

**ALLEN COUNTY COUNCIL MEETING MINUTES**  
**JANUARY 16, 2020**  
**8:30 AM**

The Allen County Council met on Thursday, January 16, 2020 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, budget approval and any other business to come before Council.

Attending: Robert A. Armstrong, Joel M. Benz, Larry L. Brown, Sheila Curry-Campbell, Kenneth C. Fries, Tom A. Harris and Kyle A. Kerley

Also Attending: Nick Jordan, Auditor and Jackie Scheuman, Finance and Budget Director

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

**Joel Benz:** Good morning everyone. I would like to welcome the newest member to our Board, Councilwoman Sheila Curry-Campbell. I would also like to thank Tom for an admirable job as President last year. I think it was a good year. I would also like to point out that if there is anyone out there who wants to make public comments, we will change our format a little bit and have a sign-in. Then I can call whoever is in the crowd instead of having them come up. First on the agenda is the approval of the December 19, 2019 meeting minutes. Are there any additions or corrections?

**Tom Harris:** Move to approve the minutes from December 19, 2019.

**Larry Brown:** Second.

**Joel Benz:** All in favor signify by saying aye, opposed, same sign. The motion passes 7-0. Next is the financial report from Auditor Nick Jordan.

**Nick Jordan:** Good morning, Council. I sent you various documents in the last week or so and at the very least I will take any questions that you have. I wanted to point out as was prepared in the prior year I sent a breakdown of the 2020 General Fund cash balance which is approximately \$41 million. When you look the financial on page three, you will see that the figure only reflects \$35 million available for appropriation and that is because there is a \$6 million earmark as we have done in the prior years to keep at least \$6 million in there for when our cash flow gets close to zero during a couple months of the year because of how the property taxes and revenues come in. As we talked about in the organizational meeting, similarly if you wanted to withhold anything else without moving it to a different fund or so forth, you could do the same thing with a different earmark as we have on there to reduce the \$35 million available for appropriation. I can take any questions that you have. I can walk through the details of that or I can do it later if you don't want to keep Prosecutor Richards waiting. It's up to you guys.

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**Joel Benz:** I did want you to highlight how much rollover we had.

**Nick Jordan:** Yes, on the rollover piece, the actual rollover amount was about \$5.4 million. You can see the various departments that contributed to that. The other piece is the rolled purchase orders of \$2.1 million and is anticipated to be spent during 2020 and hopefully very soon in 2020. The example of Council's rolled purchase order of \$1.2 million will possibly not be spent until 2023 because it is for the New Allen Stellar Project. Of the \$5.4 million rollover that went back to the beginning balance, Council was the biggest piece of that. There were two things, \$2 million was originally budgeted for the New Allen Stellar Project and you guys only granted \$1.25 million. So \$750,000 of that \$1.1 million was from that. The remainder is due to capital that was not requested. We budgeted \$800,000 or \$900,000 for 2019 for departments that come and make capital requests. We didn't use all of that and so that makes up the two biggest parts of the Council's \$1.1 million rollover. When you move on from Council, the Sheriff, Jail, Work Release and ACJC have the next two biggest pieces of the rollover. The Sheriff had about \$700,000 and ACJC had around the same dollar amount. ACJC's is related to, at least a fraction of it; they double budgeted in case they didn't get a grant. They got the grant and so they spent the money from a special revenue fund for which the grant is in and they didn't need the General Fund money. The Sheriff's is a mixed bag. The majority is from the Jail at \$555,000 and the actual Sheriff's Department was \$132,000 and is comprised of a few things that I have noted there. I have narrowed it down to the Jail turnover and unfilled positions for Confinement Officers throughout the year. That is really not a change from any years prior with the unfilled positions and the constant turnover.

**Joel Benz:** Year over year how does the rollover compare?

**Nick Jordan:** It's high but I think we need to be cognizant of when you look at County Council's line we are almost artificially inflating the rollover. When you look at it this year it was \$1.1 million; 2018 wasn't that bad; 2017 was \$2 million; 2016 was \$5 million and those are one-time type of projects which again artificially inflated it. If you took those out, the rollover was about three to four percent of the \$105 million budgets. It is not drastically different than historically but if you take that out it is usually around two to three percent versus being a little bit higher the last few years. That was related to Work Release, pay grid changes and now the New Allen Project. It is just the timing of when requests come and due to the constraints of budgeting and appropriations we throw it out there so that we don't have to come back for a special meeting later.

**Joel Benz:** Thank you, Nick. Are there any other questions for Nick?

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

**Sheila Curry-Campbell:** Second.

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

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**Larry Brown:** Before we go on, it would be nice if the appropriate liaison and I might be talking to myself. Superior Court has a rollover of \$492,000 in a 300 line item. It would be nice to know what the explanation.

**Nick Jordan:** That was from the murder trial. It originally was \$700,000 and they came back and asked to use it for updating the carpet and such.

**Larry Brown:** Oh that's right. Also, County Maintenance was \$319,000.

**Nick Jordan:** That is utilities. County Building Maintenance and Grounds budgets for utilities...

**Larry Brown:** Is that for all utilities?

**Nick Jordan:** I don't know what is going on with how they budget water. Almost \$100,000 alone is for not using it for the water bill.

**Larry Brown:** Are we going to get our water cut off?

**Nick Jordan:** I asked Brenda about it a couple of years ago but I can't remember. I will follow up with her but that is the majority of theirs. Those individual large pieces, on page three of nine, the Unspent we try to pick those pieces out for the large items on the rollover.

**Larry Brown:** Three of nine, where is that?

**Nick Jordan:** On the Unspent, if you have that. It is titled Unspent.

**Larry Brown:** I only have seven pages.

**Nick Jordan:** Do you have the Unspent?

**Larry Brown:** Yes,

**Nick Jordan:** If you are on the title page, just go two pages over. You should see one that is 2019 County General Unexpended Budget.

**Larry Brown:** Yes.

**Nick Jordan:** Not the top grouping but the next section.

**Larry Brown:** I see it now. I looked right over that. Thank you.

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**Joel Benz:** This morning we have a total appropriation requests in Other Funds of \$307,953 plus a couple of agenda items at the end. At this point we have no public comment and so we will move onto the Prosecutor's Office.

**Karen Richards:** Karen Richards, Allen County Prosecuting Attorney. We did discuss this with our liaison, just in case you wondered. We are here basically asking for permission to renew a grant that we have gotten for many years. It is a grant for Domestic Violence Coordinator position. The grant comes from Federal funds that flow through ICJI which is the Indiana Criminal Justice Institute. The grant period runs like a lot of those do from July 1 to June 30 and so the money will begin July 1 of this year and go through June 30 of next year. As always we need your permission to apply for the grant and so I am asking for your permission.

**Joel Benz:** We always appreciate when other people are willing to pay things that go on in our community.

**Karen Richards:** That is my thought too. There is a 20% match that they require.

**Joel Benz:** Council, are there any questions?

**Karen Richards:** Just because we have some new folks on Council, I brought some information in case anybody had some questions.

**Tom Harris:** What is the amount that you are requesting? Is that the same amount that you have requested in the past?

**Karen Richards:** They kind of let us know what they are going to give us and then try to make our request commensurate with what they are telling us is available and what they will give us. We try to fit these positions on the pay grid. It doesn't always work that way but we try to fit them into the pay grid so they are paid commensurate with like positions.

**Sheila Curry-Campbell:** How many total positions are there?

**Karen Richards:** There are two of these. The one that we are asking for now is in our Felony Division. We have one more grant that goes through ICJI that is for a Domestic Violence Coordinator for our Misdemeanor cases. They have a little bit different job duties but it is the same kind of thing. I don't always know that this money will be available. It is a pass-through, I guess you would call it from the Federal government and they tell us that within a couple of years that they will probably cut off those funds. When they do, I will need to add this position to our regular budget. How that gets paid for or what fund it is going to come out of is way too premature but I am warning you that they have told me. These are VOCA and Stop grant funds and I think they are going to start cutting those off unfortunately.

**Sheila Curry-Campbell:** What was the amount that you received last year?

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**Karen Richards:** I don't know but I think it was really close to the \$74,000 that we asked for. You have to remember that this is not only for salary but also covers taxes, benefits and insurance and all of that type of things too. You take the normal position and the actual salary isn't that much but by the time you talk about the entire package, it is that much.

**Tom Harris:** I will move for approval of the permission to apply for the grants through the Indiana Criminal Justice Institute.

**Bob Armstrong:** Second.

**Joel Benz:** We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. Next up is Superior Court.

**Nick Jordan:** Council, I am handling this for them. Last fall they were here and they received an additional grant through the State for CASA which is Court Appointed Special Advocate. At that point in time we approved the positions but it was too late for the 2020 budget cycle and so that is why we have them here in January. This is to appropriate the new grant they are receiving. It was for two positions and the ancillary expenses related to them. This is a grant that is no guarantee after the initial year.

**Joel Benz:** There is some additional information in your packet. I did discuss this with John. Do you have any further questions?

**Tom Harris:** I will move for approval of the appropriation in CASA Fund 224 for \$85,052.

**Sheila Curry-Campbell:** Second.

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

**Tom Harris:** I will also move for appropriation in CASA Fund 224 in the amount of \$222,901.

**Kyle Kerley:** Second.

**Joel Benz:** We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. We have a couple of additional items here. First is the Sheriff's Department. Nick, you are handling these?

**Nick Jordan:** I dropped the ball on this one. Last fall, during the budget session, he came as part of his appeal which was for Confinement Officers, Work Release Officers and Sworn Officers. We added them to the budget but didn't put those positions in the Salary Ordinance. They have the money and before they hire the people we have to make sure we have them in the Salary Ordinance. This is for four Sworn Officers and five

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Confinement Officers that you approved during the budget cycle into the required Salary Ordinance.

**Tom Harris:** These are not new positions but already approved.

**Nick Jordan:** They were already approved. When they started hiring, we realized that we didn't have lines created for them.

**Tom Harris:** I will move for approval of consideration of a salary ordinance establishing the pay of Sworn Officers, SHO, \$57,045 at 40 hours per week, non-exempt, retroactive to 1/1/2020. Also consideration of a salary ordinance establishing the pay for Confinement Officers for the Jail, POLE 3, \$45,701, 40 hours per week, non-exempt, retroactive to 1/1/2020.

**Bob Armstrong:** Second.

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

**Larry Brown:** I think it is a good time to remind ourselves and Kenny correct me if I am wrong, the addition of five Confinement Officers in the Jail, the net result is one. By the time you take into account days off, holidays and weekends that is a 24/7, 365 operation. It takes, I believe, a little more than four to fill one full-time position. Not that it is a bad thing but keep it in perspective.

**Joel Benz:** Thank you, Councilman Brown. Let's move onto Discussion and Other Business.

**Kenny Fries:** One thing I wanted to bring up was in talking to some of the employees in the last week or so. I found out when the three percent pay increase went through the part-time employees don't automatically get the three percent pay increase. I know it is up to Department Heads to decide if they want to get the increase or not. Some of the employees have been here for many years and my concern is that I look at the three percent as a cost-of-living increase and if we continue to keep them at the same rate they are actually making less each year than what they did when they started. Some of them don't get pay raises for years. I would like to look at the possibility of us setting somehow a part-time employee, we have some part-time that are here for years and January first, if we voted for employees to get a three percent pay increase those active part-time employees would also get that pay increase.

**Tom Harris:** I will make a comment on that. While I don't disagree with the intent, I would rather leave it up to the Department Heads to make those decisions. The variability of what happens to part-time employees is wide and vast. They may have someone onboard for three months or for the last 30 days and are there on January first. They get a three percent and only work two days per week or ten hours a week or whatever. Maybe a directive could be that some kind of initiative to Department Heads or Managers to say

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that they have been onboard for more than X, give some consideration for some kind of an increase and then allow them to do that.

**Kenny Fries:** I am not opposed to that. I just think they are falling through the cracks and we should try to make sure that they don't. I don't know that they are taking it to their Department Heads and maybe they should.

**Tom Harris:** Maybe we could help Department Heads start thinking about that.

**Kenny Fries:** These are valuable employees. They have tenure for many years and they are still just part-time. I just don't think we should allow them to go backwards as the cost-of-living increases and their pay doesn't.

**Tom Harris:** Is there any reason why Department Heads would not do that?

**Nick Jordan:** In my situation, I don't feel that the position should be paid any more than I am paying. The duties may have changed in the two years that I have had the part-time person. When Councilman Vogt was here he said certain positions were capped and doesn't warrant any more pay. It could vary philosophically from department to department. To Kenny's point, some departments might not even think about it. Some may not even know, unless someone brings it up that they are not getting one. I can see that it could very easily slip through the cracks.

**Tom Harris:** There could be some kind of a letter from Council saying to take a look at that.

**Jackie Scheuman:** It could be a funding issue.

**Kyle Kerley:** Councilman Fries, you are not talking about changing the part-time range. You are saying to keep the range the same and make sure that those employees get consideration. Nick, correct me if I am wrong but when we add three percent to the payroll line that would include full-time and part-time employees, correct?

**Nick Jordan:** You are increasing the grids by three percent. Part-time people, you may increase the range but it doesn't equate directly to the part-time increase. It could vary from department to department. I haven't gone through to see what departments are giving it and what aren't and/or the justification as to why. I don't know if someone has given five percent of ten percent. With a part-time range that is not tied to the grid and steps, you could have some part-time getting 20%.

**Tom Harris:** And so they could have gotten increases.

**Kenny Fries:** In that I have always been a believer. The Department Heads should be the ones to decide. They know their employees better than we do. My concern is the ones who are falling through the cracks. The letter might be a good idea.

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**Larry Brown:** Start with that.

**Joel Benz:** Nick, I think the best place to start would be if you can pull together whoever has part-time and send an email to us. Then we would know which departments to target.

**Kenny Fries:** I talked to one last week and he said that every year he would give them an increase. When everybody else gets one, he gives them one. He doesn't want them to feel less valuable.

**Jackie Scheuman:** There are three departments that automatically give their part-time. The Coroner's Office, Community Corrections and the Coliseum. Their part-time people get an increase every year per the Department Heads' wishes.

**Nick Jordan:** To add to that we had a problem with Community Corrections with theirs being that their part-time people are 30 to 40 hours and in that regard, they should be moved to full-time. You are almost scamming them out of the benefits. Last year or the year before, they came and changed a group of them to full-time. If that is happening, it should be mandated that they move them to full-time.

**Joel Benz:** I want to bring up one thing. Our cash balance continues to grow and we put away some extra in Rainy Day a few years ago and I don't think we need to revisit that. I do think we need to visit what we are going to be putting money towards or how we are going to handle that in the very near future. I think we need to have some discussions probably with the Commissioners to figure out how we are going to handle that and then bring it out into a public setting in the interest of transparency. This is the largest it has ever been since I have been on Council and by a huge number. That is something that we need to deal with. Councilman Kerley.

**Kyle Kerley:** I have been in pretty regular contact with Beth and obviously you guys are getting the updates from the State. For those that aren't aware, 1027 passed the House so that is the bill that would eliminate the rest of the Assessor's Offices. That is something that we need to keep an eye on as we are one of the nine Counties that is affected by that bill. I have been in contact with Stacey and what that means and we need to wait and see what happens in the Senate. Also there are at least two bills or maybe three that contain language for the COIT Boards this year. One is being carried by Dave Heine at our request and there are two others that have language and look like it is going to get movement. Where that is going to go is to be determined. At least one of those bills will get a hearing which is a positive sign. Those are two that have been on my radar.

**Larry Brown:** I haven't read or researched any of the proposals but is there anything out there about eliminating equal representation or partisan representation on COIT Board? Wait a minute, I have the wrong Board.

**Kyle Kerley:** Which Board are you asking about and I will try to remember. I have read about 300 bills.

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**Nick Jordan:** If you like the LIT change, it contains a major change for property taxes that will shift it to people not at the caps and/or lower value homes that I don't believe anybody would support. That would definitely need to be pulled out.

**Kyle Kerley:** I don't think any of the COIT bills that are out are going to make it through with their current language. Something we have been watching for probably 12 years is finally starting to get some traction and there is broad support from other Counties that are affected the same way Allen County is to make some sort of change in how the votes are allocated. I think some of the bills went a little too far but the fact that they are getting a hearing this is the first time in 12 years that they are getting a hearing. Maybe we will see something in this session or the next session to get something done.

**Tom Harris:** Is the extension of the voting polls still alive?

**Kyle Kerley:** There is a House Bill to take it to 8:00 p.m. and there is a Senate Bill to take it to 7:00 p.m.

**Tom Harris:** That would be considerable for that department and we would have to talk through that one a little bit should it make it.

**Kyle Kerley:** Part of those bills was to extend early voting hours on Saturdays and some of that stuff. That is going to have a significant effect. There is another bill that is still alive that would allow second, third-class and towns to move their municipal elections to even-numbered years. That could be beneficial to us because it costs us a lot of money to have that odd-numbered year municipal election.

**Tom Harris:** But it is a short session.

**Kyle Kerley:** Right.

**Tom Harris:** The chances of any of these going through, we will see.

**Kyle Kerley:** I am just letting you know what is out there.

**Sheila Curry-Campbell:** What about the straight party vote?

**Kyle Kerley:** Both chambers have competing bills. Both chambers have bills saying to get rid of straight ticket voting and both chambers have bills that say to completely restore it to pre-2016 guidelines. I have no idea where either one of those stand.

**Larry Brown:** Back to the one on the Assessor, do you know, is the basis for the proposed legislation change just efficiency?

**Kyle Kerley:** From what I can read from the author, it was basically all about efficiency and cutting duplicate costs.

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**Bob Armstrong:** I heard that there was a comprehensive plan meeting this week or last week, one or the other. The question that was brought to my attention is there a reason why there is nobody from this Council that sits on that plan committee? The City has reps with the Mayor's people along with the City Council and we have Commissioners on there but nobody from this Council. Is there a reason why we were left out of that mix?

**Tom Harris:** I brought that up. I am on the Plan Commission and the Governing Board that meets to oversee that process. I brought that up once with the Planning Department but I can't remember what the response was. I was thinking they were going to do something along those lines. I think the meeting is next week.

**Bob Armstrong:** The other question is there are some people outside of the City that were not invited to be on that plan and if we are talking about a comprehensive plan for all of Allen County. All of these other communities should be involved and have a voice at that table.

**Tom Harris:** Absolutely this is going to happen. The meeting you are talking about was simply a kickoff to say who these people are and what they are going to be doing. It is a two-year process and they haven't even started to reach out to the communities yet but the objective is to have everybody in the County involved all communities and different organizations and business and schools and everything. By the way, this is a group that is simply going to gain input. The plan will be formatted and formalized is about two years out before they say this is the plan.

**Bob Armstrong:** I think their concern was that they want to make sure they are not slighted and not at the table. They are concerned that things are going to be agreed to and what is best for them and they want to make sure they have a voice at that table. What the Commissioners say is good for Allen County might not be good for Huntertown, Woodburn, New Haven and they need to all be at the table.

**Tom Harris:** Commissioner Beck and I sit on the selection committee to pick the group and every single group that came before us, we reiterated the importance of making sure that everybody is included in this plan.

**Joel Benz:** I will leave it up to you to let us know if they change the makeup of that committee.

**Nick Jordan:** Tom, I think you are up for Board Appointment reports.

**Tom Harris:** We talked that each month we would have whoever is appointed to the different Boards would give an update. I have a very short one today. Woodburn is on that list and I have a note into the Mayor that he and I will be meeting and so I don't have an update for everybody today. I will be finding out from the Mayor if there are any concerns for Woodburn that we need to be made aware of.

**Joel Benz:** Any further discussion?

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**Larry Brown:** I think Nick might have generated the email or maybe Becky about scheduling appointees to come before Council throughout the twelve months.

**Tom Harris:** That is what I was just doing.

**Nick Jordan:** We are waiting on Thomas Black and when he is scheduled, I will send that out. Everybody else has been scheduled.

**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 16, 2020.

**Larry Brown:** Second.

**Joel Benz:** All in favor please signify by saying aye. The motion passes 7-0.

**Kyle Kerley:** Move to adjourn.

**Tom Harris:** Second.

**Joel Benz:** All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0.