

**ALLEN COUNTY COUNCIL MEETING MINUTES
NOVEMBER 16, 2017
8:30 AM**

The Allen County Council met on Thursday, November 16, 2017 at 8:30 am in the Discussion Room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds, grants and any other business to come before Council.

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

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

The meeting was called to order by President Larry Brown with the Pledge of Allegiance and a moment of silent prayer.

Larry Brown: Good morning everyone. First on the agenda is the approval of the October 26th meeting minutes. Are there any additions or corrections?

Tom Harris: Move to approve the minutes from October 26, 2017.

Eric Tippmann: Second.

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

Nick Jordan: Good morning, Council. In your packet, you see the financials through October 31st. If you look on the expense side first, you can see that we have about 79% of anticipated or budgeted expenditures through about 83% or 84% of the year. We always have a little bit of rollover. On the revenue side, we will most definitely collect 100% of the estimated revenue. The property tax side, we anticipate getting very, very close to 100%. All things look positive as of now and the Health Insurance Fund continues. We are at 91% of where we were in 2016 and approximately at 82% of where we were in 2015. The health insurance claims continue to be lower than the last two years. Things are very, very positive, at this point in time. I can take any questions.

Larry Brown: Does anybody have any questions for Nick?

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

Sharon Tucker: Second.

Larry Brown: All in favor signify by saying aye, opposed, same sign. The motion passes 6-0-1 (Benz absent). We have appropriations in the General Fund in the amount of \$3,667 and zero in Other Funds. At this time, I offer to the audience any public comment. Is there anybody who would like to speak to Council? Next is Economic

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Development. This is a rather unique situation and I will let Rachel explain it. On the agenda, the two items that are listed are going to be in reversed order.

Rachel Black: Rachel Black, Allen County Economic Development. Today, before you is a resolution for a waiver and also a Statement of Benefits. We are going to address the waiver first. Ag Plus and Synergy Feeds is requesting a Waiver of Non-Compliance for failure to submit the completed Statement of Benefits form before the initiation of redevelopment or rehabilitation for which the company desires a claim on a deduction. The company filed the application for approval of a Statement of Benefits and while I was reviewing that application, I noticed that a Plan Routing Permit had been pulled. That was about two days prior to my receipt of the application. I made the applicants aware that there would need to be a hearing for a Waiver of Non-Compliance first and before we can move forward with the tax phase-in. There is a resolution approving that waiver, if you so choose. If you decide not to approve the waiver then we will not move forward with the tax phase-in. Today, with Ag Plus and Synergy Feeds, we have Brent Tracy here as well as Jeff Scher. If you have any questions for them or me, we are here to answer them.

Tom Harris: Sure, I will go first. Maybe help us a little bit with the mechanics of what happened there in that process. You have kind of stated it but from the company's perspective.

Brent Tracy: First and foremost, we didn't really understand the processes as far as the sequence of things. We had waited on filing for the tax abatement until we had some detailed information from the contractor because some of the questions were pretty specific. We were in the process of submitting that and the contractor was in the process of assisting us in filing for the permit. We didn't know we should have waited on the permit until later. It was a misunderstanding of how the process worked.

Tom Harris: You mentioned that it was a two-day miss?

Rachel Black: Yes, when I was researching the application, I noticed a site permit had been pulled.

Tom Harris: Is that generally the role of Economic Development to help the builder and such understand some of that? Not looking at blame.

Rachel Black: It can take place just because I am not talking with the contractor. Sometimes things happen. They are speaking with the contractor and even though I was speaking with Jeff, I wasn't speaking with the contractor at all. We generally don't. For the most part, these things don't take place.

Larry Brown: If I might interject, usually there is a design professional involved that is aware of the process. In this case, was there an architect involved?

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Brent Tracy: They have one now but I don't think the architect was involved at that point.

Larry Brown: Therein lies the reason for the delay. Sharon, did you have anything?

Sharon Tucker: Tom must have been reading my mind and honed right in on it.

Larry Brown: Council, are there any further questions?

Tom Harris: I will move for approval of resolution 2017-11-16-02 approving a waiver of non-compliance for Ag Plus, Inc/Synergy Feeds, LLC.

Eric Tippmann: Second.

Larry Brown: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0.

Rachel Black: The Company is requesting a Statement of Benefits. The location of this project is at 1357 Everson Road. It is an expansion of an existing livestock feed manufacturing operation and involves an investment of over \$6 million in real estate improvements and \$3.8 million investment in personal property. Five jobs are to be created with salaries of over \$180,000. Based on the review system, they are eligible for a five-year real property tax phase-in and three-year tax phase-in on personal property. If approved, the company will save about \$362,000 over the five and three-year deduction period.

Tom Harris: Maybe a little bit about the operation and what is happening.

Brent Tracy: Our current business is owned by two Indiana based cooperatives. Ag Plus is one of those and Series Solutions is the other. We currently operate our feed mill in South Whitley which has been running 24 hours a day, five days a week for the last two years. To continue to grow our business, we needed to expand and we felt it would be logical to expand into the eastern part of our territory rather than further expansion in South Whitley. Ag Plus had recently purchased that facility from another company out of Ohio about a year-and-a-half ago and that is what led us to this point.

Larry Brown: Sharon.

Sharon Tucker: Rachel, can you tell me again, without me searching through all of this, I see it is going to create four full-time and one part-time. What is the amount of the phase-in that we are looking for?

Rachel Black: Five years for real property and three years for personal property.

Sharon Tucker: Do you have a dollar amount?

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Rachel Black: The total is \$362,000 for both.

Nick Jordan: It's \$58,101 for personal property and \$301,563 for real property.

Sharon Tucker: Thank you.

Tom Harris: So even with that savings for the company, the taxes that are still being generated are \$700,000 for real property and \$165,000 for personal property. The company is still generating over \$200,000.

Larry Brown: Over the term of the deferral.

Rachel Black: Yes and then they will pay the full after it is ended.

Tom Harris: From a business standpoint, how far does that reach? Do you reach over into Ohio and people are coming throughout the northeast?

Brent Tracy: Most of our business, we transport to the farm locations. We don't anticipate any customers coming there unless they have their own trucks. At our South Whitley location, we primarily cover a 100-mile radius but at this facility, we expect to be about 40 to 50 miles. A lot of that will be in Ohio and there is quite a bit that we do between that location and Portland, Indiana. We don't expect a lot of livestock expansion in Allen County, for various reasons, but we think Ohio has quite a bit of opportunity and especially south of us.

Jeff Scher: We anticipate hiring drivers to haul that feed. We don't anticipate hiring them as our employees but using area truck drivers.

Tom Harris: Interesting. So the four or five would not include those.

Brent Tracy: Correct. We currently have a company that we work with out of Harlan that does the transportation for us and we anticipate them hiring more staff to assist with the transportation of the feed.

Eric Tippmann: What does Whitley County do for economic development for you?

Brent Tracy: We added on to our current feed facility in 2010 and we did get the tax abatement on that one. That is what caused some of my confusion. We haven't started construction or anything yet.

Tom Harris: I will move for approval of Resolution 2017-11-16-01 approving a Statement of Benefits for Ag Plus, Inc/Synergy Feeds, LLC.

Justin Busch: Second.

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Larry Brown: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 6-1 (Tucker). Next on our agenda is a request from the Surveyor.

Nick Jordan: As the Surveyor is coming up the \$4,000 is no longer a part of his request. It is only \$6,500.

Jeff Sorg: Jeff Sorg, Allen County Surveyor. The reason it was reduced is that we have some funds that we can use in the same series. We will not be billed until 2018. We are good to go. We just need the \$6,500. I have with me Mr. Mike Yoder. He is our IT person. Karen Couture does the cost accounting for us. We have three new employees on board now and are up to full staff. Along with coming up to full staff, we need to provide them with computers and monitors. We have some existing monitors that we want to upgrade to a little bit larger. We have a number of employees that run auto-cad and it is a lot easier if you have a larger monitor. We also are going to need the computers for the new employees. I think the packet we provided should explain everything but I would be glad to answer any questions.

Larry Brown: I am not very tech savvy but is 27 inches the largest available?

Mike Yoder: No.

Jeff Sorg: No. We originally asked for 32 inches because they are great for auto-cad. I am going to turn this over to Mike and he can explain some of the technical aspects of this.

Mike Yoder: We were looking at seven 32-inch monitors. Three were for Plan Reviewers and four for the CAD users. We revised that because we were unsure whether 32 was too big or something. We are now requesting two 27-inch monitors for the Plan Reviewers and the CAD users and one 27-inch monitor for everyone else. I have a summary that says existing employee without a 27-inch monitor is one, three new employees and a second monitor for seven Plan Reviewers and CAD users. We want to upsize the monitor at the front counter for people who come in to look at maps and different layers and drains and floodplains. That is a total of twelve monitors and we can get these twelve 27-inch monitors for approximately the same price as seven 32-inch monitors.

Larry Brown: Now I get it. It's a money thing. My experience, bigger is better. It is easier on the eyes and you can find detail on a CAD drawing. You guys are the users so you have to decide that. It doesn't matter to me.

Jeff Sorg: I know we are moving to Plan Review that will be all digital. I like to read plans on paper. We will end up reviewing plans on the computer.

Larry Brown: Sharon.

Sharon Tucker: So the team will have dual monitors that are 27 inches each?

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Jeff Sorg: Right.

Mike Yoder: Three Reviews and four CAD users.

Jeff Sorg: We had to do a little measuring to make sure that they would fit before we put in the request.

Larry Brown: Council, this is a transfer. Are there any other questions?

Eric Tippmann: I will make a motion to transfer within the Surveyor General Fund from Design Project Engineer to Office/Computer Equipment in the amount of \$6,500.

Sharon Tucker: Second.

Larry Brown: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next on the agenda is Department 41, IT.

Ed Steenman: Good morning, Council. I am Ed Steenman, IT Director. The transfer that I have in front of you is to address an issue that has become large this year and will become larger in future years as well. That is the cost of maintenance agreements. I pay 36 different maintenance agreements throughout the year. In the past, three to seven percent increase per year was pretty normal. Now it is becoming easily five to ten percent with one that went up 22%. In my budget for 2018, I put in an increase for that and I hope it will be enough. In hindsight, I probably should have asked for more but we will work with that next year. 2019 looks even worse. For the rest of 2017, it's necessary to transfer money that I had in my capital series.

Tom Harris: Just a question on the maintenance agreements. There is no cap when you sign. In other words, because when the product doesn't break down and you hang onto those things longer, they can sometimes make up that revenue. They give it to you in terms of purchasing that equipment but then they make it up in a maintenance agreement over time?

Ed Steenman: Most of these agreements are software agreements and so it is for the various systems that we use throughout the County. My own hypothesis is that it is a great revenue stream for these vendors. What we do on new systems that we buy, particularly hardware systems, we bake in three, four or five years of maintenance with the initial purchase to keep that static. Five years is the maximum length that anybody will go. Once that five years or whatever is done, you start seeing that increase.

Tom Harris: Part of the agreement is a cap and they are locking you in but once that timeline is up, you either continue on with another maintenance agreement or you are out on an island hoping everything works forever.

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Ed Steenman: Yes and from a software standpoint, you just can't be without the upgrades and the customer support for bug fixes and things like that. Some bugs that we run into are show stoppers. To be without it would be paralyzing.

Eric Tippmann: When you see the 22% increase, is this software so specialized that you just can't go and there is not 20 other companies that do it?

Ed Steenman: Well that particular example is Accela. It's a beast and is used by a lot of departments throughout the City and the County. From the standpoint of potentially pulling it out and putting something else in, it is a really big ticket item. It's a rock and hard place and we are in the middle.

Joel Benz: You have a tremendous amount invested in that already.

Ed Steenman: Exactly.

Larry Brown: Council, are there any other questions or comments?

Eric Tippmann: I will make a motion for the transfer within the IT General Fund from Office/Computer Equipment to Maintenance Agreements in the amount of \$39,762.

Joel Benz: Second.

Larry Brown: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next is Human Resources.

Nick Jordan: I think this is due to a correction. They spent some funds out of the 200 series that should have been paid for out of the 400 series which is capital. They have corrected this going forward. The money has already been spent and we are moving the appropriation to those lines.

Larry Brown: And I had told Charity she would not have to come.

Sharon Tucker: I will make the motion that we transfer in the HR General Fund from Supplies to Furniture and Fixtures and Office/Computer Equipment in the amount of \$1,094.

Joel Benz: Second.

Larry Brown: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next is a request from Superior Court.

Leslie Owen: Leslie Owen, Financial Coordinator for Allen Superior Court. We are requesting a replacement copier for our Civil Division. It serves our four Civil Division Judges, their Court Reporters and the Mortgage Foreclosure Specialist. It died. We had to replace it and that is what our request is for.

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Joel Benz: I had a chance to talk with John McGauley about this and I think it is warranted. I will make a motion for appropriation in Superior Court General Fund for Office/Computer Equipment in the amount of \$3,667.

Eric Tippmann: Second.

Larry Brown: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. I believe the next item on the agenda has been removed.

Nick Jordan: That is correct.

Larry Brown: Okay. Next on the agenda is the approval of the 2018 Council meeting dates. Did everyone get a chance to look at and review? Does anyone have a problem with any of those dates?

Nick Jordan: Just real quick and for the public, the Public Defender discussion will be in December.

Larry Brown: Ok. I hear no comment on the meeting schedule and so it will stand as distributed last month. Next, on Board Appointments, I had an opportunity to talk with Beth Lock who is the Council appointment to Park Center. She is very interested in continuing in that position. She asked, do we want a personal visit from her to recap activities or would we accept an electronic version? I told her I would put that before you and let you decide.

Sharon Tucker: I personally think an electronic version would be fine and if we needed to see her, we could ask her to join us.

Larry Brown: Is that the consensus?

Justin Busch: If I could, if she has things that she thinks needs to be shared with Council, her voice can be heard here if she would like to present it to us.

Eric Tippmann: Maybe discussions next year. Discussions are good.

Larry Brown: I will carry that message back to her. Does anyone have any comments on any of the other appointments? Did anyone get a chance to speak with any of these folks?

Justin Busch: I had the bottom half of this and I talked to Councilman Harris and Councilman Armstrong and they would both like to be appointed again. I also talked to Ozzie Mitson who is the current President of the ABC. He said he would be honored to be our appointment again. I reached out to Beth and we had already talked about that. Darren Vogt also told me it would be a pleasure to be the Council representative once again on Redevelopment.

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Joel Benz: I also had Roger Brugh, the Child Care Facility appointment and I think he is an asset to that and think we should reappoint him. The PTABOA Board, Mike Clough is interested in being reappointed and I think he does a good job. Julia Carstens was kind of wavering. I asked her to let me know before Thursday and she didn't. I will attempt to contact her again. I know the Assessor's Office is aware that she may not be returning and we may have to have a new appointment.

Larry Brown: That is politically oriented.

Becky Butler: And certifications.

Joel Benz: Yes.

Larry Brown: It is not like you can just go to the hardware store and find somebody. It is a little more difficult to find someone to serve when they have to have those credentials. Is there any more discussion on Board Appointments? We will finalize that in December. Are there any recent or upcoming meetings or liaison reports?

Tom Harris: Just a quick update with the Coliseum Board. I had a chance to attend their Board meeting and the Coliseum just continues to set records and amazing achievements out there being recognized as one of the top facilities in the nation and even in terms of some of the competition in the world and in terms of some of the things they offer and the amount of people coming through there. And the millions of dollars of economic development impact that they have on an annual basis and Randy Brown shared how much that even impacts over a ten-year period and it is phenomenal for northeast Indiana. A show of continued support for what they do and the achievements and they are doing a great job.

Larry Brown: This community is very fortunate to have that facility and the leadership team that is in place.

Justin Busch: This is not a liaison report but wanted to let Council know that I visited Paula Hughes at the YWCA this week and they have their event for Domestic Violence on November 30th. She has welcomed Council to sit at their table. They have 65 beds there to help women in the community that are victims of domestic violence and they are almost 100% full right now. Twenty of those beds are for women recovering from addiction. If you know anyone who has those needs, direct them over to former Councilwoman Hughes and the good things they are doing at the YWCA.

Larry Brown: Very good, thank you. Joel.

Joel Benz: I just have a quick update. I actually just came from the Fort Wayne Economic Development Commission meeting this morning. We approved a bond and actually it is in Councilwoman Tucker's district. They are going to put in an assisted living type of facility at Hanna and Lafayette. We approved the bond for that this morning. That was a \$26 million bond and is the third largest project this year. I think there are some good things going.

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Larry Brown: Where?

Joel Benz: Hanna and Lafayette.

Sharon Tucker: It is across from what used to be the old Mr. Wiggs store.

Larry Brown: Bob.

Bob Armstrong: In the nine years that I have been on this Council, every year we have a discussion about the Allen County Legislative Preview going into 2018. I notice they have sent a thing out. Do we have any input, say or anything in this Legislative Agenda? Or is it just the agenda that the Commissioners' Office throws together and that is what we buy into?

Larry Brown: We definitely have the opportunity to have input.

Bob Armstrong: Are you brought to the table as the President or is it an open policy to it?

Larry Brown: In the past, I have just jumped in without an invitation. There has not been a formal invitation but I never thought I needed one.

Bob Armstrong: That's fine. When I got that I thought but last year they sent it out and said it was the Commissioners' agenda.

Larry Brown: And that it is.

Bob Armstrong: A lot of that, if they are talking about funding for the Jail or medical expenses or whatever, it comes across this table and I just wondered what our input is to those discussions. Or do we find out about them on the back end.

Larry Brown: I would say that if there are any issues at all that you are interested in, don't hesitate to bring it to Beth's attention and/or this table.

Bob Armstrong: Okay.

Larry Brown: I would encourage you very much to do that.

Eric Tippmann: I would say that all of the Commissioners that I have spoken with are willing to discuss anything, absolutely. If you have something on your mind, it is where the conversation begins.

Larry Brown: And Beth is the same way. Almost never is Beth's door closed and she is very tech savvy. An email to Beth does get responded to. Tom.

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Tom Harris: Just a couple of things. One, I have had a constituent call wanting the Council to take a position on fighting a toll road discussion that is going on at the State level. They want County Council to pass a resolution against the toll road process. I shared my opinion to the constituent that nothing has happened yet and from a State perspective, they are simply looking at things. I personally told him that I would be against some kind of a toll road going in northeast Indiana but it is too premature to jump on that at this point. The State is discussing options and obviously it is probably outside our realm but he wants us to take a position and I told him we would be watching what the State is going to be discussing. The other piece that is maybe a little closer to home is there is some discussion and Councilman Busch and I have had discussions with the Sheriff's Office in regard to their needs for moving forward with the Work Release program out on Cook Road with funding or potential funding from Council or the Commissioners. Some of those discussions are going on right now and as liaison for Community Corrections, they're becoming nervous in terms of time running out with the Riverfront and all of the work that is going on across the street. When are they going to move and end up in a different location? We are also having discussions with the Commissioners about finding another location, as well. A number of things are going on behind the scenes, I guess.

Larry Brown: Bob.

Bob Armstrong: Has the direction changed on Community Corrections going to Cook Road?

Tom Harris: No it has not.

Bob Armstrong: It is still on the table.

Tom Harris: That is correct.

Larry Brown: I think one of the concerns though is access to the bus route. A lot of their constituents or customers need the bus. Cook Road is not exactly on the bus route.

Tom Harris: Bob, with one piece changing a little bit. The Department of Corrections for the State of Indiana wants Community Corrections around the State to begin to have beds available. Some people that come into their programs could stay overnight. Our Community Corrections is looking at how they can provide this as DOC wants them to. They are talking to the Sheriff with the possibility of providing some beds at the Cook Road facility. That doesn't mean that they would move there. They would just provide beds for that.

Larry Brown: So it is still at a pretty high level, right?

Tom Harris: Yep.

Larry Brown: That is an expense that will be coming down regardless of what's done. Money is going to be required for that building. As we consider what to do with rollover

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money and those kinds of things, this all resorts back to House Bill 1006. We have said over and over and over that we need to be keeping that in mind and setting money aside for the ramifications of that. I have not heard anything lately on finishing out the unfinished space in the Jail. I hope you all received and noticed the Jail population report that is coming to us monthly. The numbers are increasing.

Tom Harris: That Cook Road facility would alleviate or reduce some of that because Judges would be able to put them into Community Correction programs rather than put them right into the Jail.

Larry Brown: Is there anything else to come before Council?

Justin Busch: One step back when we were talking about the Legislative agenda. I think I shared with you that I was selected to the Legislative Committee for the Indiana County Council Association. We have our first meeting on Monday and training on Tuesday. I have already heard from some folks around the table about what they think and I will report back on how that goes but feel free if you think there is something that you would like to comment on about our friends at the State during this session, we will be able to lobby them as well. That is a resource as well.

Larry Brown: Good and thank you. Is there 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 November 16, 2017.

Joel Benz: Second.

Larry Brown: All in favor please signify by saying aye. The motion passes 7-0.

Joel Benz: Move to adjourn.

Bob Armstrong: Second.

Larry Brown: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0. There being no further business the meeting was adjourned at 9:14.