

ALLEN COUNTY COUNCIL MEETING MINUTES
JANUARY 19, 2017
8:30 AM

The Allen County Council met on Thursday, January 19, 2017 at 8:30 am in the Discussion Room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Robert A. Armstrong, Joel M. Benz, Justin T. Busch, Tom A. Harris, Eric M. Tippmann and Sharon L. Tucker. Larry L. Brown was absent.

Also Attending: Nick Jordan, Chief Deputy Auditor; Jackie Scheuman, Budget and Finance Director and Becky Butler, Administrative Assistant.

The meeting was called to order by Vice President Joel Benz with the Pledge of Allegiance and a moment of silent prayer.

Joel Benz: Good morning everyone. First on the agenda is the approval of the November 17th and December 15th meeting minutes. Are there any additions or corrections?

Tom Harris: Move to approve the minutes from November 17 and December 15, 2016.

Sharon Tucker: Second.

Joel Benz: All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (L Brown absent). Next is the financial report from Chief Deputy Auditor Nick Jordan.

Nick Jordan: To start off 2017, we are starting with a very solid financial position. I am just going to give some highlights of where the beginning balance is derived from. President Brown had asked that we discuss it further in February if you would like to move it to certain places but you don't have to. It can sit there in the General Fund for as long as you so choose. He would like to have that discussion come February. Looking at the beginning of 2017, we have approximately \$18.7 million. That is made up of five big pieces. The first piece of about \$1.1 million is from property taxes and we have a two percent estimated uncollectible amount. We didn't need that because we collected 101% of the abstract levy and so it was \$1.1 million that rolled over. Then there was approximately \$7 million that was just not appropriated. There was about \$2 million that you were able to appropriate. We held \$1 million back for capital in case you needed it and you didn't need it. There was also a \$3 million cash reserve for the General Fund and it was not tapped into. The unspent budgeted appropriations, those were each department's budget of approximately \$7.7 million. The largest chunk of that was \$4 million and what that was from is when we froze PERF on 12/31/14 for any new people. The original discussion was that we were going to have to contribute a lump sum for our actuarial liability. In further discussions, it was determined that we didn't need to and are

ALLEN COUNTY COUNCIL MEETING MINUTES

going to pay the 11.2% composite rate for quite a long time. Instead of contributing the \$4 million upfront, it sat in Council's budget and it rolled over to this year. The other big pieces are that there was \$1 million in Council's budget for some pending litigation as well as the discussion of the payroll grids, which we are continuing this year. Those were the two biggest pieces of the \$7.7 million. \$2.7 million was Miscellaneous Revenue collections above our estimates. It is not in this month's notebook but every month prior we put a collection of our Miscellaneous Revenue whether it be Excise Tax, Income Tax, Sheriff Revenues, Building Department Revenues and so forth. A lot of the revenues were higher than expected. Some of that is the economy and some of it is conservative estimates and we provide an analysis of that on anything over \$100,000 and ten percent and we give you details of why the change. I hope to have that to you by the end of the month. We can talk further about that in February. The last piece was if you have purchase orders and you do not have a contract or an invoice at the end of the year for that P.O., it rolls back to the General Fund. The reason being that if you really needed it you should have had the contract or invoice and if not, you can come back this year and ask for it. Those five pieces make up the approximate \$18.7 million that we are starting with. The last time we had a balance close to this amount was towards the end of 2000. If you think we had the boom in the mid-2000 before the Great Recession in 2009, we were up around \$20 million. It is not unseen that we have had this before, just think of the economic climate that we are in right now, we are back to one of those positive economic times. That is where we are right now and again, the one thing I do want to point out on the County General Fund financial that is in your notebook, the Auditor's Office has already put in two earmarks. There is a \$6 million one for replenishing the Cash Reserve. In years past we have had to borrow a short-term loan from the Rainy Day Fund and it has ranged from \$10.5 million to \$5 million. Hopefully, if we can keep that \$6 million in there, we won't have to borrow that from the Rainy Day Fund and then pay it back at the end of the year. We can just use the General Fund cash that is in there instead of borrowing it. The other piece is OPEB Liability, Other Post-Employment Benefits. We have an early retirement incentive that up until 65, if you were to retire early, you can receive an incentive as well as be on the County's insurance and offset your premium in that regard. Right now that liability is over \$8 million and we pay as you go as we have always paid as you go. One of the things I am going to look at this year is if we should set up a trust to set up money aside to fund that liability. It factors into the financial statements as an \$8 million liability. The \$3 million may remain there and may roll back into that \$6 million amount that you see at the bottom but I want to talk further with the Actuaries and they value that each year to see if what the best scenario is for us.

Tom Harris: I have a question. Nick, you might talk a little bit about the importance of the cash reserve. We have talked about that before but the fact that our cash reserve is strong, it helps the County's position and what does that do in the long run?

Nick Jordan: One of the things, if you look when we issue bonds or refund bonds, they look at different aspects of the County's financial position. It is continually noted that and I have the most recent one from October of 2016 and they talk about the ample operating liability. Some things that could lead to an upgrade would be sustained material increases in operating reserves and liquidity. If we have that cash reserve we can show that we

ALLEN COUNTY COUNCIL MEETING MINUTES

sustain it and not have continual fluctuations, some we can control and some we can't. If we can maintain a solid cash reserve, it may help our credit rating going forward which could result in lower interest cost. It all depends on the timing of the bond issuance and things of that nature.

Tom Harris: So it behooves us to keep a cash reserve looking strong and it places the County in a strong position as well.

Nick Jordan: And if you think five to six years ago when we had one year of seven percent across the board cuts and two percent cuts the next. Possibly in the next economic downturn, when and if that happens, if we have an ample cash reserve that it might be possible that we wouldn't have to have those severe cuts and maintain the same service levels and use the cash reserves to get us through those economic times.

Tom Harris: And just one other point, what was estimated last year was \$19 million and this year it is \$35 million.

Nick Jordan: The difference there is the income tax. We used to have to break that out into a separate fund and so it is actually comparable. There is a slight uptick in it but the biggest piece you are talking about is income tax.

Tom Harris: That is an indication of how well the economy is and those things all play into our budget as well.

Joel Benz: Thank you, Mr. Jordan. If there are no further questions or comments, I will entertain a motion.

Tom Harris: I will move for approval of the financial report.

Sharon Tucker: I will second that.

Joel Benz: **We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent).** For today total appropriations requested from the General Fund is \$39,233 and from Other Funds is \$61,200. Up first this morning is Paul Wilson from Park Center and he will give us a little background information. Also this morning, I will mention, we are going to move the Surveyor to the end of the agenda and those that are in here for other reasons, we are going to move you up.

Paul Wilson: I was mentioning to a few people earlier that I have always viewed coming to County Council was by invitation only and that is why I haven't been here for quite a while. I will work with Becky and others to see if I can come more often so that you can know what is going on with our place. I sent a PowerPoint and I understand we have about twenty minutes and so my thought is to walk through an overview of Park Center and what we do fairly quickly and then come back to the financial aspects. I know that you are all concerned and rightly so on how your money is being spent. We have been

ALLEN COUNTY COUNCIL MEETING MINUTES

around forever, fifty-five years or something like that. We were first in the Foellinger Center downtown and currently we are on the campus on East State. We have been there as our primary headquarters since 1978. We have a staff of about 593 people with just below 400 as full-time. The budget is right at \$34 million. We have 24 different buildings with 21 of them in Allen County. We have a couple of buildings in Decatur and also in Bluffton. We have 32 different programs for 9,500 people. In the event that a few of these numbers are different than what you have, we operate on the State fiscal year and I think you operate on the calendar year. The County dollars, I want to speak to that a bit. You all make a very significant contribution to Park Center and we use it for three primary reasons. We bring in a great deal of Federal money and that Federal money needs a match. Essentially it is a two-thirds to one-third kind of arrangement. We need to come up with dollars that are not Federal dollars to do the match. We also use County dollars to subsidize people that don't have insurance. For instance we are doing a strong outreach to the Burmese community and Hispanic populations and undocumented folks don't have any insurance. We try to get most everyone else we can hooked up with a medical benefit but there are a lot of people that we still cannot do that for. We have a number of services that simply don't cover their cost because there is no pay source for them but we feel they are really good investments in terms of a continuum of care. In terms of direct salaries and wages that come back to Allen County, it is just under \$19 million and obviously a lot of other revenue comes into businesses out of the rest of that \$34 million. Walking through our services quickly, these are not all of them but are the major services. We have an in-patient unit of sixteen beds which is over on Carew Street south of the Randallia hospital. We opened that in April of 2014 and it has been a good continuum of care. We also hospitalize some people at Parkview Behavioral Health but I think we have increased the integration by doing the bulk of that on our own. We have a transitional care service which is a sub-acute unit. It is not licensed as in-patient but is sort of a step down. This is one of those programs that is a very cost effective thing to do because in-patient units cost over \$1,000 a day. This is a much less expensive operation but the pay source for it is pretty abysmal. We put a lot of people here who are in acute crisis but aren't in need an in-patient level of care. We stabilize them here but this does not cover the cost. A priority clinic, on the next page, is like an urgent care clinic for psychiatric issues. We implemented this about a year and a half ago and this is another one of those programs that doesn't cover its cost but we have been able to dramatically decrease the number of people that actually go into a hospital by essentially giving them immediate care after hours. What would typically happen here is someone would come in in crisis at 10:00 p.m., is we know them our therapist would call a physician and the doc would say that they really didn't need to go to a hospital so let's just give them this medication. There is an immediate kind of support that is other than the decision to just hospitalize them or not. Our child and adult services happens primarily on our campus on East State Street. That is what you would typically think of in terms of out-patient therapy. Our home based services program is a 24/7 wraparound that goes into the community. We are in homes at 8:00 p.m. helping families get themselves organized and doing family therapy and case management. It is a growing program and has really helped some pretty dysfunctional families. That is pairing a family and a case manager and working predominately in their homes. We have an in-school skills program which sends people into Fort Wayne Community Schools. We also work with some other

ALLEN COUNTY COUNCIL MEETING MINUTES

schools on a less intense basis but this is people that are in the classrooms that have the highest needs in those schools. Our redwoods program is a treatment program for young offenders, males, who have had a sexual offense. Prior to this program, they went to Boy's School and were often in a room with four people to the room. Judge Sims came to us to ask us to put together a program to where we could actually treat these individuals more effectively. It is working very well and we have almost no recidivism in that program and have taken kids that society often sees as young monsters or in a pretty negative way and have rehabilitated them. After they have been at that residential level of care, they step down into a group home level of care for a transition back into the community. Knoll House is one of those. They go to public schools and we continue to give them treatment before they are sent back to their families. We also have an office in Bluffton and Decatur. The programs in Bluffton and Decatur are not nearly as robust as what we are doing here but we do the basic counseling, case management, psychiatry, medications and those kinds of things. Haven House is a group home for people who have had really intensive psychiatric difficulties. We opened this as a way to get people who have been in the State Hospitals for many years back into the community. When we opened this, the average tenure of people in the State Hospitals was 17 years before they came back to the community. These were people who were highly institutionalized and lots of difficult behaviors. These people are doing very well and many have moved on to lower levels of care. We operate on a continuum of care model which is different from a community health center. We have lots of different levels of care where we try to stabilize them and move them to less intense levels of care with more normalized behaviors as much as possible. Many of these people now ride the bus and go to other services and others have graduated on to lower levels of care. In terms of our residential services, we have seven apartment buildings. We have brought significant HUD dollars to the community. In each of these apartments, we put in \$50,000 to bring additional housing to the community. In these seven apartment buildings we have about 115 beds. We also have a lot of other housing that we bring the community through HUD dollars. We have a total of about 200 units around Allen County and one apartment building in Bluffton. Our Ace Team is essentially a high intensity wraparound for adults. These would be people that we would probably see every day. Some of these people we take medications to every day because if we don't, they won't take their medications. As you all know, with a severe psychiatric illness such as schizophrenia, bi-polar and those kinds of things, if people don't take their medications there is a very high rate of relapse. The tragedy in that also is that every time someone has a psychotic episode or they relapse, they actually do damage to their brain and they don't come back as far. They lose about six ounces of brain matter that never comes back. Our intent is to have as few psychotic episodes as possible. It is painful for them and for their families and difficult for the community. For people that have difficulties staying on a treatment regime, we typically put them on our Ace Team to try and provide higher levels of wraparound. The Carriage House, many of you probably know about the Carriage House. It is a great program in town and is a partnership that we put together with the National Alliance for the Mental Ill (NAMI). It is a separate corporation but the staff is our staff. They get benefits less expensively through us. We can also do some Medicaid billing. About 82% of the people that have a major mental illness are not working. The majority of those people would like to work but it is difficult to rejoin the workforce. We have a supported employment

ALLEN COUNTY COUNCIL MEETING MINUTES

program to get people back to the workforce. As a part of the continuum to help people to normalize their life and get back into the community, we have Apple Spice Junction. I hope some of you have had Apple Spice Junction catering. It is a box lunch service. We bought a franchise and we did this because people getting back into the workforce and you haven't worked in fifteen years or something like that going out to a regular job in the community is a very big step. We hired two chefs from a country club and they run it but the rest of the people that work in that program are essentially consumers. When they start, it might be at five hours a week and they might come in and fold boxes and some of the easier tasks. We help them with being dependable and making sure their hygiene is right on target and making sure they work as a team. We typically get them up to nineteen hours a week over a six-month period of time. At that point, we hand them off to one of our supported employment coaches to help them get a job in the community. We have turned an awful lot of people into taxpayers and not only that but work is what helps define us. If what you do all day is sitting around watching television and smoking cigarettes, it is not a really healthy way to invest your life. Actually getting back and getting a purpose and a role and getting some income to help out is important. We have a pharmacy onsite. We partnered with Genoa to do that. We don't own it but we have leased that. We did that because primarily we wanted to make sure we could take down any barrier for people getting appropriate medications. What we have found is we have a 92% fill rate with this process. What that means is that 92% of the people that we are prescribing medications to are getting their medications picked up on the basis that they are supposed to. In our field, when people don't take their medications the way they are supposed to, they relapse. We monitor the fill rate to make sure that it is as high as possible so that people are not missing medications. We do a lot of addictions work. One of the projects that we have coming up is one of the more intensive addiction efforts that we are trying to spin out with the Allen County Court system. We do the traditional stuff of drug testing and opioid detoxification. We are doing more medicated assisted treatment particularly with the opioid population. These are the people that are abusing heroin and prescription pain killers. Our multicultural health initiative is a reach out to some underserved populations. The Burmese population, we have a staff and we reach out to the Hispanic population. Beating the Blues is an online that is free. It is an online cognitive behavioral therapy program to treat depression and anxiety. If you were in the United Kingdom, this would be the first course of care that you would be offered in terms of your depression or anxiety. I used to do a lot of cognitive therapy when I was doing real work and before I moved into administration. This is actually better than the work I used to do. When you look at the data, about a quarter of us will be depressed at some point in our lifetime. With anxiety, the numbers are even higher than that. If you know someone who could use some help with that get on our website because it is a free service to the community. Corporate services just talks about the different things and given that we are joint commission accredited. We have the same standards that we have to meet that hospitals have to meet. We are actually licensed as both a hospital and a mental health center. A couple of new projects that we have underway is one is an integrated care clinic will be launched as quickly as we can get the building rehabbed. If you think about the fact that years ago as a medical system we have devolved into fragmented silos of care. Any of you who, for instance, have had a parent that you have been working with trying to get medical care and you know that one specialist doesn't

ALLEN COUNTY COUNCIL MEETING MINUTES

always talk to another specialist. Across the nation there have been pilots where people have done integrated care with a primary care doctor and a psychiatrist side-by-side in the next offices along with therapist and care coaches. That is what is underway at the Lafayette Medical Center. We have hired our primary care physician and I have another APM coming onboard and actually we have two primary care physicians at this point in time. One is to operate out of this integrated care clinic and the other to provide the medicated assisted treatment for addicted folks. The building is going slower than we thought but we believe the new purchaser is in the process of buying that building and we will move in. After we move in, we will have a commitment from an OB-GYN group and our intent is to revitalize what once was an incredibly valuable resource for the community in the Lafayette Medical Center. We are really excited about it but it has been the most frustrating thing for us because it has taken a while to move it along. Our hope is that within six to nine months we will have a good resource for central Fort Wayne. Another project that is underway is a transitional residential program for addicted folks. This is in conjunction with the Allen County judiciary. The intent is that we help them work with those people under their supervision who have failed at their sobriety. All you have to do is look at the paper and the crime and the people that are there for criminal issues and you see that at least eight out of ten of those people have some kind of an addictions issue going on. They might be picked up for burglary or whatever but they oftentimes have an addiction. Our desire is to put together a residential program where if people are being supervised by probation and Judge Davis has talked about this freely that people come into her court and say they want to stop but they just can't stop. They are on a path that is disastrous for them and for the rest of the community. Our intent is to have a readily accessible transitional residential program where someone could be admitted for thirty to sixty days as a restart. We would get their physical issues addressed because many people involved with addictions have severe physical issues. We would get them involved in medication assisted treatment and do the old 28-day treatment program with the intent that when they left there that they had a new start and would continue under the supervision of the court system whether it is Community Corrections, probation or Criminal Division Services. Senator Merritt from Indianapolis just filed legislation and is asking for \$10 million in State funds to launch this project. Our planning group that includes the Judges, Senator Merritt and people from the Lutheran Foundation are well aware that \$10 million is not going to skate through the Legislature but he has it in there as a placeholder until we figure out exactly what it would cost to buy a rundown hotel and rehab it into a sober living community. It would have transitional care and maybe some step down beds for supporting housing for people. There are some Federal dollars that are being freed up for addictions treatment and we believe this could make a dent in the criminal justice system and those that are having difficulty staying away from opioids. Related to that we are involved with the Needle Exchange program and we have staff at the Board of Health. The people that come in with STD's and other things at the Board of Health are trying to entice them to get into treatment. One final thing that I didn't put on here was a project coming up. We are working with the Housing Authority and a developer out of Chicago to bring in additional housing for homeless people. You might have heard of Rivers Edge, a project that we believe is going to be funded and along the River Greenway just west of Johnny Appleseed Park where the River Greenway turns south. It would be housing for 50 people that traditionally have been

ALLEN COUNTY COUNCIL MEETING MINUTES

homeless. Our intent is to have clinical staff onsite to provide services in that location. It is a nationally recognized Housing First model which says that if you can give people some stability in terms of housing, they can obtain stability in the rest of their life.

Joel Benz: Thank you for sharing. I know mental health and addiction is a burgeoning problem across the United States. I have a personal opportunity to interact with some of your staff at different times and some of your clients and I think you guys are doing an outstanding job. I didn't realize how many different things that you had. Councilman Tucker, did you have something?

Sharon Tucker: I am excited to hear about the opportunity at the Lafayette Medical Center. I look forward to that. That is awesome for the community and the neighborhood there.

Paul Wilson: We worked with the Minority Health Coalition and we met with the Pastor's in that area and there are a lot of people that are really excited. I thought we would begin providing services on October 15th and so I am itching to get there.

Joel Benz: Councilman Harris.

Tom Harris: In terms of measurement with the County, do you measure the number of individuals or the dollars for treatment through the confinement center or the jail or people that might be in the judicial system? Do you track that?

Paul Wilson: We are doing a lot of work with Community Corrections right now. We transferred over 120 people that were seen there. Of the people that are in the addictions program, I would think roughly we probably serve 400 people a year. We also have staff as part of the treatment team for the different problem solving courts. When Judge Gull has her drug court, there is staff there as part of that team. We don't get any reimbursement for it but it has been a great effort to reduce fragmentation. I have cards if you want to take them and individually you would like to get together.

Joel Benz: Thank you. Next on the agenda we will have the Sheriff up.

Tom Harris: Economic Development is next.

Joel Benz: I'm sorry. Economic Development is next on the list.

Elissa McGauley: Good morning, Council, Elissa McGauley, Director of Redevelopment of the Department of Planning Services. The resolution that you have seeks Council's approval for the Redevelopment Commission to extend a 2003 lease agreement with BF Goodrich Tire Manufacturing. Redevelopment Commission Legal Counsel advised us that since the Commission's amendment that they want to make to the 2003 changes the length of the lease and that we would need to seek your approval. In 2002, the Commission approved the creation of an economic development area around the BF Goodrich Tire facility. Around that same time the Commission entered into a

ALLEN COUNTY COUNCIL MEETING MINUTES

lease agreement whereby the Commission agreed to make lease payments to BF Goodrich. It was equal to property tax increment that was generated in a TIF District. The Commission lease is for equipment for an electric substation that we subleased back to BF Goodrich. Since the initial 2003 lease, it has been amended a couple of times. In 2008 we extended the lease agreement until 2017 with a maximum benefit of \$1.25 million. In 2011, the Commission amended the agreement again to increase the benefit to \$1.65 million. The company, so far, has not reached the maximum benefit. They have received about \$597,975. That amount, which is on the resolution you have in front of you today does not include a recent payment that the Redevelopment Commission approved and was reflective of the November property tax collection. They approved it at the Redevelopment Commission meeting in January, an additional \$73,989. The total benefit really is through the end of 2016 over \$670,000. That leaves about \$978,000 available to collect if the Council allows the Redevelopment Commission to extend our lease. The Commission would like to extend the lease until 2021 to keep that maximum benefit at \$1.65 million so that we can provide the remaining benefit to the company. As you recall, just last month you approved a property tax phase-in on a new \$100 million investment in production equipment. We see this as a good opportunity to continue our good working relationship the company.

Tom Harris: This is a general standard that we provide?

Elissa McGauley: It is. Last month you saw Scott Harrold come forward with a lease for the Walmart facility. We have done this a few times and I think we have three lease agreements and we have done this on occasion.

Tom Harris: What is the magic of 2021?

Elissa McGauley: We are hoping that they will max out before that. There have been a few years where there was no increment to distribute but over the last few years we have been able to a little over \$100,000 a year.

Sharon Tucker: Will you repeat the number that they have received so far?

Elissa McGauley: \$671,965.

Sharon Tucker: Thank you.

Tom Harris: I will move for consideration of Resolution 2017-01-19-01 amending the lease agreement with BF Goodrich Tire Manufacturing.

Sharon Tucker: I proudly second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent). Now we have the Sheriff's Department up.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: I am not sure that they are here this morning.

Nick Jordan: This is a routine thing where the Sheriff's Department will give us a check from the Commissary to pay for an employee with the Commissary.

Tom Harris: Move for approval of the appropriation in the Sheriff's General Fund in the amount of \$37,000 for Commissary Part-Time.

Justin Busch: I'll second that motion.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent). Next is ACJC.

Wendy Kyler: Wendy Kyler, Budget Analyst for the Allen County Juvenile Center.

Jordan McKinley: Jordan McKinley, JDAI Coordinator at the Allen County Juvenile Center.

Wendy Kyler: As you recall, we have come before you several times regarding the JDAI grant. We are entering our fourth year, Phase Four, of the grant cycle and we are coming to you now to request permission to apply.

Joel Benz: Councilman Tucker, go ahead.

Sharon Tucker: This is just a standard grant that keeps the program going. We approved it last year and nothing has changed and they are looking for approval to apply for the grant. With that said and there are no other questions, I would move for approval of the request to apply for the JDAI grant for the 2017/2018 grant.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent). Next on the agenda is Superior Court.

John McGauley: I am John McGauley, Court Executive for Superior Court.

Craig Bobay: Craig Bobay, Allen Superior Court Judge.

John McGauley: In the interest of time, Judge Bobay has a court calendar this morning and if we may, could we advance number three to the top of our agenda today?

Joel Benz: Yes, go ahead.

John McGauley: Several months ago, I believe it was October that the County received some grant dollars of \$61,200 from the Indiana Supreme Court that we were awarded earlier in the year. This was for hiring and paying for a Law Clerk for Judge Bobay's

ALLEN COUNTY COUNCIL MEETING MINUTES

Commercial Court project. Since we received it so late in the year, we chose not to come in until January so that we didn't have to bother you about this twice. The employee is here serving Allen County and two other Counties. We have been making do so that we only had to ask you for this once. These are not County General dollars but are State Grant dollars.

Craig Bobay: If you have any questions about the Commercial Court and this particular employee, I am happy to answer any questions. The Commercial Court is a three-year project that the Supreme Court has authorized with six different Judges from across the State with various geographical distributions. The idea behind this is to help streamline commercial litigation that can sometimes get quite bogged down. It has been working very well and as John mentioned, we share this particular position with Lake County and Elkhart County and so this young lawyer travels around providing research and writing and other judicial assistance for the northern part of the State.

Tom Harris: One of the questions we have is sometimes on the different grants is should that grant money go away, what do you intend to do with that individual?

Craig Bobay: This is a three-year pilot project that the Supreme Court has committed to and we would be expecting, not talking for the Supreme Court, if it is successful that they would be finding a long term solution to this in the Legislature providing for the funding from the Supreme Court's budget.

Tom Harris: Okay so it is not something that the County would pick up and look for State funding for.

Sharon Tucker: Judge, what year are we into the pilot program?

Craig Bobay: This is the first year. It began June first.

Joel Benz: Councilman Tippmann.

Eric Tippmann: Judge, you were considered the ideal candidate for that because of your experience with Commercial Courts?

Craig Bobay: I was selected by the Supreme Court to be the Chair of this committee that looked over this in a two-year period. We gave some recommendations that the Supreme Court ultimately accepted.

Eric Tippmann: I think it is safe to say that they are smart enough to pick the person with the most experience in commercial matters.

Craig Bobay: Thank you.

Joel Benz: Is there any further discussion?

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: I will move for approval of the appropriation in Consulting Services in the amount of \$61,200.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent).

Craig Bobay: Before I go back across the street, I would like to say a word in support of Paul Wilson and the presentation that he made. As you heard, the Courts were mentioned frequently in the services that Park Center provides. He is an excellent Executive Director of that organization and the Courts would be difficult without the services of Park Center for us to carry on. I fully support everything that they do there and on behalf of the other Judges, we thank you for the support of Park Center.

John McGauley: Our second item is requesting \$2,233. I think you are going to be impressed when I walk you through this. We are currently in the process of expanding and modernizing Courtroom 107 on the first floor of the Courthouse. That Courtroom handles primarily Civil Division matters, things that require and extensibility to present materials, large display monitors and other things. A number of years ago, Judge Boyer was selected to pilot an audio and video recording system that was felt at the time could help Court Reporters grasp the entirety of what was being said in some of these complex civil matters. As a result of that is that the Supreme Court purchased for us a tele-presentation system that is in that room. When we set out, this past fall to begin our project in Courtroom 107, the system is approaching a decade old. We went to the manufacturer to ask about the cost of removing and replacing it with a more modern system that was prohibitively expensive. The total price of that was \$56,457. We went back to them and said we weren't going to be able to do it. There is no feasible way to get this done. The manufacturer JAVS, Justice Audio and Visual Solutions, wanted a showcase site here in Indiana to demonstrate their products and so what they agreed to do was provide us with the \$56,000 system if we paid to install it. The total price of installing it was around \$7,000 and we came up with about \$4,600 in grant money. We are asking you for the balance of what we have been unable to fund through other means. That is \$2,233 so that we can buy the \$56,000 system. We have been trying to find other people to help us pay for a lot of projects in the Courts recently and this is another great example of that. It is definitely a showcase site and we will be at the forefront of technology in terms of being able to cover and thoroughly document these complex Civil Division cases. We have to say that this vendor that has been working with us for a long time has certainly stepped up to help us.

Joel Benz: When you think of public/private interaction, this is a great thing for Allen County. Councilman Harris.

Tom Harris: That is impressive and only to be outdone by are we going to charge admission to see this?

ALLEN COUNTY COUNCIL MEETING MINUTES

John McGauley: We haven't thought about that yet. Nick, can we pull that off?

Joel Benz: Councilman Tucker.

Sharon Tucker: I continue to be impressed with the way you guys find ways to mitigate the cost or the impact to the taxpayers and so kudos to you. I do have one question on the maintenance of this. Will we be responsible for that or is that part of the plan going forward? Is there maintenance that is required?

John McGauley: I am going to turn around and look at our Financial Coordinator. I believe a part of this includes a maintenance agreement. She says yes and if she says so, it is true.

Tom Harris: I will move for the appropriation reduction in Council General Fund in the amount of \$2,233 and the appropriation in Superior Court General Fund in the amount of \$2,233.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent). Next is the Highway Department with consideration of a salary ordinance.

Jackie Scheuman: Jackie Scheuman of the Auditor's Office. I am here on behalf of the Highway Department requesting an amendment to their Part-Time salary range. What they use this part-time range for is to bring in some retired folks to help with weather events. We found that the range was a little low. They try to bring them in at the hourly rate they had before they retired. I know it is critical to have people know what they are doing with this equipment and it is a help for the burden of the full-time people. I recommended that we raise it to a high end of \$30 which gives them plenty of wiggle room when they need to bring in someone quickly to help them out. It needs to be retroactive too.

Tom Harris: Retroactive to what date?

Jackie Scheuman: January 1, 2016.

Tom Harris: Help us understand that.

Jackie Scheuman: That means that we inadvertently paid someone twenty cents more outside the range. In order for them to not have to pay us back the twenty cents an hour that we paid them, if we make it retroactive we will be good.

Tom Harris: These part-time positions are to do what?

Jackie Scheuman: To help with the weather events.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: Driving trucks?

Jackie Scheuman: Correct.

Sharon Tucker: Jackie, we are looking forward?

Jackie Scheuman: Yes.

Sharon Tucker: And we are also looking back to clear a mistake.

Jackie Scheuman: How we found it was that they put someone through at the retired person's pay and pay them at the rate that he left at and Payroll told them it was outside of the range. I think the top was \$22 and they wanted to pay him at \$24.50 and I told them they couldn't do that. That is when we found that they were paying \$22.20 in 2016 and so we would like to correct that so he doesn't have to pay the twenty cents an hour back. At a minimum, they would like to pay these people \$24 to \$25 an hour depending on what they leave the County at.

Sharon Tucker: So does this category cover a wide range of different types of job responsibilities? I am perplexed with the \$8.25 to the \$30. That is a huge span that we could offer a part-time person.

Jackie Scheuman: Generally the low end we try to keep around minimum wage. Generally when we increase a range, we don't really move the bottom. I doubt that anyone is making \$8.25 an hour. I am sure that they are more in the \$20 an hour range. We can certainly raise the lower end, if we want.

Nick Jordan: Is January 1, 2016 okay?

Jackie Scheuman: Yes.

Justin Busch: I will move for consideration of a salary ordinance for Part-time Extra Deputy Hire with a range of \$8.25 to \$30.00. Retroactive to January 1, 2016.

Tom Harris: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-1(Tucker)-1 (L Brown absent). At this time, would the Surveyor come up?

Tom Niezer: Tom Niezer, I am an attorney with Barrett & McNagny. I think you know Mr. Sorg.

Jeff Sorg: Jeff Sorg, Allen County Surveyor.

ALLEN COUNTY COUNCIL MEETING MINUTES

Matthew Wirtz: Matthew Wirtz, Deputy Director of City Utilities, Chief Engineer.

Bill Etzler: Bill Etzler.

Tom Niezer: We were in front of your Personnel Committee a couple of months ago. The good news for today is that we brought over seven people to that and we have tried to shrink it and keep it shorter. At the Personnel Committee, the request had been made for consideration of a salary adjustment for Mr. Sorg to \$71,333 for 2017. That is the same amount that would have been budgeted for the prior County Surveyor, Mr. Frisinger. Before we get into that I thought it would be helpful, we have asked Mr. Wirtz and Mr. Etzler to give a little bit of background because it is important in today's discussion to really understand and get a good grasp as to what Mr. Sorg is going to be doing for this County and the importance of the office. Not Mr. Sorg himself but the importance of the office for all of Allen County and those who live within it.

Bill Etzler: My experience with Allen County is that I served as the Executive Director of the Highway Department from 1990 through 1999. Prior to that I worked in the construction industry and so I have had a lot of experience not only with Mr. Sorg directly but with the Surveyor's Office. That continues today as I still work on projects related to drainage and construction.

Tom Harris: And a former County Council person.

Bill Etzler: No, I was the County Surveyor.

Tom Harris: Somehow I remembered you being involved in County Council somehow.

Bill Etzler: No. In 1990, when the big snafu occurred and Jeff had to leave the office of County Surveyor, I was appointed by the Commissioners to serve in an interim role at that time. That was my only experience as an Elected Official. I did run for office.

Tom Harris: That is what it was, my apologies.

Bill Etzler: That's fine. Anyway, through my experience one of things that sometimes gets overlooked is the fact that we put a lot of emphasis on education, professional registration and things of that nature. As a business person hiring people, I equate experience to education on an equal basis. The lack of registration, I am a registered professional engineer and I gained more from personal experience doing the work that I did than I really did from my college education. I think part of this discussion is how much does experience weigh? I realize that there are some constraints that have been thrown on by Legislative action, State law and so forth but my position is pay the person based on their experience as well as on their education. I can attest to the fact because not only did Jeff and I work as coworkers but Jeff was an employee of mine at the Allen County Highway Department after he left the Surveyor's Office. I have first-hand knowledge of the type of person that he is and the type of work that he produces. I think the position requires consideration of his request. Thank you.

ALLEN COUNTY COUNCIL MEETING MINUTES

Matthew Wirtz: Again, Matthew Wirtz with City Utilities. I am going to focus more on the value of the position from that perspective. I will be speaking primarily in terms of storm water and we highly value the horizontal and vertical control specs of the Surveyor's Office. The Surveyor's Office and the Office Holder there is a key partner for the City and our storm water utility. In fact, it is probably one of the most important partners we have in the County. I think I speak also for all of the other communities in the County. We could not provide our storm water services without a cooperative and well managed Surveyor's Office. The storm water systems in our community are often discharged into the regulated drains that are overseen by the Surveyor. We need to work together to accomplish those goals. Many of us have a large list of storm water improvements that need to be made, limited funding to accomplish them and so we must work efficiently and effectively to prioritize and tackle those needs. Just three buckets that I thought, we see the Surveyor's Office working cooperatively with all of us and the communities. The first is the customer service quality of life for the people that we are serving. Storm water drainage, I can speak for City Utilities, is one of the highest complaints that we get. It is hard to explain to property owners as to what is going on and especially how something in their yard can impact somebody down the block or a mile downstream. It is complex and not like a more simple water service or sewer connection or something like that. Also, it is unique in that you can sometimes be in a situation where you are under the jurisdiction of both of us, the City and the County. It might be in an area where storm water improvements might be tied to regulated drains and/or the City's storm water system. We have to be able to be on the same page with cooperative staff and the higher levels make sure that we are providing good customer service. We are both responsible for, nobody owns the waterways or the water in them but we are responsible for the water quality and the environmental stewardship within our community. Not only the national and regulatory standards that we enforce but also the education and looking for illicit discharges and those kinds of aspects of monitoring the community and making sure that we are protecting water quality which can be not impacting our communities but maybe communities hundreds of mile downstream. The last big one is economic development. We are all in the business of economic development. In this role, we have fair standards consistently enforcing and using those standards. Reviewing submittals on a timely basis and one of the key aspects is finding a path forward. We don't want anyone impacted negatively by a growth or economic development. Problem solving and collaboration is key for us in terms of supporting our community. Salary is your prerogative, not mine, but in terms of worth a competent and collaborative Surveyor is extremely valued in our County and to City Utilities.

Tom Niezer: It might be helpful to remember not to age our County Surveyor too much but Jeff joined the Allen County Surveyor's Office in 1984. He became the Chief Deputy for the Allen County Surveyor's Office from 1987 through 1993. He was our Allen County Surveyor from 1993 to 1997 and from 1997 through 2016 he has been loyally employed by the Allen County Highway Department. As Mr. Etzler stated, during that tenure with the Allen County Highway Department his job was either Operations Manager or Drainage Manager. Everything that this County's Surveyor did during that time period, surrounded and was involved with storm water management issues, drainage

ALLEN COUNTY COUNCIL MEETING MINUTES

issues, employed and implemented as a result of the County Highway Department's improvements, maintenance and outreach. As a result, he has had the ability not only through his experience as the prior County Surveyor but he has had the ability to reach out and meet with and work with those in the agricultural community, those in our municipalities and those in the development community. Also with those outside of Allen County and our region, this as we all know, is becoming more and more important as we look at Allen County as part of an overall northeast Indiana regional strategy. He comes to this County with this experience. That is who was elected pretty soundly. Here in Allen County, we had over 942 new permits last year issued for new housing with an increase from 880 in 2015 and an increase of 746 in 2014. We've seen a similar increase in permits issued for commercial development. There were times, Council members, just eight years or so ago during my practice, when there wouldn't be anything on the agenda of the County Plan Commission. Councilman Armstrong now is being forced to block out his calendar every second and third Thursday of the month because there is something each and every month. There are more and more development projects coming through this County. If you take a look at the agenda for the City of Fort Wayne Planning Commission and the Board of Zoning Appeals it has also incrementally grown since the time of what the folks call the Great Recession. All of those development projects, everything that comes through the City and County Plan Commissions, everything that comes through New Haven, Woodburn, Leo-Cedarville and Poe-Hoagland, those development projects in one form or another need to be touched by this office. There is no other County office, each and every one is vitally important, I know that but in terms of the economic development activity that goes on in this County as well as the cooperation needed amongst towns and municipalities, your County Surveyor's Office is extremely important. Northeast Indiana saw per capita income growth rate of 4.3% last year. That outpaces the per capita income growth rate of 3.7% for all of Indiana. It outpaces the per capita income growth rate for the nation of 3.7%. Northeast Indiana, as a region, is growing. Capital investment has been and continues to be on the rise. Allen County is the hub of that eleven County region. Make no mistake about it. You know this. We see it every day and every month. It has been great and a lot of fun to watch. A couple of months ago we provided, just to put into context, the top ten salaries which I believe may have been distributed. In 2016, the Hamilton County Surveyor earned a base salary of \$96,000; Tippecanoe County Surveyor, \$90,000; Kosciusko County, \$69,000; Vanderburgh County, down where Evansville is, \$65,000; Hendricks County is \$64,000 and ironically I was asked at the Human Resource meeting, are all of those individuals licensed. I have done some checking and sure enough, they are not. Most are, ironically Hamilton County which is the highest paid County Surveyor in this state is not licensed. Kent Ward has been there and I think he is an icon admittedly. I will grant you that Fishers is growing. I have relatives down there but not like Fort Wayne. Not like Allen County. I daresay and I know this from a development standpoint having been out and being a lifelong resident, there is no County in this State that has the creeks, ditches and streams and what Mr. Sorg calls regulated drains, there is nothing like that anywhere else in any County in this State. His office oversees all of that and yet, based on the budget that was approved in 2016, we all understand the statutory requirements of how that was set, Mr. Sorg's salary was set at \$47,555. The only individuals below that salary are the two administrative secretaries, an inspector and right at that level is the Supervisor of

ALLEN COUNTY COUNCIL MEETING MINUTES

Maintenance. He or she makes the same amount of money. The Supervisor of Maintenance does nothing more than go out and inspects a new drainage facility when it is being constructed and reports back. These are all 8:00 to 5:00 positions. Mr. Sorg, by his office, is 24/7. I think he can tell you, without sharing names, the numbers of calls he has already been getting at home since he was sworn into office, by area property owners. That is what you need from your County Surveyor. That is who this County elected. They wanted somebody who was not only going to discharge the office which he is required to do, licensed or unlicensed, it makes no difference. The same requirements are there. On top of that the requirements and expectations is that these next four years are going to see a lot of collaboration, a lot of customer service responsiveness and all Mr. Sorg is asking for is for that commitment which he has already proven and has the tools and history of doing. He has proven that already. He is asking that he be fairly compensated as compared to the rest of this in his office. I am sorry for the time.

Joel Benz: No, you are fine. This helps us understand his position. Part of this is centered on the State statute that says a licensed Surveyor will be paid one and a half times of the unlicensed Surveyor. So just help us understand and maybe someone who is watching what is the difference between a licensed and unlicensed and what do they do that is different. And what does it take to be a licensed Surveyor.

Tom Niezer: Can I ask Mr. Etzler for this because he well qualified?

Bill Etzler: The difference between licensed and unlicensed is that in order to obtain your license, you need to have a degree in land surveying which you can get from many area universities. I won't just say land surveying but that is basically the crux of the education. I had to get a four-year degree in engineering in order to get my license plus you had to get equivalent experience in order to add on to take the exam to become a professional Land Surveyor. From a different perspective, in what you do there is no difference. The office does not require you to be a professional Land Surveyor. When I served the County, I had the position of Executive Director of the Highway Department and I also served as the County Engineer because I had that degree. Today, the Highway Department is led by Bill Hartman who is not a licensed professional Engineer and there is a professional Engineer in the office. The law does require that Jeff has a professional available on the staff to be able to carry out some of the functions. That is something that he will have to address going forward. The position doesn't change because you have a license or you do not have a license. The key to the position is do you have the experience to carry out the duties of the office?

Joel Benz: Thank you, Councilman Harris.

Tom Harris: I thought I would mention a few things. We have had extensive discussions. Bob and I sit on the Personnel Committee and have had discussions on this. We have had a lot of feedback through that meeting and after that meeting. Some fundamental things that have come up and I think we asked in the Personnel Committee, one is that you knew what the salary was when you ran for office or did you know what the amount was for this position?

ALLEN COUNTY COUNCIL MEETING MINUTES

Jeff Sorg: As I said at that time, I was aware of the law stating licensed and unlicensed. Prior to that when I held the job, it didn't even come into play, they left the salary as it was. I didn't know it was going to change and get difficult and this complicated. It is such a ridiculously low number. I thought it would be a simple matter of requesting Human Resources to evaluate the position. I knew what they would come back with if it was done. Turned out it wasn't that simple. That was the original intent. I didn't even think twice about it. That number is so crazy that it would be a no-brainer to have it evaluated.

Tom Harris: To be able to move that up.

Jeff Sorg: Yes. I thought it was almost a sure thing.

Tom Harris: One of the questions that we discussed a little bit but remind us a little bit, the State statute of having a differential of 1.5%, whatever the bottom number is the top is 1.5% higher. That salary ordinance was passed by Council last year and we do that for all of the salaries of all of the Elected Officials. What brought this up is that there is a range that we have to follow unless we change that salary ordinance. The uniqueness of this issue is because you are in the first year of being elected; we have the ability to adjust that. It does not happen and cannot happen for others. It does put us in a good position to at least evaluate it.

Tom Niezer: It does, Councilman, and that was part of the driving issue of asking Council to defer this matter until 2017. It became increasingly difficult to have this issue really addressed while Mr. Sorg's predecessor remained in office.

Tom Harris: And that brings us here today.

Tom Niezer: It brings us to today and it is unique. I don't believe that Council is setting a precedent for other departments because this statutory framework for the County Surveyor is really unto itself, by and large. Your County Coroner has the same and I don't know how that process, under this statute, could play itself out.

Tom Harris: So looking at the differential of where that salary is now which is the \$47,555 and 1.5% is the top end, was set I presume by Surveyors.

Jeff Sorg: I believe it was set by the previous Surveyor.

Tom Harris: That wasn't here. It is Statewide, right? That 1.5% is something that is looked at Statewide.

Tom Niezer: That 1.5%, my research reflects that it was put into place back in the mid-1950's by the State Legislature.

Tom Harris: I would presume that would be from licensed Surveyors.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Niezer: I wasn't even born.

Tom Harris: But the intent was to suggest that based on everything that you guys have mentioned the importance of this position is that it should be licensed and that we should have someone. Otherwise, why was that established and why does it even exist? I know you may disagree or have different opinions but the next question I wanted to ask is that during this tenure our salary ordinances are set up where we incent the incumbent to pursue that license. Do you have any intention or plan to pursue a license while you are in this office?

Jeff Sorg: Not currently, I don't.

Tom Harris: Okay.

Tom Niezer: Councilman, if the State Legislature wanted the County Surveyor to be licensed, they don't do it by way of this salary structure. They do it by modifying State statute in terms of the requirements for the office.

Tom Harris: That's fair.

Bill Etzler: In answer to that Ohio, Michigan, Illinois has State statute that you be a licensed Surveyor. In answer to your previous question about the 1.5%, the Surveyor's Office laws were re-codified in the mid-1960's and the intent at the time for the 1.5%, from what my research shows me, is that they were struggling to find people that were willing to run for the office. They were trying to incentivize to get licensed people to do that. Probably very similar to what the Legislature has done with County Engineers. They give the Counties supplemental dollars to support the office of the County Engineer. I think it was just their way of trying to find those people. What you find in most Counties, as Mr. Niezer has pointed out is that most Counties don't have licensed Surveyors. I am not talking about just the top ten but across the State.

Tom Harris: We have a thing in front of us that shows most of those are.

Bill Etzler: Then it has changed in the last few years.

Tom Harris: One of the challenges for Council is that we have had someone licensed in this position for some time now and so we were always looking at the top end of this number. Always looking to see if this is the number we want to pay on the top end. We have not had someone not licensed and so we have never really focused on the bottom end. It is now a situation where the challenge for Council was to look at the bottom end and say is that the appropriate number. Jeff, from my point of view, if you had not served previously in this position and did not know what this office functions and systems and processes were, I probably couldn't even consider making that adjustment and the fact that you have that previous experience gives me the ability to say that maybe the number is too low and maybe we can do something to increase that number. By the way, last

ALLEN COUNTY COUNCIL MEETING MINUTES

point from County Council is that our job is to figure out how to pay people effectively. Not a week goes by that I don't hear from a Department Head, an employee or an Elected Official that the pay system is not okay. The challenge that we have is to look at that on an annual basis and say what is it that we need to do to right this person and make sure. Before us today is an opportunity to maybe look at that low number and maybe say it is too low.

Tom Niezer: It might be another opportunity in as much as Mr. Etzler stated that State statute doesn't require a County Surveyor to be licensed. The voters have voted Mr. Sorg in. We believe this County is ready to take a really good step forward in this office. Perhaps Council also needs to be considering why is it that there were no licensed Surveyors that ran for this office? There are a lot of darn good Civil Engineers and Land Surveyors in this County. I work with them. They care deeply about this County. Why is that? What is being done to incentivize that? You have an opportunity to reflect upon that and to reflect on what is really best for this County given its geographical size, the number of people living in it and we have demonstrated the extraordinary demands that are placed on this particular office by practically every aspect of this community. Licensing pales in comparison to make sure we have somebody in here who is a people person, can multitask and understands the importance of community outreach, communication and cooperation with everyone around it. You have that in Mr. Sorg. Those qualifications merit what is being asked.

Joel Benz: I think there are some more questions. Councilwoman Tucker.

Sharon Tucker: Bill, for clarification, will you again state is it a four-year degree that would be required to become a licensed Surveyor?

Bill Etzler: If I remember exactly what the qualifications are, I know that is the requirement for professional Engineers. There used to be an opportunity for Land Surveyors to go through a two-year program but I think it has been expanded to four.

Sharon Tucker: All right. I think I am one that is always at this table fighting for people to be paid fairly. Experience speaks volumes and education is important too. I sit in both seats. I have 27 years in the insurance industry and had a 3.9 GPA. Weighted together, they mean nothing if I can't actually do the job. I think experience means everything. Jeff, hi, it is nice to meet you. I say that because I am not biased. I have never met you before. My decision will be based totally on the information that has been presented. Tom asked the question of you of did you know the salary before running and my question is there is no difference whether licensed or not licensed and performing the job.

Jeff Sorg: The job is exactly the same.

Sharon Tucker: Okay. You are going to do it whether the pay is increased or not increased?

ALLEN COUNTY COUNCIL MEETING MINUTES

Jeff Sorg: I ran for office and won and made a commitment to the people that I would do this. I would try to get things going in that office and we are moving things through a lot quicker now than they used to. That is good for business and you can talk to anybody. That was a problem that needed addressed and I think I have already addressed it and will continue to address it. Getting things through and out of there so that people can get to work is my goal here.

Sharon Tucker: So your ultimate goal for being before us today is fair compensation.

Jeff Sorg: Yes. I have had this job before and the salary didn't change. The important thing is to know what you are doing. Education is important, granted, I am not going to say anything about that but experience is very critical. I have 38 years of it. All I have done is drainage. I know it like the back of my hand. I bring that and offer that and I think the experience can bring that office to a point that it needs to be as far as response time whether you are a farmer, land developer. I have already gotten response time down and it is quicker than what it used to be.

Sharon Tucker: Since the code was put into place before Mr. Niezer and I were even thought of, when you were a Surveyor prior being a licensed Surveyor was not an issue then.

Jeff Sorg: No.

Sharon Tucker: Okay, thank you.

Joel Benz: Councilman Tippmann.

Eric Tippmann: Let me start by saying that Mr. Sorg has my full confidence to do this job. Mr. Niezer makes a point that this is an opportunity. For the microsecond that people are listening, where do people come from that do these jobs? Our own sainted Tera Klutz, they don't just fall from the sky every election cycle. There is a reason why the State does this. They want to incentivize the most professional people to do these jobs. The most professional people will lead to the most efficient government. The most efficient government lays the groundwork for the best economic climate. Changing these so willy-nilly in a way is against the spirit in what the State is trying to put into statute. It is against the spirit of what we are trying to accomplish across the State to get the most efficient government by doing the most professional job we can. Again, my full competence that he will do a fine job but I think changing it in this manner is against the spirit of what we are trying to do across the State. We are in such an enviable position. He mentioned all of our neighbors, Illinois, Michigan and Ohio. We have a better economic climate on all of them. I think that is going back to Daniels and the professionalism that he implemented across the board. He had a lot to do with that.

Joel Benz: Thank you, Councilman Tippmann. Councilman Armstrong.

ALLEN COUNTY COUNCIL MEETING MINUTES

Bob Armstrong: I am the liaison to Jeff and I've met with him a couple of times and I have written down or typed out some notes because my handwriting was so bad. Jeff has talked about, I didn't know a lot about the Surveyor's department and I have the Planning Commission, the Drainage Board and working with the City and other towns, flood relief, farming community, homeowners, the City Utilities Department and the Commissioners' Office. As the rep from the City said, this is a pushing office of economic development. If we are going to push economic development as that is the direction that we are moving in, like Jeff just said and said when I met with him you can't get things built or done until it comes across his desk. That is very important. If we are truly backing economic development in this community and we want the steamrollers to keep rolling, as Jeff has said that things don't sit on a desk. They are processed and moved on. Developers and contractors can go out and do what they do to build this community. When we met, I was interested and didn't realize that we have the largest geographical area in Indiana and miles of drains. I liked your comment when you said this is Indiana and it is flat. We need to move water. That is pretty interesting because if you think about it, we are flat. With that I personally with the statute as these gentlemen have all said, licensed or not licensed my bottom line if we are going to move the process of growth I don't really, me personally, I don't care if you are licensed or not. He has a staff member that is a licensed Surveyor. We have that and things are moving with or without a license because if we have to sign off on anything, we already have a licensed person in that office. We talk about the salary and stuff and I would like to make a motion that we move the salary for the County Surveyor to \$62,000, unlicensed and retro back to January 1st.

Joel Benz: We have a motion and I do want to point out a couple of things here and maybe get Mr. Niezer's opinion on this. It is my understanding that whatever level we put this salary at, the next Surveyor or if Mr. Sorg achieves this licensure, he would be able to come back to us and say that he wants his salary to be adjusted and would have some legal standing to say he should be paid at one and a half times what we raise it to. Do you agree with that?

Tom Niezer: I would agree with that. As a newly Elected Official, he or she would have the ability to come in front of Council just as Mr. Sorg is doing. By the same token, County Council has the ability to look at this scale over the years as it comes in. I am a political science major and not a math major from Wabash College. A lot of clients don't ask me about my educational background but I don't know what 1.5% of \$62,000 equates to.

Nick Jordan: \$93,000.

Tom Niezer: We have the Auditor here.

Tom Harris: With that point, if Jeff became licensed, he would be able to come back and say that he has now received his license and I need a pay increase to \$93,000.

Tom Niezer: He could make that request if he wants to take the time, at his age, over the next two to four years and to the extent he has the time to devote to that type of course

ALLEN COUNTY COUNCIL MEETING MINUTES

work and at the same time balancing the requirements that that he can't run away from. I am not sure if everybody really understands that this is not an eight to five, Monday through Friday job. Even if he was to do that, hypothetically is the big hypothetical in my book...

Tom Harris: We asked him earlier and he said not at this time.

Jeff Sorg: I have no intentions of that.

Tom Niezer: Hypothetically, if he did you would still be below Hamilton County. He still wouldn't be the highest paid Surveyor in the State of Indiana. I am not even sure you would be in the top two. We can keep it at \$47,555 which is more comparable to White County.

Joel Benz: Councilman Busch.

Justin Busch: I would like to echo my colleague, Councilman Armstrong's comments. I believe too that this office is definitely something you are going to find as an economic driver deals with economic development and not just for developers and the increase we have seen in the City of Fort Wayne. Also, looking at the agri-business side, the agriculture and all of the farmers in Allen County as well, their business is just as important to them as a new development would be in the City of Fort Wayne. That is their livelihood as well. I personally think being where it is at \$47,555 for a Department Head has such an impact on the economic development of our County and increasing business and jobs which is what we are here for. I would be okay with Councilman Armstrong's \$62,000 even if it meant we would have to go to the \$93,000 for the licensed Surveyor. In future elections, it could attract other folks as well. With that I would like to second the motion on the floor.

Sharon Tucker: Request a rollcall vote please.

Tom Harris: Further discussion, too.

Joel Benz: Go ahead, Councilman Harris.

Tom Harris: Jeff, you mentioned that you do have someone in your staff that can sign off on this. Is that still the case?

Jeff Sorg: There is nothing in my office that has to be signed off on with the exception of drain reconstruction. I have an individual in the office that is licensed and will review the reconstructions. That is State code. It doesn't mean he has to be on staff, I can sub that out to a private firm or hire a PE or LS (professional engineer or licensed surveyor). I have access to a professional engineer and he is readily available, a number of them actually. The State law, there is only one thing.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: I understand but I want to understand the mechanics of it. The PE may have to sign off.

Jeff Sorg: They don't have to do anything other than look at it.

Tom Harris: When you said you have access to a licensed Surveyor.

Jeff Sorg: Any firm I would choose could look at it for a minimal amount of money.

Tom Harris: In other words, you would pay someone to do some of that work.

Jeff Sorg: It would be out of the Contractual line item which has existed for years.

Tom Harris: Any idea what that amount would be on an annual basis?

Jeff Sorg: I am going to say \$20,000 to \$30,000.

Tom Harris: So the County, in essence, would be paying an additional \$20,000 to \$30,000.

Jeff Sorg: It is already in the budget.

Tom Harris: Understood but that is part of that and we would be paying for some of the signatures.

Jeff Sorg: There are no signature requirements. I have a very competent staff up there. They would prepare the plans and review them. A number of people, in house, look at them and the last thing that would happen is I would ask one of the engineering firms to take a look at it and see if they see any issues we may have missed. That is what the law requires and I can assure you that there would be very few times that they would say yes you have problems here. I have a good staff.

Tom Harris: But you are saying that you have someone there; you said that the law requires, and you have someone who does it internally?

Jeff Sorg: Only on a reconstruction of a drain. From what I can find so far, I think there have only been two reconstructions in the last four years. That is pitiful but I don't want to go there. That is going to accelerate rapidly. People are screaming about the drain work that needs to be done. That is why I was elected by a wide margin.

Sharon Tucker: To clarify, I am confused on your question. I need you to clarify what you were asking. Whether you are licensed or not licensed, you have to for reconstruction to an outside firm and have them look at that?

Jeff Sorg: Or I can hire someone that could be in the office.

ALLEN COUNTY COUNCIL MEETING MINUTES

Tom Harris: And you think that is going to run about \$20,000 to \$30,000.

Jeff Sorg: I have some positions open and I could probably put a PE on staff. I have two positions open right now and one is a Hydrologist. Typically a Hydrologist would be a professional engineer. I am just saying when we have a reconstruction it will be reviewed by a professional engineer or a land surveyor. The fee on that is probably not going to be a lot. Like I said, it would be between \$20,000 and \$30,000 at the very most. The other option I have is to hire someone and make them a staff member.

Tom Harris: Another question, in terms of additional compensation that can be made by the Surveyor, I understand there are some things you can do with the Cornerstone and you can make some additional compensation on an annual basis. Can you help us understand that a little bit?

Jeff Sorg: Indiana Code allows a County Surveyor to ask the County Executive to certify how many drain miles we have. You can get an additional couple of dollars per mile of regulated drains. You can also ask the County Executive to authorize to be paid the amount of land section corners that have been established. I think the previous Surveyor was doing the section corners and was receiving an additional \$10,000.

Tom Harris: An additional \$10,000 annually?

Jeff Sorg: A licensed Surveyor would get \$10,000 out of Cornerstone and unlicensed would get \$5,000. That is if the County Executive agrees to it.

Nick Jordan: They only have to agree to the drains. On the corners, I don't think the law speaks to the approval of the County Executive.

Jeff Sorg: It says it has to be approved.

Nick Jordan: For the drains. The next subsection is just the corners and you can go ahead and do that and doesn't have to be approved.

Jeff Sorg: I think you and I talked about that but someone has to approve it.

Nick Jordan: For the unregistered or unlicensed, it is two dollars a mile for the drains and two dollars a corner for the corners. For licensed, it is four dollars times 2,400 corners is how they got to the \$10,000 amount.

Tom Harris: Mr. Niezer, you mentioned that you were requesting the \$65,000?

Tom Niezer: We requested, at the Personnel Committee the amount of \$71,337

Tom Harris: One of the considerations, a motion has been made and a second, with the possibility of increasing that amount but not to the \$62,000. That is still a possibility to

ALLEN COUNTY COUNCIL MEETING MINUTES

Council. In other words, it doesn't have to be \$65,000 or \$71,000 or nothing, it can be another amount.

Nick Jordan: You have a motion for \$62,000 for unlicensed or unregistered and \$93,000 for licensed and it has been seconded by Justin.

Joel Benz: I am ready to call for a rollcall vote. I do want to clarify one thing. We have to have four yes votes to pass this?

Nick Jordan: Yes. The majority of elected Council members would be four even if you had three today, it is not a majority. You need a majority.

Joel Benz: Okay. Let's go around the table then. Councilman Harris.

Tom Harris: No.

Joel Benz: Councilman Busch.

Justin Busch: Yes.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: I am but anything but a person of my word and I said I would listen to everything subjectively and make my decision based on that. I do not believe being licensed creates professionalism. It just means that you have become licensed at what you do. I do believe that experience creates professionalism and how you handle yourself. I am a licensed agent in the insurance industry and I have run into people who are not licensed but also have experience and have just as much ability to perform as I do. With that said, I support yea for the increase.

Joel Benz: Councilman Tippmann.

Eric Tippmann: To some extent we are conflating the importance of the position with some other issues here. Absolutely experience, in some regards, we lucked out. We lucked out that the person with the most experience won the election. As you know that might not be true in the future and again, he has my confidence however, this issue is much bigger than this one Surveyor position and so I vote no.

Joel Benz: Councilman Armstrong.

Bob Armstrong: Yes.

Joel Benz: The issue for me comes down to where the top end is going to land, if we were to have another Surveyor come in. At \$62,000 that puts the top end at \$93,000 and that would make you the second highest paid Elected Official in Allen County. I do not

ALLEN COUNTY COUNCIL MEETING MINUTES

believe it merits being the second highest paid position in Allen County. On that basis, I am going to vote no. **At this point, the motion is dead.**

Tom Harris: Mr. President, I will make a motion. Based on the fact that some of the things we have talked about, I feel that movement in that \$47,555, my HR Director for the County and how this relates to other Department Heads in the County, other departments structure, size, responsibility, accountability and all those kinds of things I do feel the low number is too low. I didn't feel good about the \$62,000 but I will make a motion to move this position to \$53,000. Council, we will have the ability in the August timeframe to be able to look at salaries of all of the Elected Officials and compare and contrast responsibility, accountability, structure and all of those kinds of things at that time. That is still a possibility in your tenure...

Jeff Sorg: Mr. Harris, I have a question. Have you looked at the numbers that my staff is paid?

Tom Harris: I have. Jeff, with that keeping in mind that you do have the ability to make a little bit more and when people run for office, a lot of times Elected Officials drop. You end up losing money when you take office. We see that in all kinds of different positions. We know that you have been a County employee and we know what you were making and moving this up by \$6,000 and allowing you the opportunity to make an additional \$5,000 moves you almost back to base.

Jeff Sorg: Almost making what I was when I left the Highway.

Tom Harris: And so what we try to do is see how that compares where you are at and then we will have an opportunity to take a look at that in August. My motion would be \$53,000.

Joel Benz: We have a motion for \$53,000.

Nick Jordan: That is \$79,500 for a licensed or registered Surveyor.

Joel Benz: **Is there a second for \$53,000? If not, the motion is dead. Are there any other motions?**

Sharon Tucker: Yes. I am not going to look at you. I am going to go back to the requirements of the position. Bill, you are telling me that licensed and unlicensed, the job requirements are exactly the same.

Bill Etzler: It makes absolutely no difference.

Sharon Tucker: The thing that I keep hearing in the discussion that we have is like the code does not take into consideration the experience. The code doesn't take into consideration the history of what you know. It is great if we can get somebody to run for office that is licensed, has history and education in the area they are running for. Most of

ALLEN COUNTY COUNCIL MEETING MINUTES

the time that is not true and most of the time we have individuals that have decided they are going to run and represent and the County has to make their decision. The constituents have to decide if they have someone that is qualified to do that. Our constituents have said that Jeff is qualified. He comes to us with the history and he comes to us with experience. I think we should fairly compensate him for that. If \$90,000 at the top of the scale is too much for a new individual four years down and \$53,000 obviously is too low, what is an adequate number for a person to be fairly compensated? When you take into consideration what their staff earns. When you take into consideration everything they are going to have to do and so I make a motion because I strongly believe people should be fairly compensated for not only their education but also for their experience in a field realizing that it affects everything going forward. I make a motion that we move the Surveyor's compensation to \$59,900.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. That would move the top end to \$89,850. Councilman Harris.

Tom Harris: No.

Joel Benz: Councilman Busch.

Justin Busch: Yes.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Absolutely.

Joel Benz: Councilman Tippmann.

Eric Tippmann: No.

Joel Benz: Councilman Armstrong.

Bob Armstrong: Yes.

Joel Benz: Once again it is down to me. I still believe this would make you the second highest paid Elected Official in Allen County and again I believe that is too high for the future Surveyor at one and a half times and on that note I am going to vote no. **At this time, that motion is dead.** Do we have another motion?

Bob Armstrong: Can he make a motion?

Joel Benz: I cannot.

ALLEN COUNTY COUNCIL MEETING MINUTES

Justin Busch: I think everyone at the table agrees that the number is too low. I think we are getting to a point where we can all come to an agreement as to what that number should be. It was \$52,000 and \$62,000?

Sharon Tucker: It was \$53,000, \$62,000 and \$59,900. And you are worried about the top end.

Joel Benz: Correct.

Sharon Tucker: And you cannot make a motion.

Joel Benz: I cannot.

Justin Busch: I will make a motion for \$57,500.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. The top amount would be \$86,250. Councilman Harris.

Tom Harris: No.

Joel Benz: Councilman Busch.

Justin Busch: Yes.

Joel Benz: Councilwoman Tucker.

Sharon Tucker: Yes.

Eric Tippmann: No.

Joel Benz: Councilman Armstrong.

Bob Armstrong: Yes.

Joel Benz: Based on the information that has been given, I will vote yes. That will give us the four-vote majority at \$57,500. Thank you for your time.

Tom Niezer: Thank you.

Joel Benz: Councilmembers, we need to decide if this is going to be retroactive to January first.

Tom Harris: Yes, absolutely is what I am waiting for. That was part of the initial motion.

ALLEN COUNTY COUNCIL MEETING MINUTES

Joel Benz: We need a motion and a second that this would be retroactive.

Sharon Tucker: I will make the motion that the increase to the Surveyor salary be retroactive to January 1, 2017.

Bob Armstrong: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent). At this time we are going to open up the meeting to any public comment that there might be. Seeing none, is there any discussion of recent or upcoming meetings? How about liaison reports?

Nick Jordan: Some of you may have forgotten but on February 23rd at 8:00 a.m., which is after the next Council meeting, is the OSS and POLE grid discussion in this room. Personnel Committee had sent out their schedule and the 23rd was on there but overlooked. You decided in December that you were going to meet that morning for those grids.

Bob Armstrong: When was that again?

Nick Jordan: February 23rd at 8:00 a.m.

Joel Benz: Anything else?

Tom Harris: Approval to waive the reading on any matter approved today for which it may be deemed necessary for the County Council meeting of January 19, 2017.

Sharon Tucker: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent).

Bob Armstrong: Move to adjourn.

Tom Harris: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-0-1 (L Brown absent). There being no further business the meeting was adjourned at 10:38.