

Hancock County Council Minutes
October 12, 2011

The County Council of Hancock County, Indiana, met in the Commissioner Court in the Hancock County Courthouse Annex, Greenfield, Indiana, on the 12th day of October 2011 at the hour of 8:30 A.M. in accordance with the rules of the Council. Council members present were William Bolander, Brian Kirkwood, John Jessup, Jim Shelby, Dick Pasco and Rosalie Richardson. Also, present were Auditor, Robin D. Lowder, Deputy Ginny Martin, Ray Richardson, County Attorney. Councilman Tom Roney was not present.

President Bill Bolander called the meeting to order.

A public hearing was opened at 8:30 am for the 2011 budget additional appropriation requests. No comment.

- Cumulative Bridge additional appropriation in the amount of \$75,000.

Councilman Shelby made a motion to approve, seconded by Councilman Pasco. Vote 6-0 motion passed

Public Hearing closed.

A public hearing was opened for the 2011 budget additional appropriation requests. No comment.

- County General-Prosecutor Deputy line item in the amount of \$13,295.
- Pre-Trial Diversion fund in the amount of \$13,295.

Councilman Shelby made a motion to approve, seconded by Councilman Jessup. Vote 6-0 motion passed.

Public Hearing closed.

In the Matter of Tourism Commission)

Dave Dellaca, President of the Tourism Commission appeared before Council to present their 2011 budget. Commissioner Stevens advised that Commission is still working on the 2012

budget and has not been presented. Mr. Dellaca reported that Dave Scott remains as Director in the 2011 budget and allowed for funding.

Councilwoman Richardson asked the question regarding any new positions that the Commission is going fill, if they are receiving benefits through the County Council must approve. Mr. Dellaca stated the decisions regarding positions have not been decided at this point.

The County Council gives approval for the Auditor to advertise the 2011 budget for Tourism Commission and requested they attend the budget committee meeting on October 27, 2011.

In the Matter of LOIT)

Councilman Shelby gives status report of 2012 budget.

1. 2012 General Fund approved budget = (\$ -557,000)
2. Includes \$ 163,000 difference in Sheriff Pension obligation
3. Employee increase \$100,000
4. CAGIT remains at 2011 level
5. \$250,000 from Food & Beverage bond circuit breaker built into budget.

This does not anticipate the following.

1. E911 Revenue shortfall
2. \$100,000 increase in Reassessment levy affecting the general fund.

Council will continue to focus on efficiency and savings and have accomplished this. However, the negative number is not a sustainable number using one time fixes anymore.

Councilman Shelby advised in considering the increase in LOIT he is in favor of helping those Townships that have been hurt by reduction of property tax. State has advised that they have shifted the burden from property tax to income tax.

Councilwoman Richardson reported that revenue does continue to go down on E911 and with the LOIT for Public Safety increase; it would help with that burden.

President Bolander opened meeting for public comments.

Carolyn Flynn-homes foreclosed, groceries increasing, unemployment. The increase is not substantiated by the surplus funds the County has on its books, quit listening to the sales pitch.

Ralph Sweet-The general public believes that the Council has already made up its mind to pass this tax. Have you? Councilman Bolander advised "yes" some have.

Don Hauck-stated he was confused on the \$492,000 entitlement. Councilwoman Richardson explained that it is the Sheriff pension and was established a long time ago. Mr. Hauck says it is time to change this issue. He also is concerned about the abatements given to the companies coming into the County.

Janet Brown-concerned about the Sheriff Pension fund and isn't anyone working on this issue? This is wrong and needs changed

and doesn't understand why Council doesn't have any influence on how change can come about. This plan needs switched to a defined pension fund. Councilman Shelby advised they have been working on this the past 2-3 years with legislators, Bob Cherry and Bev Gard. She finds it unacceptable to have 5 perpetual bonds. The library is also a concern on how much money they have.

Ed-from New Palestine advised everyone in the meeting that they need to look around, Hancock County is not that bad on property tax.

Concerned Citizen---Advised that her taxes did go up. She hopes the Council has her back and making the right decision. Just because you can raise the tax to a certain level does not mean you have to. Is there other solutions?

Janet Cline- She advised that she works hard, owns her home, student loans and can't take anymore increases in her taxes.

John Priorie-Before Mr.Priorie could comment, Councilman Shelby advised Mr. Priorie that the info in the paper was incorrect and John had stated that Council was going to burden the public with over \$2,000,000 in additional new bond debt. Where does that come from? Councilman advised this is not new debt, the bonds are falling off and these comments are misleading. The bond debt is at \$3.4 million and is coming off and being replaced with \$ 2.1 million. This info in the paper is not telling the truth.

Mr. Priorie stated he is against bonding this money just because other bonds are going off the books. The library also has far too much money.

In the Matter of LOIT Public Safety increase)

Councilwoman Richardson made a motion to pass Ordinance 2011-9B for the increase in the LOIT Public Safety Income Tax from .15% to .25% . Motion was seconded by Councilman Shelby. Roll call vote 4-2 motion passed.

AYE

Brian Kirkwood
Jim Shelby
Rosalie Richardson
Bill Bolander

NAY

John Jessup
Dick Pasco

In the Matter of Bonds Ordinance 2011-10B

A Resolution Of Need For Project as adopted by the Hancock County Board of Commissioners on October 4th, 2011, was made available to the County Council. The project will fund: (i) the settlement with Community Hospitals of Indiana, Inc. d/b/a Gallahue Mental Health Center; (ii) the acquisition of equipment required for the County's contract with AT & T for emergency 911 services; (iii) the acquisition of a dispatch radio console system; and (iv) the acquisition of a new lock system for the Hancock County jail, all together with necessary appurtenances and related equipment.

Councilwoman Richardson introduced an ordinance entitled “An Ordinance of Hancock County, Indiana, authorizing the issuance and sale of bonds of said County for the purpose of providing funds to be used for the cost of funding: (i) the settlement with Community Hospitals of Indiana, Inc. d/b/a Gallahue Mental Health Center; (ii) the acquisition of equipment required for the County's contract with AT & T for emergency 911 services; (iii) the acquisition of a dispatch radio console system; and (iv) the acquisition of a new Hancock County Jail locking system, together

with necessary appurtenances and related equipment and the costs of issuance of bonds therefore”

The ordinance was assigned the number 2011-10B, and taken under advisement until the next meeting.

In the Matter of Bond Ordinance 2011-10C

Councilwoman Richardson introduced an ordinance entitled “An Ordinance of Hancock County, Indiana, Appropriating The Proceeds Of the General Obligation Bonds of 2011”

The ordinance was assigned the number 2011-10C, and taken under advisement until the next meeting.

In the Matter of Bond Ordinance 2011-10D

Councilwoman Richardson introduced an ordinance entitled “An Ordinance of Hancock County, Indiana, authorizing the issuance and sale of bonds of said County for the purpose of procuring funds to be used to fund the contractual payments to the service supplier of the County's enhanced telephone system, together with the necessary appurtenances and related equipment and the cost of issuance of bonds therefore”

The ordinance was assigned the number 2011-10D, and taken under advisement until the next meeting.

In the Matter of Bond Ordinance 2011-10E

Councilman Shelby introduced an ordinance entitled “An Ordinance of Hancock County, Indiana, Appropriating The Proceeds Of the Emergency Telephone System Revenue Bonds of 2011” The ordinance was assigned the number 2011-10E, and taken under advisement until the next meeting.

Councilman Kirkwood made a motion to direct the Auditor to advertise Ordinances, seconded by Councilwoman Richardson. Vote 6-0 motion passed.

In the Matter of the County Prosecutor)

Michael Griffin, Prosecutor appeared before Council to discuss the following item:

- DEA Federal Equitable Agreement-Prosecutor explained the drug forfeiture funds that the County will be receiving in the future. This agreement allows Prosecutor to be a participating agency.

In the Matter of Substance Abuse & ADA Probation)

Wayne Addison, Chief Probation Officer appeared before Council to request the following items:

- Additional Appropriation in fund 0806 ADA Drug Screens in the amount of \$10,000. This is an in and out fund the cash is in fund and needs appropriated, not a levied fund.

Council approved Auditor to advertise for the additional.

- Budget transfer in the amount of \$9,057 from 0805-000-30-0013 (JIP) to 0805-000-10-0025 (Group Insurance) due to short fall in 2011 budget.

Councilman Jessup made a motion to approve the budget transfer, seconded by Councilman Pasco. Vote 6-0 motion passed.

In the Matter of Wiring of Prosecutor Office)

Bernie Harris, IT Director request \$9,998 for wiring of the Prosecutor's Office for the new phone system. Councilman Shelby made a motion to do a budget transfer from "Other Capital" within the CCD fund, seconded by Councilman Pasco. Vote 6-0 motion passed.

In the Matter of New Abatement Laws)

Dennis Maloy, Director of Economic Development appeared before the Council to update them on the new abatement laws passed. New law states that the tax abatement statute now allows local unit of government to award 100% abatement for each year for the life of the tax abatement as opposed to 50% now. It will be at the Council's discretion however.

Break 9:52 am

Councilman Jessup left meeting 10:00 am

Council reconvened 10:15 am

In the Matter of Highway Department)

Joe Copeland, Highway Engineer appeared before Council to request and additional appropriation for \$150,000 in Highway. Council gave approval to advertise additional appropriation.

Interlocal Agreement needs approved and signed by Council with Town of Cumberland and County for them to pick up asphalt emulsion. Councilman Pasco made a motion to approve the agreement, seconded by Councilman Kirkwood. Vote 5-0 motion passed.

In the Matter of Bond 0184 Courthouse Renovation Bond)

Robin Lowder, Auditor reported to the Council that bond fund 0184 may be in the negative at the end of the year. Settlement is expected to bring the balance to a position but due to the DLGF reducing our bonds for 2011 there may not be enough of property tax coming into the bond fund in December. The amount is uncertain. Per SBOA the amount with the new law can be taken from the Rainy Day fund on debt service negative balances. Councilman Shelby introduced an Ordinance to bring any of our

bonds at year end 2011 to \$0. The motion was seconded by Councilwoman Richardson. Vote 5-0 motion passed.

In the Matter of Budgets 2012)

Councilman Shelby made a motion to approve the following 2012 budgets as written.

Fund 1157 E911 Landline Revenue=\$1,000,000
Fund 1159 E911 Wireless Revenue=\$300,000
Fund 1158 E911 AT & T revenue Bond=\$150,000

Councilman Kirkwood seconded the motion. Vote 5-0 motion passed.

Budget Committee Capital Expense Report)

Councilman Shelby reported as follows:

Capital needs that didn't make it into the bonding process.

<i>Capital Expense</i>	<i>Amount</i>	<i>Source of Financing</i>
Sheriff Roof	\$60,000	CCD (2011)
Prosecutor Wiring	\$9,998	CCD (2011)
Taxing Software	\$170,000	CCD (2012)
Parking Lot Paved	\$60,000	CCD and any excess proceeds from the previous E911 Center Bond fund 2300 to be used as well. (2012)

Councilman Shelby made a motion to appropriate CCD for 2011 \$60,000 for Sheriff roof and Prosecutor wiring for \$9,998 within the CCD fund. And \$170,000 new taxing software and parking lot paving for \$60,000 appropriated within CCD for 2012. Motion seconded by Councilwoman Richardson. Vote 5-0 motion passed.

The shortfall in the Sheriff Pension Fund is approximately \$163,510. The budget committee recommends the Sheriff department provide some of responsibility of the under performance of the retirement fund by reducing the Sheriff and Jail budget in the amount of \$15,000 as follows:

- \$10,000 jail maintenance
 - \$1,000 Legal
 - \$2,000 Printing
 - \$2,000 Overtime
- \$15,000 total

In the Matter of Sheriff)

Brad Burkhart, Sheriff Department appeared before Council to request replacement of a Jail Officer. Councilman Shelby made a motion to approve the replacement , seconded by Councilman Pasco. Vote 5-0 motion passed.

Request to reallocate the budget in the Law Enforcement Activity department 0101-700. This will allow payment to Prosecutor Garrison who handles all the Court-ordered seizures for the County. Councilman Shelby made a motion to allow new line items created to allow expenditures from this fund, seconded by Councilman Pasco. Vote 5-0 motion passed.

Councilwoman Richardson made a motion to allow a budget transfer of \$4,000 into the new line item 0101-700-30-0098 (Prosecutor) and \$8,000 into 0101-700-30-0112 (Investigation equipment) . Motion was seconded by Councilman Kirkwood. Vote 5-0 motion passed.

For 2012 there will be additional appropriations requested with additional line items that was emailed to all Council. No action taken at this time and is tabled until January.

In the Matter of Clerk)

Marcia Moore, Clerk appeared and presented her ISETS Solvency Plan to get the ISETS account in balance. Councilman Shelby made a motion to accept Resolution 2011-105, seconded by Councilman Kirkwood. Vote 5-0 motion passed.

Other Business)

Petition to Appeal Maximum Levy in the amount of \$350,000. Councilwoman Richardson made a motion to approve the Petition to Appeal the Maximum Levy, seconded by Councilman Kirkwood. Vote 5-0 motion passed.

Fortville Library Board is requesting an appointment of Rhonda Watson to their Board. Councilman Shelby made a motion to approve, seconded by Councilman Kirkwood. Vote 5-0 motion passed.

In the Matter of State Judicial System)

Judge Snow, Superior Court I appeared before Council to present the status of the State Odyssey system that is a statewide Judicial system. Possible target date is 1-1-2013.

Minute Approval and Amendments)

1. June 8, 2011 minutes amended as follows:
 - In the Matter of Budget Committee)
Bullet point # 1-to read “Investment Committee will be meeting regarding the Sheriff Retirement Fund working on 6 proposals from Investment Managers that the Committee will review”.

Councilman Shelby made a motion to approve the June 8, 2011 minutes as amended, seconded by Councilman Pasco. Vote 5-0 motion passed.

2. July 13,2011 minutes amended as follows:

- In the Matter of Gallahue) second paragraph “Greg Guerrattaz, Financial Solutions advised Council through the budget committee that a new bond be issued and add this amount into the bond with an accumulation of several things that are needed in our County “.
- In the Matter of Pennsy Trail) paragraph stating “Councilman Shelby made a recommendation that they speak with Auditor since there would be added responsibilities not only the upfront money but the entire fiscal agent of the grant”.

Councilman Pasco made a motion to approve the July 13,2011 minutes as amended, seconded by Councilman Kirkwood. Vote 5-0.

3. August 10,2011 minutes amended as follows:

- In the Matter of 2012 Budget) third bullet point. CAGIT income for 2012 will be the same as 2011 for the County as a whole. We had factored in CAGIT at 9% lower.

Councilman Shelby made a motion to approve the July 13,2011 minutes as amended, seconded by Councilman Kirkwood. Vote 5-0.

4. August 22, 2011 minutes amended as follows:

- Jim Shelby was not in attendance of August 22, 2011 meeting.

Councilwoman Richardson made a motion to approve the July 13,2011 minutes as amended, seconded by Councilman Pasco. Vote 4-0 motion passed.

Councilman Kirkwood presented to Council the information he had gathered regarding Nepotism within County Government and this is the first draft of proposal. Request the Council to review and come back with more bite to our policy of Nepotism.

Adoption of 2012 Budget)

Councilman made a motion to adopt Ordinance 2011-10G the County 2012 Budget as written. The motion was seconded by Councilwoman Richardson. Vote 5-0 motion passed.

Councilman Bolander read a letter from Marilyn Levering regarding the Visitor's Bureau and the creation of the Tourism Commission.

Councilwoman Richardson made a motion to approve \$2,600 be added to the grant toward the salary of Nick Ernestes-PACE grant. Motion seconded by Councilman Shelby. Vote 5-0 motion passed

Councilman Kirkwood made a motion to adjourn, seconded by Councilman Shelby . Vote 5-0 motion passed.

Meeting adjourned

Approved this date:

Aye

Nay

Attest: _____
Robin D. Lowder
Auditor