

**TIPPECANOE COUNTY COUNCIL
REGULAR MEETING
OCTOBER 14, 2003**

The Tippecanoe County Council held its Regular Meeting at 2:00 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 A. Kemper, Jeffrey Kessler, Betty J. Michael, and Kathy Vernon. Others present were: Auditor Robert A. Plantenga, Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Basham called the meeting to order and led the Pledge of Allegiance. She then called upon Rachel Semmell, a senior at Faith Christian School, to offer a prayer.

APPROVAL OF MINUTES

- Councilmember Kessler moved to approve the minutes of the September 9, 2003 Special Joint Meeting with the Commissioners and Financial Consultant, seconded by Councilmember Fruitt; motion carried.
- Councilmember Kemper moved to approve the minutes of the September 9, 2003 Regular Meeting, seconded by Councilmember Michael; motion carried.
- Councilmember Vernon moved to approve the minutes of the September 23, 2003 Special Meeting, seconded by Councilmember Byers; motion carried.

FINANCIAL STATEMENT: Auditor Robert Plantenga

Auditor Plantenga reported the 2003 uncommitted County General Funds through September 30, 2003 are \$144,067.76.

He noted two bright spots in Revenue collected to date. Because of the high number of mortgage refinancing documents due to low interest rates, the Recorder's revenue to date is \$709,381.22 rather than the estimated \$270,000.00 for 9 months. Anticipated revenue to date from reimbursements for Superior Court 3 was \$187,497.00 but the actual amount is \$259,375.93 for 9 months.

Auditor Plantenga reported he recently received a phone call from Angela Mansfield, an attorney with the State Budget Agency, who informed him that our withheld COIT Funds in the amount of approximately \$235,000 were recently applied to our Juvenile Detention balance with the Department of Corrections (DOC). The credit will show on our next statement from the DOC.

INTEREST STATEMENT: Chief Deputy Treasurer Shannon Withers

Mrs. Withers distributed the Interest Report showing the average interest rate for August 2003 was 1.12%. She said she hopes Cash Management will help improve our interest rate.

SUPERIOR COURT 2: Judge Tom Busch

General Fund 001

ADDITIONAL APPROPRIATION: \$29,000.00

20,000.00 Pauper Attorney
9,000.00 Jury Expense

Jury Pay Fund 550

ADDITIONAL APPROPRIATION: \$9,000.00

9,000.00 Jury Expense

Judge Busch reported they had 18 jury trials as of September 24th and he expects to have several more before the end of the year. He estimated he will need an additional \$9,000 for Jury Expense. Because he requested the \$9,000 for Jury Expense from Jury Pay Fund 550, he questioned why that amount also appears in a General Fund 001 request.

Auditor Plantenga explained that, because he doesn't think there are sufficient funds to appropriate from the Jury Pay Fund, the \$9,000 was also advertised in the General Fund to give

the Council an option. He said the projected 2004 Jury Pay Fund Budget anticipates a beginning cash balance of \$22,656.63 but, if money is appropriated from the Fund now, it will lower that beginning balance and there may be no cash to pay 2004 claims.

It was established that the Jury Pay fee amount is set by Statute.

Judge Busch requested an additional \$20,000 for Pauper Attorney because the Public Defender in his court resigned and left a large caseload. Two other Public Defenders handled some of those cases, but due to the lack of time or a conflict of interest, outside attorneys have to be hired. Judge Busch estimated the attorney cost to handle a guilty plea of a major felony case is \$1,800 and to handle a case to trial on a major felony case is \$3,600.

- Councilmember Byers moved to approve \$17,000 for Pauper Attorney and \$7,000 for Jury Expense, but Councilmember Kemper thought the amount for Pauper Attorney should be reduced since today's appropriation requests total \$31,000 more than our uncommitted. He suggested cutting the Pauper Attorney request in half and let the Judge return next month.
- Councilmember Byers amended his motion to approve \$10,000 for Pauper Attorney and \$7,000 for Jury Expense in Fund 001, seconded by Councilmember Kemper; motion carried.

Judge Busch reported representatives from the Commissioners, the Council, the judges, attorneys, and the Public Defender recently met with Attorney Neal Bowling from the Indiana Public Defender Commission regarding reimbursement from the State for Public Defender, Pauper Attorney fees, office expenses, and some investigative costs. If there are adequate funds, the reimbursement could be as high as 40% but it could be as low as 32%. He said 55 counties already participate. He briefly discussed the qualifications:

1. Set up a three (3) member local Public Defender Council comprised of one (1) democrat and one (1) republican appointed by the judges and one (1) appointee by the Commissioners. This Council will oversee the Public Defender and report to the State.
2. Reduce Public Defender's caseload to meet State standards. This could increase the number of Public Defenders.

Councilmember Fruitt announced he asked Mr. Bowling to meet with the Council in a Special Meeting at 11:00 A.M., Thursday, November 13, 2003.

PUBLIC DEFENDER: Amy Hutchison

Public Defender Fee Fund 555

ADDITIONAL APPROPRIATION: \$10,000.00

10,000.00 Professional Services

Auditor Plantenga reported an uncommitted balance of \$6,724.48 as of October 1 in Fund 555 but he said the Council can appropriate more than that amount since approximately \$1,850 is collected each month.

- Councilmember Kemper moved to appropriate \$8,000 in Fund 555 for Professional Services, seconded by Councilmember Michael; motion carried.

General Fund 001

ADDITIONAL APPROPRIATION: \$94,778.00

70,000.00 Professional Services
 300.00 Training
 6,000.00 Overtime
 459.00 Social Security
 285.00 Retirement
 10,106.00 Part-time
 3,265.00 Social Security
 4,363.00 Health Insurance

TRANSFER: \$35,318.00

From:	001-6310-413-43-10	Contractual	35,318.00
To:	001-6310-411-12-20	Part-time	35,318.00

SALARY ORDINANCE	Position	Rate	Salary
Part-time	Dep. Public Defender	1,333.33	

- Councilmember Kemper moved to approve \$50,000 for Professional Services, \$300 for Training, \$3,000 for Overtime, \$230 for Social Security, and \$143 for Retirement, seconded by Councilmember Kessler; motion carried.

Due to her inability to fill a contractual Public Defender position, Mrs. Hutchison determined she would be better able to fill vacancies and retain attorneys if they had Regular Part-time status with health insurance and an hourly rate sufficient to guarantee annual earnings of at least \$32,000. She currently has three (3) attorneys with Regular Part-time status and would like to hire seven (7) more.

Councilmember Kessler expressed his concern about the net fiscal effect for the remainder of 2003 and all of 2004. He said this would be adding personnel but noted that the County's Business Plan calls for no new employees for the next four (4) years. Councilmember Kemper said Judge Busch may show the Council a way to add personnel with no net effect when the State reimbursement issue is discussed next month. Councilmember Kessler pointed out that, if the reimbursement funds are not available from the State, the County will be responsible for the salaries.

Mrs. Hutchison said the State will reimburse at the 40% rate at the beginning of the year but that percentage will be reduced as the year goes along and funds are depleted.

Councilmember Fruitt observed that participation by more counties may lower the reimbursement rate.

Councilmember Kemper said the County is dealing with a crisis situation. Councilmember Kessler said he is willing to commit funds for 2003 only. Attorney Luhman asked Mrs. Hutchison what the impact will be if the funds are not approved today and she responded there would be no impact.

- Councilmember Fruitt moved to table the request for additional Part-time funds, the transfer, and salary ordinance until the November 13, 2003 meeting, seconded by Councilmember Michael; motion carried.

RECESSED/RECONVENED

President Basham recessed the meeting at 3:15 P.M. and reconvened the meeting at 3:20 P.M.

SUPERIOR COURT: Judge Don Johnson and Bailiff Kelly Davis

ADDITIONAL APPROPRIATION: \$44,152.00

10,000.00	Overtime
8,000.00	Part-time
20,000.00	Pauper Attorney
300.00	Travel & Training
4,000.00	Evaluation Services
475.00	Retirement
1,377.00	Social Security

SALARY ORDINANCE	Position	Rate	Salary
Part-time	Bailiff	11.00/hr	
	Court Reporter	13.00/hr	

Ms Davis said they have \$32,000 in outstanding Pauper Attorney bills and 3 pending murder trials that are expected to cost between \$28,000 and \$30,000 per month. She said that is a big reason for high Pauper Attorney expenses.

Councilmember Kessler requested a graph comparing jury trials and caseload for the past seven years. Ms Davis said they could provide that information. Judge Johnson urged Councilmembers to visit his court and ask specific questions which he said he will answer.

During the March 11, 2003 Council meeting, Councilmember Kessler requested the formation of a committee to meet with the judges to discuss needs in the courts and the possibility of adding a Court Administrator position. He asked the status of that committee. Judge Johnson responded that following a group meeting last week with representatives from Indianapolis, they applied for

a grant that will pay approximately \$12,000 toward the salary of a part-time Court Administrator.

President Basham announced Judge Daniel has indicated he will set a meeting date with the committee to discuss issues in the courts.

- Councilmember Kemper moved to approve \$5,000 for Overtime, \$4,000 for Part-time, \$20,000 for Pauper Attorney, \$300 for Travel & Training, \$4,000 for Evaluation Services, \$238 for Retirement, and \$689 for Social Security, seconded by Councilmember Kessler; motion carried.

Judge Johnson withdrew the Salary Ordinance request.

FAIRGROUNDS: County Agent Bryan Metzger

ADDITIONAL APPROPRIATION: \$1,077.00

1,000.00 Part-time
77.00 Social Security

Mr. Metzger requested additional money to pay part-time help to rake and dispose of the leaves at the Fairgrounds in a timely fashion. He said he uses Community Corrections' Road Crew to gather the leaves but they cannot drive off the Fairgrounds to deliver the leaves to the recycling area at Purdue. Councilmember Michael asked if Road Crew personnel could collect the leaves and Fairgrounds personnel then drive them to Purdue. Mr. Metzger responded that is what they want to do but Ben Anderson, the Caretaker, is the only employee at the Fairgrounds and he has other things to do. President Basham suggested asking Cary Home Director Rebecca Humphrey if the boys at Cary Home could help collect the leaves. Mr. Metzger said he the boys could not drive the tractor with the sweeper. Councilmember Michael again suggested using Road Crew to collect the leaves and have Fairgrounds personnel drive them to Purdue. Auditor Plantenga interjected that Councilmember Michael is asking if Ben can drive the truck to Purdue during regular hours instead of using part-time help. Councilmember Vernon said Ben can't do this because of prioritization of work. He needs part-time help to drive the heavy equipment after utilizing Road Crew.

- Councilmember Fruitt moved to approve \$1,000 for Part-time and \$77 for Social Security, seconded by Councilmember Vernon; motion carried with no votes by Councilmembers Michael and Kessler.

JUVENILE ALTERNATIVES BEAMES FUND 640: Director Cathy Smith

ADDITIONAL APPROPRIATION: \$9,850.00

6,881.00 Personal Services
526.00 Social Security
327.00 Retirement
1,792.00 Health Insurance
50.00 Disability
33.00 Life
241.00 Worker's Comp

Ms Smith explained this request will appropriate funding provided by Lafayette School Corporation for Juvenile Alternatives' Behavior Education Adjustment Mediations for Elementary Student Program (BEAMES) from October 1, 2003 through December 31, 2003.

- Councilmember Kessler moved to approve the appropriation of \$9,850 for BEAMES, seconded by Councilmember Michael; motion carried.

JUVENILE ALTERNATIVES JEDIS FUND 790: Director Cathy Smith

ADDITIONAL APPROPRIATION: \$44,000.00

16,236.00 Personal Services
2,500.00 Part-time
1,433.00 Social Security
771.00 Retirement
656.00 Worker's Comp
500.00 Office Supplies
1,000.00 Vehicle Supplies

- 1,000.00 Miscellaneous Supplies
- 500.00 Postage
- 2,000.00 Rent
- 2,500.00 Printing
- 5,500.00 Repair & Maintenance
- 500.00 Telephone
- 1,500.00 Vehicle Telephone
- 500.00 Pagers
- 2,000.00 Travel
- 3,000.00 Miscellaneous Services
- 1,904.00 Miscellaneous Equipment

Ms Smith explained this request will appropriate funding provided by the Department of Corrections, the Division of Family & Children, and Tippecanoe School Corporation for Juvenile Alternatives' Juvenile Educational Day Reporting Intensive Services Program (JEDIS) through December 31, 2003.

- Councilmember Kessler moved to approve the appropriation of \$44,000 for JEDIS for the remainder of 2003, seconded by Councilmember Michael; motion carried.

JUVENILE ALTERNATIVES FUND 540: Director Cathy Smith

ADDITIONAL APPROPRIATION: \$13,157.00

- 4,577.00 Salaries & Wages
- 2,600.00 Reg. Part-time
- 549.00 Social Security
- 242.00 Retirement
- 4,938.00 Health Insurance
- 251.00 Workers Comp

SALARY ORDINANCE	Position	Rate	Salary
Full time	Truancy Mediation Coord	4,577.00	
Reg. Part-time (30 hrs)	SCS Crew Leader (2)	28,620	

Ms Smith request will fund the reclassification of the Truancy Mediation Coordinator position and replace the Full Time and Part-time SCS Crew Leaders with two Regular Part-time positions. She thinks this will make the program more consistent.

- Councilmember Fruitt moved to approve the appropriation of \$13,157 for Juvenile Alternatives Fund 540, seconded by Councilmember Kemper; motion carried.
- Councilmember Fruitt moved to approve the salary ordinance, seconded by Councilmember Kemper; motion carried.

COMMUNITY CORRECTIONS FUND 215: Executive Director Pat Scowden

ADDITIONAL APPROPRIATION: \$169,813.00

- 81,081.00 Salaries & Wages
- 6,203.00 Social Security
- 3,291.00 Retirement
- 25,000.00 Health Insurance
- 2,838.00 Workers Comp
- 51,400.00 Capital

SALARY ORDINANCE	Position	Rate	Salary
Full time	Deputy Director	3,602.00	3,602.00
	Surveillance Officer (4)		77,479.00
	Surveillance Officer		26,955.00

Mr. Scowden explained this appropriation will fund four (4) new Surveillance Officer positions and a reclassification for the Deputy Director.

- Councilmember Kemper moved to approve the appropriation of \$169,813 for Fund 215, seconded by Councilmember Byers; motion carried.

- Councilmember Kemper moved to approve the salary ordinance, seconded by Councilmember Byers; motion carried.

PROBATION ADULT USER FEE FUND 510

ADDITIONAL APPROPRIATION: \$5,000.00

5,000.00 Travel & Training

- Councilmember Byers moved to approve the additional \$5,000 for Fund 510, seconded by Councilmember Fruitt; motion carried.

PROBATION JUVENILE USER FEE FUND 511

ADDITIONAL APPROPRIATION: \$3,085.00

3,085.00 Miscellaneous

- Councilmember Byers moved to approve the additional \$3,085 for Fund 511, seconded by Councilmember Kemper; motion carried.

EMERGENCY MANAGEMENT: Director Steve Wettschurack

ADDITIONAL APPROPRIATION: \$6,550.00

1,800.00 Garage
800.00 Travel & Training
950.00 Telephone
2,500.00 Physical Exams
500.00 Radio Repair

Mr. Wettschurack explained they have outstanding fuel and repair bills totaling \$1850 and out-of-pocket expense for his attendance at Homeland Security training totaling \$689. Telephone (cell) bills total \$850 but \$950 will pay the cell phone bills until the end of the year. They received a bill from Arnett Clinic for \$2,724 for physical exams but have a balance of only \$384. Mr. Wettschurack said Mr. Cederquist informed him they are responsible for paying the \$500 deductible for an insurance claim for the disappearance of a base radio station from the old 5 Points Fire Station, but there is only a \$23 balance in the Radio Repair line item.

- Councilmember Byers moved to approve \$1,800 for Garage, \$800 for Travel & Training, \$950 for Telephone, \$2,500 for Physical Exams, and \$500 for Radio Repair, seconded by Councilmember Kemper; motion carried.

COUNTY ASSESSOR REASSESSMENT FUND 280

REDUCTION OF APPROPRIATIONS: \$380,420.00

10,000.00 Full Time Employees
120,000.00 Part-time - Other
9,945.00 Social Security
475.00 Retirement
10,000.00 Workers Comp
5,000.00 Travel & Training
170,000.00 Consultant
55,000.00 Capital Outlay

Approval of these reductions are necessary for the 2004 Reassessment Budget approved by the Council to be approved by the State.

- Councilmember Fruitt moved to approve the reductions, seconded by Councilmember Vernon; motion carried.

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

ADDITIONAL APPROPRIATION: \$180,000.00

111,130.00 Capital Outlay
55,000.00 Lease Payment #2
10,554.00 Salaries
808.00 Social Security
502.00 Retirement

370.00 Workman's Comp
 1,636.00 Insurance

<u>SALARY ORDINANCE</u>	Position	Rate	Salary
Full Time - 2003	Communication Officer (2)	2,173.00	52,151.00
Full Time - 2004	Communication Officer (2)	2,173.00	52,151.00

Sheriff Anderson explained the Capital Outlay request is to cover the cost to upgrade all radio rooms in the County. The \$55,000 for Lease Payment #2 will cover increased cost of 911 service provided by the local exchange carriers, mainly Verizon. The salary request is to pay for two new full time Communication Officers for West Lafayette for the remainder of the year.

- Councilmember Michael moved to approve the appropriation requests for E-911, seconded by Councilmember Kessler; motion carried.
- Councilmember Kessler moved to approve the salary ordinance for two Communication Officers for 2003, seconded by Councilmember Fruitt; motion carried.
- Councilmember Kessler moved to approve the salary ordinance for two Communication Officers for 2004, seconded by Councilmember Michael but no action was taken when it was noted the salary amount was the same as 2003.

SHERIFF: Sheriff William "Smokey" Anderson

TRANSFERS: \$102,500.00

From:	001-5410-421-11-10	Full Time Employees	50,000.00
To:	001-5410-423-37-90	Utilities	50,000.00
From:	001-5410-421-15-10	Social Security	2,500.00
	001-5410-421-17-10	Health Insurance	50,000.00
To:	001-5410-422-25-05	Food	52,500.00

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

Sheriff Anderson reported they currently house 80 Department of Corrections' inmates and have 401 total inmates today.

CLERK: Linda Phillips

TRANSFERS: \$1,000.00

From:	001-5810-412-20-20	Printed Forms	2,400.00
To:	001-5810-414-62-90	Equipment - Misc	1,000.00
	001-5810-413-32-10	Travel & Training	1,400.00

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

CARY HOME

TRANSFER: \$300.00

From:	001-3610-413-35-20	Bldg & Struct/Rep & Main	300.00
To:	001-3610-412-22-10	Garage & Automotive	300.00

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

MITS: EDIT FUND 301

TRANSFER: \$

From:	301-1420-413-43-90	GIS Contract	3,200.00
To:	301-1420-414-62-90	Cap Outlay - Equip Misc	3,200.00

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

HEALTH

TRANSFERS: \$2,200.00

From:	001-9010-453-43-20	Attorney Fees	1,400.00
	001-9010-453-30-05	Dues Subscriptions & Educ	800.00
To:	001-9010-452-20-10	Office Supplies	2,200.00

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

COMMISSIONERS

TRANSFER: \$3,000.00

From:	001-1110-413-42-10	Other Prof	3,000.00
	001-1110-412-25-65	Dupl Supplies	3,000.00

- Councilmember Kessler moved to approve the transfer, seconded by Councilmember Michael; motion carried.

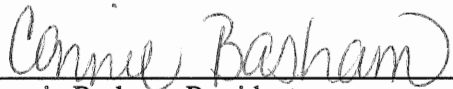
NOVEMBER MEETINGS

The Council will hold a Special Meeting at 11:00 A.M., Thursday, November 13, 2003 with Attorney Neal Bowling from the Indiana Public Defender Commission regarding reimbursement from the State for Public Defender, Pauper Attorney fees, office expenses, and some investigative costs. The Council's Regular Meeting will follow at 2:00 P.M.

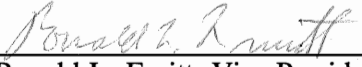
ADJOURNMENT

With no further business, the meeting was adjourned.

TIPPECANOE COUNTY COUNCIL



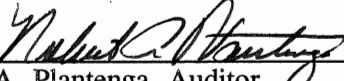
 Connie Basham, President



 Ronald L. Fruitt, Vice President



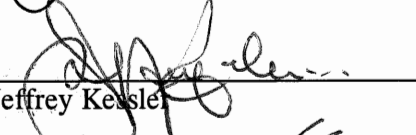
 David S. Byers

Attest: 

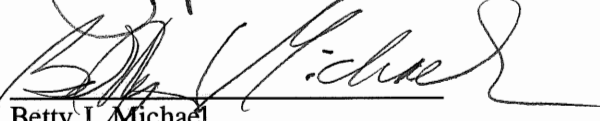
 Robert A. Plantenga, Auditor



 Jeffrey A. Kemper



 Jeffrey Kessler



 Betty J. Michael



 Kathy Vernon