ORDINANCE	Position	Rate	Salary
Full time	Dep. Prosecutor		4,107.00
	File Clerk		1,842.00

Mr. Bean admitted that, after looking at today's agenda, he anticipated the Council will not be able to approve his requests. He did ask the Council to be mindful that, generally when the judges ask for additional jury and overtime funds, the Prosecutor has generated that work. He said his people are overworked and he will be back in 2005 to again request reinstatement of funding for these two positions. He promised to gather more specific numbers for the Council's review.

PUBLIC DEFENDER: Public Defender Amy Hutchison**ADDITIONAL APPROPRIATION: \$40,000**

40,000.00 Professional Services

TRANSFER: \$452.00

From:	001-6310-413-37-30	Cell Phone	452.00
To:	001-6310-411-10-30	Appointed Official	452.00

Mrs. Hutchison reduced her request for Professional Services to \$17,800 because she has approximately \$2,200 in Public Defender Fee Fund 555. She said they will receive more bills but \$20,000 will pay the bills she is holding.

Auditor Plantenga noted the transfer cannot be approved as requested because the Cell Phone line item has a balance of only \$410.

- Councilmember Michael moved to approve the transfer of \$410 from Cell Phone to Appointed Official, seconded by Councilmember Basham; motion carried.
- Councilmember Michael moved to approve an appropriation of \$17,800 for Professional Services, seconded by Councilmember Kemper; motion carried.

ZONING ENFORCEMENT**ADDITIONAL APPROPRIATION: \$500.00**

500.00 Mileage

- Councilmember Kessler moved to approve the appropriation of \$500, second by Councilmember Fruitt; motion carried.

VETERAN SERVICES: Veterans Officer Randy Fairchild**ADDITIONAL APPROPRIATION: \$2,000.00**

2,000.00 Burial of Servicemen

Mr. Fairchild lowered his request to \$1,000 although he has seven claims to submit for payment.

- Councilmember Basham moved to appropriate \$1,000 for Burial of Servicemen, seconded by Councilmember Michael; motion carried.

BOARD OF ELECTION & REGISTRATION: Co-Director Laurie Wilson

General Fund 001

Voting Equipment Reimbursement Fund 329

ADDITIONAL APPROPRIATIONS: \$10,478.00

2,000.00	Overtime
3,000.00	Part-time
383.00	Social Security
95.00	Retirement
5,000.00	Contracts/Election

Mrs. Wilson explained they had extra Overtime and Part-time due to the high number of last minute registrations and the high voter turnout. She changed her requests to \$1,614 for Overtime and \$3,392 for Part-time which reduced Retirement to \$89 for no change overall.

Auditor Plantenga said these requests were advertised in both the General Fund and the Voting Equipment Reimbursement Fund. He said these are appropriate expenses to pay from Fund 329.

- Councilmember Fruitt moved to approve \$1,614 for Overtime, \$3,392 for Part-time, \$383 for Social Security, \$89 for Retirement, and \$5,000 for Contracts/Election from Fund 329, seconded by Councilmember Kessler; motion carried.

CLERK: Clerk Linda Phillips

General Fund 001

ADDITIONAL APPROPRIATIONS: \$2,857.00

2,654.00	Part-time - Other
203.00	Social Security

TRANSFERS: \$3,700.00

From:	001-5810-412-20-20	Printed Forms	1,700.00
	001-5810-412-20-10	Office Supplies	2,000.00
To:	001-5810-413-32-10	Travel & Training	1,340.00
	001-5810-411-12-20	Part-time	2,191.00
	001-5810-411-15-10	Social Security	169.00

Clerks Record Perpetuation Fund 160

TRANSFERS: \$3,768.00

From:	160-5810-414-62-90	Capital Outlay-Misc	3,768.00
To:	160-5810-411-12-20	Part-time	3,500.00
	160-5810-411-15-10	Social Security	268.00

Mrs. Phillips withdrew her request for an additional \$2,857 since her Part-time can be paid from the appropriation just approved in Fund 329. She explained she hired part-time employees who worked in her office 335 hours in place of full time Clerk's employees who were helping in the Board of Election and Registration.

- Councilmember Kessler moved to approve the transfers totaling \$3,700 in General Fund 001, seconded by Councilmember Michael; motion carried.
- Councilmember Kessler moved to approve the transfers totaling \$3,768 in Fund 160, seconded by Councilmember Michael; motion carried.

DRAINAGE BOARD

ADDITIONAL APPROPRIATION: \$1,500.00
 1,500.00 Attorney Fees

- Councilmember Kemper moved to approve the appropriation of \$1,500, seconded by Councilmember Fruitt; motion carried.

SURVEYOR

Engineering Review Fees Fund 244

ADDITIONAL APPROPRIATION: \$43,213.00
 43,213.00 Engineering Review/Services

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

COMMISSIONERS

REDUCTION OF APPROPRIATIONS: \$21,900.00
 17,282.00 Insurance/Liability
 4,618.00 Other Professional Services

TRANSFER: \$2,000.00
 From: 001-1110-413-42-10 Other Professional Services 2,000.00
 To: 001-1110-412-25-65 Duplicating 2,000.00

The Commissioners requested this reduction to help fund the Utilities request for the Maintenance Department that follows.

- Councilmember Kessler moved to approve the reduction of \$21,900, seconded by Councilmember Kemper; motion carried.
- Councilmember Kessler moved to approve the transfer of \$2,000, seconded by Councilmember Fruitt; motion carried.

MAINTENANCE

ADDITIONAL APPROPRIATION: \$29,500
 29,500.00 Utilities/Electric

TRANSFERS: \$1,500.00
 From: 001-1130-412-23-10 Supplies (Cleaning) 500.00
 001-1130-412-25-10 Cleaning & Laundry 1,000.00
 To: 001-1130-413-37-10 Utilities/Electric 1,500.00

- Councilmember Kessler moved to approve the appropriation of \$29,500 for Utilities/Electric, seconded by Councilmember Kemper; motion carried.
- Councilmember Kessler moved to approve the transfer of \$1,500, seconded by Councilmember Michael; motion carried.

CARY HOME

TRANSFER: \$600.00
 From: 001-3610-413-35-20 Bldg & Struct/Rep & Maint 600.00
 To: 001-3610-412-22-10 Garage & Automotive 600.00

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

HEALTH

TRANSFERS: \$6,500.00
 From: 001-9010-451-10-30 Appointed Official 5,000.00
 001-9010-451-11-10 Full time Employee 1,500.00
 To: 001-9010-452-20-10 Office Supplies 5,000.00
 001-9010-452-25-25 Medical Supplies 1,500.00

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

VILLA

TRANSFERS: \$5,180.00

From:	001-3510-411-11-10	Full time Employee	4,000.00
	001-3510-411-15-10	Social Security	1,180.00
To:	001-3510-412-20-10	Office Supplies	200.00
	001-3510-413-36-10	Machinery Repair	200.00
	001-3510-413-37-10	Electric	2,500.00
	001-3510-413-37-20	Telephone	280.00
	001-3510-412-20-60	Operating	2,000.00

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

PARKS

TRANSFER: \$4,500.00

From:	001-4310-463-37-90	Utilities	4,500.00
To:	001-4310-462-22-21	Garage, Gasoline	4,500.00

- Councilmember Basham moved to approve the transfer, seconded by Councilmember Kemper; motion carried.

EMERGENCY MANAGEMENT

TRANSFERS: \$2,460.00

From:	001-5210-421-11-10	Full time Employee	2,460.00
To:	001-5210-422-22-10	Garage	1,500.00
	001-5210-423-30-66	Equipment Lease	610.00
	001-5210-423-37-20	Telephone	350.00

- Councilmember Kessler moved to approve the transfers, seconded by Councilmember Fruitt; motion carried.

DIVISION OF FAMILY & CHILDREN FUND 570: Director Steve Vaughn

ADDITIONAL APPROPRIATIONS: \$675,000.00

400,000.00	Institutions
260,000.00	Preservation Services
15,000.00	Miscellaneous

Mr. Vaughn requested the appropriation of \$675,000 from the \$1.9 million cash balance as of the end of October. He noted they are scheduled to receive Federal reimbursements totaling \$316,210.37. He said the shortfall in these budget line items is due to the increased number of children removed from homes. Mr. Vaughn provided the following statistics:

Investigations for abuse & neglect	1,792	2003
	2,031	2004
Removal from homes due to drug problems	12%	2000
84 of 144	58.33%	2004
Children supervised	207	2003
	237	2004
Cost of Institutions	Gibault	\$255/da
	South Western Childrens	\$78,250 1 child since January 2004

Mr. Vaughn said they recommend institutions for placement to the courts based on the programs offered, licensing, and services offered.

Mr. Vaughn had no statistics on the number but said they are obligated by law to care for children of non-citizens. The DFC does nothing it finds the parent is here illegally but if there are repeat cases, the DFC will go to the judge to request the removal of parental rights.

- Councilmember Kessler moved to approve the appropriation of \$675,000 in Fund 570, seconded by Councilmember Basham; motion carried.

SHERIFF: Highway Safety Program B Fund 231 (Operation Pullover)

APPROPRIATION of BUDGET \$18,500.00

18,500.00	Overtime
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- Councilmember Michael moved to approve the appropriation of budget for Fund 231, seconded by Councilmember Fruitt; motion carried.

COMMUNITY CORRECTIONS: Work Release Fund 217

APPROPRIATION of BUDGET \$246,000.00

172,865.00	Salaries
13,225.00	Social Security
9,272.00	Retirement
33,588.00	Health Insurance
767.00	Disability Insurance
525.00	Life Insurance
6,050.00	Workers Comp
692.00	Flex Benefits
216.00	Office Supplies
400.00	Vehicle Supplies
200.00	Veh Telephone

200.00 Pagers
12,000.00 Utilities
6,000.00 Capital-Misc

This action will appropriate the amended amount to the current grant.

- Councilmember Michael moved to approve the appropriation, seconded by Councilmember Basham; motion carried.

SUPERIOR COURT III: JAIBG Grant 605 (SHOCAP)

APPROPRIATION of BUDGET \$11,107.00

8,106.00 Salary – SHOCAP officer
641.00 Social Security
441.00 Retirement
1,625.00 Health Insurance
294.00 Workers Comp

SALARY ORDINANCE	Position	Rate	Salary
Full time	Probation Officer	(5) 1,331.04	8,104.83
	SHOCAP	(1) 1,449.63	

This appropriation and salary ordinance are for October through December 2004. This will be a General Fund position beginning January 2005.

- Councilmember Basham moved to appropriate the budget for SHOCAP in JAIBG Grant 605, seconded by Councilmember Kemper; motion carried.
- Councilmember Basham moved to approve the salary ordinance, seconded by Councilmember Kemper; motion carried.

SUPERIOR COURT III: E-Quest Fund 634

APPROPRIATION of BUDGET \$4,002.00

4,002.00 Contract/Office Software

- Councilmember Basham moved to appropriate the budget for E-Quest Fund 634, seconded by Councilmember Fruitt; motion carried.

President Vernon asked Auditor Plantenga to calculate the new General Fund uncommitted balance.

Beginning uncommitted balance	\$43,861.58
Reductions of appropriation	\$81,900.00
Additional appropriations	\$86,875.00
New uncommitted General Fund balance	\$38,886.58

OTHER BUSINESS

President Vernon announced the Council is invited to attend a meeting at Family Services from 3:00 P.M. to 5:00 P.M., Friday, November 19, 2004 to learn the services they provide to the community.

President Vernon asked all Councilmembers to review the County Council Assignments and appointments in preparation for discussion at the December 14, 2004 meeting at 2:00 P.M.

FYI: Commissioner Ruth Shedd

- ♦ Councilmembers are invited to attend the Department Heads luncheon at noon on Wednesday, December 8, 2004.
- ♦ The Commissioners will begin evaluations of appointed department heads next week.
- ♦ Some discussions have been held regarding a location of the Juvenile Detention Center.
- ♦ The Parking Garage will be cleaned on Thursday November 11th as part of the regular maintenance.
- ♦ The Commissioners will meet later this month with the two mayors to discuss combining services to prevent overlapping. Purchasing computer programs to combine services will be considered.

RESOLUTION 2004-36-CL: Interest in Purchase of Real Estate

Resolution 2004-36-CL will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Attorney Luhman explained the Commissioners have discussed the potential purchase of real estate located just west of the Fairgrounds on Teal Road. They want to use the house as a residence for the Fairgrounds Manager and move the modular where he currently resides to another location to free up space in the middle of the Fairgrounds. Attorney Luhman said the Commissioners' purchase offer was accepted but the Statute requires three steps:

- ♦ The Council must pass a resolution of intent.
- ♦ The County is limited to pay no more than the average of two appraisals.
- ♦ The Commissioners request an appropriation by the Council.

The Commissioners received two appraisals and reached an agreement with the owner for less than the average of those two appraisals. Attorney Luhman said passage of this resolution will authorize the Commissioners to proceed.

- Councilmember Fruitt moved to approve Resolution 2004-36-CL, seconded by Councilmember Basham; motion carried.

PUBLIC COMMENT

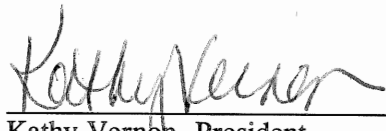
Family Services Director Susan Smith invited Councilmembers to participate in the Proclamation of National Family Week at 10:30 A.M., Saturday, November 13, 2004 at Jefferson High School. Both mayors will participate but she said the Commissioners are unable to attend.

ADJOURNMENT

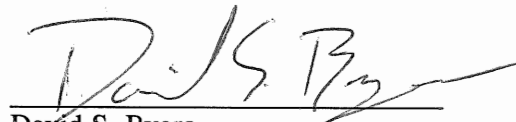
- Upon Councilmember Fruitt's motion the meeting adjourned at 2:25 P.M.

The next regularly scheduled County Council Meeting will be held at 2:00 P.M., Tuesday, December 14, 2004 in the Tippecanoe Room in the County Office Building.

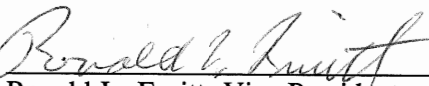
TIPPECANOE COUNTY COUNCIL




 Kathy Vernon, President



 David S. Byers



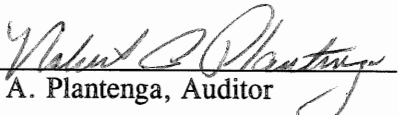
 Ronald L. Fruitt, Vice President



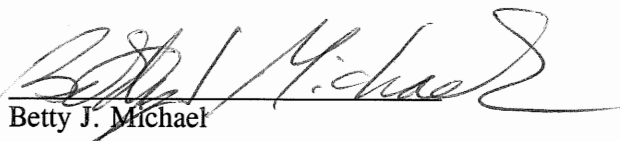
 Jeffrey A. Kemper

 Connie Basham

 Jeffrey Kessler

Attest: 

 Robert A. Plantenga, Auditor



 Betty J. Michael