

ALLEN COUNTY COUNCIL MEETING MINUTES
SEPTEMBER 17, 2020
8:30 AM

The Allen County Council met on Thursday, September 17, 2020 at 8:30 am in the Chambers Room at Citizens Square. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants, budget hearings and any other business to come before Council.

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

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. First on the agenda is the approval of the August 20, 2020 meeting minutes. Are there any additions or corrections?

Tom Harris: Move to approve the minutes from August 20, 2020.

Kenny Fries: 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. In your packet you see the financials through the end of August and there are no significant changes since July. I did want to point out if you look at the individual fund financials and the General Fund you will see that the disbursements are approximately at 62% through 67% or the year. As history has indicated, we will have a chunk of rollover which I factored in at \$2 million into the 2021 budget. I also wanted to point out when you look at the Miscellaneous Revenue, last month I talked about the chunk we received from the State for care of Federal prisoners and that it comes one time a year now. That has brought the prisoner reimbursement line up to about 70%. After that significant jump, I only anticipate minute increases from here on out because again the State won't reimburse except for the one-time and the number of Federal inmates is quite a bit down from previous years. I can take any questions now or when we do the budget hearing at the end of this meeting.

Kenny Fries: Move to approve the financial report.

Tom Harris: Second.

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Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. I am going to change the order up a little bit this morning. Actually, let's do public comment. Is there any public comment on any of the items to come before us? There is no one and so we will move on. It was requested that we move the pending litigation over the Sheriff's settlement to the first item because of several people needing to attend other meetings. We will handle discussion on that first this morning and then move onto the other items. Welcome and introduce yourself.

Cal Miller: My name is Cal Miller and I am an attorney with Carson LLP. I am representing Sheriff Gladieux in the lawsuit that was filed by the Bullerman family.

Bill Fishering: I am Bill Fishering and am the County Attorney for the Board of Commissioners.

Joel Benz: Welcome gentlemen.

Cal Miller: Thank you, Council. I am here today as part of a conditional settlement that has been reached between the Bullerman family and Sheriff Dave Gladieux in his official capacity and in his individual capacity. The settlement is conditioned on approval of funding from the County Council or the appropriate County body. County Council held an Executive Session where the pending litigation theories of liability and other things were discussed. I would like to say that this is a pending litigation that even if you were to approve or disapprove of the funding. If you were to approve this today, it is still pending and there are still some items that have to be taking place including the execution of a settlement agreement release and some other non-monetary terms. With respect to the pending nature of the litigation, I respectfully request to the extent that you know any facts or information that you learned in Executive Session that those not be discussed in public. That is the reason for Executive Session on pending litigation. If the settlement funds are approved, the matter will be executed and the document will be executed by the Bullermans and the Sheriff and the settlement funded and then the case dismissed. Currently the Court has asked that the case be dismissed on or before September 30th based on the Judicial Conference that was held on August 26th. That is the current court order and it won't be dismissed if you don't approve it. It will get dismissed if you do approve it. The settlement amount that was negotiated subject to the approval of Council funding was \$55,000. This was done at a Judicial Settlement Conference very, very early in the case. Judge Paul Cherry, Federal Judge who has been on the bench in Dekalb County for a number of years and on the Federal bench for about twenty years offered early in the case to conduct a Judicial Settlement Conference Remediation. Both sides accepted his offer and spent about seven hours at the Federal Courthouse on August 26th. Tried to negotiate a resolution that ultimately everyone knew would be subject to Council's approval of funding. After about seven hours of negotiations, the parties were at an impasse. Judge Cherry had heard all of the information from the Bullermans and from Sheriff Gladieux and Counsel of both parties. Judge Paul Cherry made a recommendation to try to overcome the impasse of a \$55,000 settlement. Today, the question before the Council, obviously there has been no jury sworn in or no jury to unbiasedly look at the facts and assess the facts and the law. Obviously the Council is the

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fiscal body and is not the Judge and Jury of the facts and it would be inappropriate to comment their thoughts about the Bullermans claim or thoughts about the Sheriff's conduct in the public forum while the case is pending. That is obviously something that you can take up with the Sheriff after the case is dismissed. Anything that is said here could eventually impact a jury that is impaneled in the case if they are reading social media and those things about the case which they would be admonished not to do. But for the purpose of the fiscal body and the question before this body now is will they approve a \$55,000 settlement of this case. I will tell you, based on two cases, I have tried the jury in the last two-and-a-half years for a very similar hourly rate that a four to six day jury trial in those two cases which is essentially what I want to tell Council that the cost of winning those two cases was \$258,000 on average. One of them was won with a \$229,000 cost at a six-day trial and the other one was a four-day trial at a \$287,000 cost. I am not suggesting in any way, shape or form of the outcome of what Sheriff Gladioux' case would be but I am telling you the cost of winning the case would be based on my experience and the last two jury trials in Allen County on similar allegations and about a similar length and similar number of witnesses is about \$250,000. This case, for a fiscal body making a decision about how to spend the money necessary to resolve this dispute can resolve this case for a fourth or fifth of the overall cost of winning. That is not to say the outcome would be a victory. The cost of losing the case, irrespective of what amount a jury might award to young Mr. Bullerman, if the plaintiffs were to prevail in this case not only would the County be saddled with the cost of defending the case I would say would be about \$250,000 based on the prior two juries, if the Bullermans got an award other than a nominal amount, \$1,000, \$2,000, \$10,000, the plaintiff's counsel could petition the court for an award of the plaintiff's attorney fees in this type of case. Because the plaintiff's attorney fees are typically working in an hourly rate of \$100 to \$150 more than what the County pays its attorneys in this type of case and the Bullermans were to succeed at trial the attorney fee petition for the plaintiff's Council would likely be \$300,000 plus. The total cost of losing this case, setting aside what a jury may award Mr. Bullerman if they awarded him anything would be in excess of half a million dollars. Today, from a fiscal body making a decision about what is best for the taxpayers irrespective of what personal views that people have that aren't on this jury consider the facts in a way that would be appropriate as the law would instruct is that it can be resolved for \$55,000, a fourth or fifth of the cost of winning or \$55,000 and a tenth or ninth of the cost of losing. The question for the Council today is we respectfully request that you all exercise your discretion, your judgement to approve the settlement paid out of the Sheriff's Commissary Fund for \$55,000. The current Commissary Fund has an excess of \$1 million balance and Mr. Fishing can certainly weigh as well under the ninth prong of that statute. Expenditures of this nature we believe fits within the appropriate provisions of the Commissary account if approved by Council can be used to resolve the case in a way that doesn't necessarily come out of a taxpayer based fund like the General Fund. Respectfully, Councilmen, we appreciate your consideration of what is a difficult situation, a difficult question to be put to the fiscal body but in looking at terms of winning or losing it appears the prudent thing to do is approve this and get it behind the Bullerman family and get this behind Allen County and get this behind the Sheriff and on to more productive endeavors. Thank you very much for your consideration of the request. I will take any questions or you can have Mr. Fishing talk on any issue.

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Joel Benz: Thank you, Mr. Miller. I will ask that you elaborate a little bit no why you are specifically here before us. I think there is a public sentiment and some private sentiment that the Sheriff would have been acting in his off-duty, private capacity. Can you expound on how the County is tied into this?

Cal Miller: Sure. I can go as far as I think I can go on that without getting into theories of liability etc. The only claims made by the Bullerman family in their complaint that they filed in State Court and got removed to Federal Court are claims that are unique to the Office of the Sheriff of Allen County and individually to the Sheriff of Allen County. There have been no claims made by the Bullermans in this case that relate to David Gladieux, private citizen. Because the claims are made of Sheriff Gladieux in his official capacity of the Office of Sheriff and Sheriff Gladieux in his individual capacity and not Sheriff Gladieux as citizen, the County is required to pay for the defense of the claim as the facts are currently situated to pay for the defense of these claims. There is an ordinance that Mr. Fishing could probably speak to that requires payment of judgements that stem from those sorts of allegations. This is the opportunity to eliminate and reduce and manage as well as possible an unfortunate situation by settling very early and not having to pay the cost of winning or the cost of losing. I hope that addresses your question satisfactorily Councilman.

Joel Benz: Yes, I just think it is an important point that we are forced to consider this and this is not something that we would have chosen to take on if we had other options. Councilman Harris.

Tom Harris: Could you reiterate the timeline for this decision by the Courts. Is it the 30th or something?

Cal Miller: After the conditional settlement was reached, the Magistrate presiding over the court entered a text entry that said the dismissal of the case, based on the fact that the settlement terms had been reached contingent upon the conditioned approval of the funding from County Council on or before September 30th. Our current deadline and we have already submitted the settlement agreement to the plaintiff's Counsel, our current deadline to fund and dismiss is September 30th.

Tom Harris: Is the decision of Council determinate on this settlement? If we were to say no today, is the Sheriff still in a position that the settlement could still take place with additional funds or different funds from himself or someone else?

Cal Miller: The specifics of the settlement terms require the funding to come from approval of County Council or out of the Commissioners' General Fund, the tax-based fund. This particular request to put it on your agenda was to fund it out of the Commissary Fund which of course Sheriff Fries knows from his time that there are lots of good uses it could be put to that is certainly better than a settlement. I think the idea was to come before County Council and ask for Commissary funds to fund the settlement

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because they are not tax-based funds and the Commissary Fund is currently well positioned to absorb the settlement should you approve it.

Tom Harris: But the courts are requiring that the County pays and not additional or different funds that could settle this. It has to be from County government.

Cal Miller: The terms of the settlement agreement that were put on it and assembled by Judge Cherry at the conclusion of the settlement agreement, he put it on the record and he talked to the Bullermans and the Sheriff and those specific terms requires the funding to be approved by the County Council or from the Commissioners' Defense and Indemnity Fund which we know are monies and line items that the Council funds at the beginning of every year and comes out of the General Fund, a tax-based fund. I am not saying that the court is requiring this. I am saying the court made a record that the parties agreed to if the settlement was to occur, the origin of the settlement funds would be approved through an appropriate fund by County Council or paid from the Commissioners' fund.

Tom Harris: If the County government does not pay this, does that mean that it does go to trial or are there other options for the Sheriff or Dave Gladieux?

Cal Miller: The way this settlement was structured by Judge Cherry at the Judicial Settlement Conference is if County Council does not approve the settlement of \$55,000, there are no settlement terms or other terms to be resurrected unless those funds were to be paid out of the Commissioners' Indemnity Fund of General Fund dollars that you allocate at the beginning of the year. There is nothing else on the table for a funding source. If neither one of those events occur, you didn't approve it to be paid out of the Commissary Fund and the Commissioners didn't pay it out of Defense Indemnity Fund which is the General Fund, there are no other provisions by which under this current settlement agreement that it gets settled. The case would go on and the cost of defense would continue to mount and that we know is right out of the Commissioners' Defense Indemnity Fund that gets you up to the cost of winning \$250,000 and if the case were won or we know that up to \$500,000 or more if the case is lost. The longer this goes on, the more those funds of taxpayer dollars are being spent for something that could be resolved with \$55,000 of the Commissary Fund. I appreciate that this is not an ideal situation. I appreciate you would rather not be in this situation. I appreciate the Bullermans would rather not be in this position. Sheriff Gladieux has made a public statement about how he feels about his conduct at that time.

Tom Harris: Could another settlement agreement come out of, should this one not happen, could that or would that be a position where they could go to a different settlement agreement?

Cal Miller: It depends on if the court would conduct another Judicial Settlement Conference or not. The case, I suspect, would just march forward. Each case at different junctures in time there are opportunities to try to look to settle a case but the longer the wait, the more money is spent in the defense of the case.

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Tom Harris: Would a yes or no decision on settlement or a no, have any bearing on the outcome of a court case? Would that reflect negatively against the Sheriff if we were to vote no?

Cal Miller: It really depends on if a jury is assembled. They would be admonished not to look at any articles and those sorts of things. Hopefully they wouldn't take that into consideration. If a no happens today, the case certainly marches forward and the County is going to be saddled with the cost of winning at \$250,000 or the cost of losing at least \$500,000 just in attorney fees for the defense and for petition the plaintiff's counsel would make irrespective of what the jury may or may not award Mr. Bullerman. While I appreciate the question, if something doesn't happen today, all we are doing is creep up on what the cost of winning is and missing an opportunity to settle the case for something that is drastically less than the cost of winning. The two cases I gave you an example of or the cost of winning at an average of \$250,000 never had an opportunity to settle early and settle for an amount even close to this. This truly, after twenty-five years of practicing law always look for an opportunity to resolve cases early because irrespective of the outcome of the litigation, it's expensive. This is why we are before Council asking them to make a prudent decision about managing the risk associated with the cost of winning or the cost of losing and end it now leaving open for debate later about how you feel about all of this perhaps once the case is dismissed.

Tom Harris: Mr. Fishering, if we were to say no today, the Commissioners still have the ability to go forward with the settlement through their Liability Fund. It doesn't have to come back to us...

Bill Fishering: The Commissioners' Settlement Funds are currently all spoken for. They would need to immediately come to you for more money. I don't know what you have seen but what you are kind of aware of but not fully is the ongoing litigation over the riots. That is another Federal lawsuit. I believe we have just gotten dismissed from but there are significant attorney fees in those cases as there were innumerable depositions of rioters and Police Officers to get to that particular point. That is an undisclosed cost to you guys at the moment but we will be coming shortly.

Joel Benz: Councilwoman Curry-Campbell.

Sheila Curry-Campbell: Do you mean the protestors?

Bill Fishering: Yes.

Sheila Curry-Campbell: Okay because you said rioters.

Bill Fishering: Our side is rioters. Theirs is protestors.

Sheila Curry-Campbell: All right. I was out there. I was protesting, not rioting. Thank you. Can we talk about the attorney fees? Can you share with the folks watching and the

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folks here the expenses we have paid the City along with Gladieux? Can we talk about the attorney fees?

Cal Miller: There have been no expenses paid to the City.

Sheila Curry-Campbell: As far as our County Attorney and what we have paid him and what we have paid you since you are representing Gladieux. Is that correct?

Cal Miller: I represent Sheriff Gladieux and his individual capacity in the lawsuit filed by the Bullermans against him.

Sheila Curry-Campbell: Say that one more time so everybody can understand.

Cal Miller: I represent Sheriff Gladieux and his individual capacity in the lawsuit filed by the Bullermans against him. There is also Sheriff Gladieux and his official capacity with another lawyer representing him in the official capacity that for cost saving reasons did not come down from Goshen to present today so that we could just have one presentation and keep the cost contained as much as possible to decide to approve the settlement or not.

Sheila Curry-Campbell: There are three attorneys. We just want to be transparent. We want to understand. There are three attorneys involved in this case.

Cal Miller: There are two attorneys representing the Sheriff. Bill Fishing is the County Attorney and he has been the County Attorney for 35 plus years. He is not an attorney of record for Sheriff Gladieux in the Federal lawsuit that is pending and the Bullermans have filed. There are two attorneys representing with one representing the official capacity and one representing the Sheriff in his individual capacity. Those are the only two attorneys...

Sheila Curry-Campbell: and who is paying who?

Cal Miller: Out of the Commissioners' Indemnity Fund, the County Council appropriates money from the taxpayer General Fund every year and the Commissioners are funding the defense of Sheriff Gladieux' official capacity and individual capacity.

Sheila Curry-Campbell: Let's talk about you and the other gentleman. Who is going to pay you? Is Gladieux going to pay anyone representing him?

Cal Miller: No.

Sheila Curry-Campbell: I just want people to know.

Cal Miller: The funds, we have said from the very beginning of this, is the Commissioners' Indemnity Fund that County Council appropriates General Fund,

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taxpayer dollars every year and the Commissioners use that money to defend lawsuits against Sheriff's Deputies and other County employees etc.

Sheila Curry-Campbell: I am sure people want to know this. They want to know who is paying who and where the money is coming from. I think it coming out of your mouth and you saying it for people to understand how this box works. We don't want to pay for any of it. The County doesn't want to pay for any of it but we understand the pickle we are in. We didn't make this decision. It was made for us by the Commissioners. We want everyone to understand that County Council didn't make that decision. It was made by someone else.

Cal Miller: Sure. I totally agree. As a taxpayer, I want my dollars to be spent as efficiently and effectively as possible. You have to pay lawyers for some things. I am doing this job because I was requested to do it and I am doing this job to put myself in a position to defend Sheriff Gladieux as well as I possibly can. I want the Council to know that this has come to the Council early, very early in the process where can be significant six-figure savings to resolve this case over and above the cost of winning or the cost of losing. It is 100%, the payment to the lawyers coming from the Commissioners' Fund that the County Council allocates money to every year for Defense and Indemnity. Yes, Sheriff Gladieux is not paying for the cost of defense out of his pocket.

Sheila Curry-Campbell: Thank you.

Kenny Fries: Sheila is right. None of us on Council feel we should be paying this bill. We have heard from our constituents saying that but we also understand that we need to pay it sooner than later. As we march down this road and it doesn't get approved, it is only going to cost the taxpayers money. The one thing I don't like is it coming out of the Commissary account. That is money that the inmates have spent and their families have spent so they can use the phones and laptops. You are taking money from a small group of people that I don't like to see that happen. I would much prefer it come from the Indemnity Fund or from General Fund and hopefully see if the Sheriff would reimburse the taxpayers. With that being said, I am not in favor of it coming out of the Commissary account.

Joel Benz: Councilman Spurr, go ahead.

Chris Spurr: Mr. Miller, thank you for your briefing today. As much as I appreciate your testimony, as you are well aware, a government in and of itself does not generate revenue without its citizens. Therefore, any fees or assessments are by definition taxes upon its citizens. Regardless from the fund from which the capital is derived and irrespective of whether those people who contribute to such a fund are incarcerated. Today, I want the record to reflect that my vote is based solely from a mathematics and financial perspective. Only because I believe I am aware of some details that the public may or may not know. That is all I have to say.

Joel Benz: Councilman Kerley, go ahead.

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Kyle Kerley: As Councilwoman Sheila pointed out earlier, we're in a pickle. We didn't ask for this. It came before us. Either way you look at it, whether they come from the Commissary Fund or from the General Fund, the Sheriff is not paying the bill. It's unfortunate. I personally feel that it is unfortunate when someone takes actions I feel they should be liable for the results of those actions, right, wrong or indifferent. They should take responsibility for the actions they take. The County has been put into a situation, as Attorney Miller, Dave Gladieux was not sued. The Office of the Sheriff was sued and he was sued as a member of the Sheriff's Department. Thus we are forced to act on that lawsuit. As Attorney Miller pointed out, there is a financial consequence with that and a consequence to the taxpayers. We could try to ride it out and if we win, the taxpayer loses. If we lose, the taxpayer loses. If we settle, the taxpayer loses. In all three of those situations, the taxpayer loses. We are forced into a predicament where we have to pick the situation where we lose the least. I think that is what this Council is faced with, unfortunately. That is what we are going to have to base our decision on as we move forward today. Thank you.

Joel Benz: To segue on your comments, I do think it is appropriate for us as a body that we move forward with the settlement and request the Sheriff to reimburse that out of his personal pocket. To that end, I prepared a letter that we could potentially send to him that would request him to reimburse us as a County. I don't know if you want me to read that or discuss some of that further.

Kenny Fries: I would like to hear it.

Joel Benz: We can modify this before we send it. We can send it to Mr. Miller to deliver it to Sheriff Gladieux. "Today Allen County acted on your behalf choosing to pay a settlement for your actions. In spite of the County legally being brought into the lawsuit during the incident, common sense would dictate that it was solely your character on trial. As such, we believe that any funds paid by the County for this settlement should be reimbursed by you personally and not borne by the citizens of Allen County. We request that you meet with the Council to work out the terms of repayment in the next two weeks. Thank you."

Tom Harris: I will turn to our Counsel to find out...that is a request and not binding of anything. That is not something that we require of an employee or Elected Official.

Bill Fishering; No, you can't require it.

Chris Spurr: It is a public request and is on record.

Joel Benz: Council, is there any further discussion?

Sheila Curry-Campbell: Are we going to send the letter?

Joel Benz: I would be happy to send the letter.

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Tom Harris: I think the letter would be contingent upon us passing the piece. Do we pass or not pass? Does the letter go either way?

Sheila Curry-Campbell: I think the letter goes either way. Thank you for writing the letter. We can't make him do anything but maybe he will be the bigger man and do the right thing.

Tom Harris: In order to have anything happen, someone needs to move for approval of the settlement or otherwise.

Joel Benz: Correct.

Kenny Fries: I will make the motion. I have to because I believe that in the end it will save the taxpayers money. I think we have to get it settled as quickly as we possibly can. I will make a motion that we approve the settlement between the Bullermans and Sheriff Dave Gladieux and I want the funds to come out of the Indemnification Fund that we may have to reimburse rather than Commissary.

Chris Spurr: I second.

Tom Harris: Just a question. We may have to reimburse. What does that mean?

Kenny Fries: If they don't have the money in the Indemnification Fund.

Tom Harris: Oh, if they don't have the money we may have to fund that fund.

Joel Benz: Mr. Fishing, would you have any further comments on that? Will that complicate matters or is that something that can be handled and you would come back with the Commissioners at a future point?

Bill Fishing: I am really not sure of the exact status of the fund at the moment as to whether there is \$55,000 available. I am not sure if we can transfer funds from unappropriated but unspent funds.

Nick Jordan: As Attorney Fishing mentioned I can't speak to any invoices that are out there but as of today there is \$180,000 appropriated in the County Liability Fund and in addition to that they could appropriate another \$100,000 in that fund. If we were to see the potentially \$280,000, you would have to do a General Fund appropriation to send the money to the Liability Fund. As of right now \$180,000 appropriated minus any pending invoices that we haven't seen yet or are in process.

Joel Benz: Okay. To clarify, there are funds in there currently.

Nick Jordan: In my opinion, yes, but I don't know what is pending.

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Joel Benz: Would we have to take action today to put additional funds or would that be next month?

Nick Jordan: No that could be next month or whenever. The Commissioners would need to come forward to request the money above the \$180,000 that is appropriated.

Joel Benz: We have a motion and a second.

Bob Armstrong: What are we voting on is the \$55,000 coming from Commissary?

Kenny Fries: No, Indemnification Fund.

Nick Jordan: It was seconded to come from the County Liability Fund.

Tom Harris: But we are deciding to go ahead and settle but are giving it back to the Commissioners to make a decision.

Kenny Fries: Only because my concern is if they don't it will cost the taxpayers more money. If they say they are not going to pay it and let it go onto court, we know the hourly rate of the attorneys will skyrocket and we will spend hundreds of thousands of dollars of taxpayer money.

Joel Benz: Councilman Armstrong, do you want to retract your second?

Chris Spurr: I seconded it. I am just asking if you want to move forward as it is currently written.

Joel Benz: I hate to open this door but do we want to have a Commissioner come forward and speak on that path of action?

Chris Spurr: I call for the vote.

Tom Harris: Please clarify.

Kenny Fries: The motion is to approve the settlement of \$55,000 between the Bullermans and Dave Gladieux to be paid out of the Commissioners' Indemnification Fund.

Joel Benz: We have a motion and a second. I will call for a rollcall vote. And included in that is we will send this letter, correct? Councilwoman Curry-Campbell.

Sheila Curry-Campbell: My vote today is a very hard vote. I am a team player and I have always said that. The team really doesn't want to do this but I think in our heart of hearts that we must do this. With that being said I am going to vote yes. My yes, trust and believe, is a doubtful yes but I am voting yes. Thank you.

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Tom Harris: I will vote no on several different reasons. One of those is I do believe there are other opportunities for this settlement to occur instead of coming from Council. I am voting no at this point.

Kyle Kerley: As I stated earlier, we lose, we lose or we lose. As much as like Councilwoman Curry-Campbell, I appreciate your comments today. I reluctantly vote yes because at the end of the day in all three courses of action, the taxpayers lose and this is the course of action where the taxpayers lose the least amount. Under that stipulation, I vote yes.

Joel Benz: Yes and I will forward this letter to you, Mr. Miller.

Kenny Fries: Aye.

Joel Benz: Councilman Spurr.

Chris Spurr: I vote yes.

Joel Benz: Councilman Armstrong.

Bob Armstrong: No.

Joel Benz: The motion passes 5-2 (Harris and Armstrong). Thank you for your time this morning gentlemen. The next item on the agenda is the Department of Planning Services. This is consideration of a salary ordinance reclassifying the Director Land Use.

Nick Jordan: As DPS is coming up we are going to handle both. We have one that is on the face of the agenda and is effective immediately. They have another one that is effective for the 2021 budget. We are going to handle them at the same time so that they don't have to come back later. They are not appealing their 2021 budget.

Kara Simonoff: Kara Simonoff, HR Generalist.

Kim Bowman: Kim Bowman, Department of Planning Services.

Rich Beck: Rich Beck, County Commissioner.

Kara Simonoff: We are here for the reclassification of the Deputy Director Land Use from Special Occupation, \$84,908, 40 hours per week, exempt to Special Occupation, salary range of \$92,777 to \$96,214, 40 hours per week, exempt. We are also tackle the Department of Planning Services Redevelopment Director and that is a Special Occupation, \$84,869, 40 hours a week, exempt to the same salary range as the Deputy Director Land Use. Both of these positions were passed at Personnel Committee to zero. Unfortunately Councilman Fries was absent. Both positions have been on the same pay level since they were created in 1992 with only receiving the COLA raises. Without any changes to the salary, two out of the four Senior Planners will surpass the current

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salary of the Deputy Land Use Planner as well as the Senior Economic Development Specialist will surpass the Redevelopment Director. Without the changes to the salaries, there is inequity and with the inequity there is difficulty in hiring qualified candidates for the open Land Use Director position. I will actually turn it over to Ms. Bowman and Commissioner Beck to field any questions. HR supports both of these.

Kim Bowman: Thank you. This is a situation that came up in June when my Deputy Land Use retired with 26 years of service to Allen County. In looking at the position, I am referring to the red and blue chart, you can see approximately in 2018 where there was a salary inequity between the Senior Land Use Planners that are PAT 6 and because of their longevity, they are at the highest step. On the next chart is the history of the pay of the Redevelopment Director which is a similar situation with the Economic Development Specialist also at a PAT 6. So, how is the range created? I would first like to compliment the Human Resources Department. They were excellent to work with and Kara's input made this a lot easier. We looked at the PAT grid at PAT 6 Step 7 which is the highest of our existing staff and we increased it eight percent. That is the typical increase between steps on the PAT grid. The lowest end of the request is at \$92,777. The highest end goes up twelve percent above that. As Kara said, when you are hiring a Director, you are looking for experience, specialized education and having a range that can reflect the candidates that may be interested in the position. With that I am requesting your approval of this to resolve the pay inequity between our Directors and the senior staff. Commissioner Beck, do you have anything to add?

Rich Beck: I think the thing we note here is that this was discovered when someone left and we also discovered some other inequities. We are operating with a staff of the same size as we did in 2008 and 2009. The growth has been exponential but we are trying to do the job with as few of people as we can and it is just not working out. We are looking at the grid and reevaluating that and dealing with the problems that happen when you grow that much and you don't have staff growth. This helps us get that accomplished. We appreciate your support.

Joel Benz: Councilman Harris.

Tom Harris: I think for HR, how many Special OCC positions do we have ranges for?

Kara Simonoff: In the past couple of years that I have been here, it seems we are turning a lot of Special OCC's to a range just for equity purposes. It starts with the higher ups coming wanting the range and putting the person at the range's lowest. Then they have the flexibility to move them. That way they are not coming back every single year asking for another increase. I don't have the information right now but I can get that.

Tom Harris: It can't be more than a few. While I agree with the increased salary and I will support the increased salary, I am concerned that we are setting precedents and moving toward establishing ranges for all Special OCC's.

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Kara Simonoff: That was actually put on you guys prior to getting here. On Special OCC's, it was like HR took a backseat and started developing the ranges.

Tom Harris: The challenge for that was Special OCC's were outside of a grid and basically their rate is X. For us to start creating ranges for Special OCC'S means that they can move those and they can keep moving. Now they might as well be on a grid if they are going to be moving like that. The challenge, I think, for Council is that while this position is one in itself my bigger concern is establishing precedent that all Special OCC's are supposed to have ranges. I disagree with that concept. We had better sit down and have a good serious discussion and analysis in terms of how we establish ranges, who they are established for and discuss that.

Kara Simonoff: I agree wholeheartedly.

Tom Harris: But I don't know that we should move forward in just creating ranges for all Special OCC's. I just don't know that it is appropriate.

Kara Simonoff: I agree. HR presented it to Personnel Committee as a discussion for Personnel Committee to look at the grids as well as look at the Special OCC's. We don't want to leave those out. It seems like the ranges have increased and over the years it is not like a set number. We discussed at Personnel Committee putting them on a grid. We have talked to the Commissioners about shooting different ideas around and we are still working on a plan and would like to continue the conversation to get this corrected instead of putting a band aid on everything. Over the years we have been putting a band aid on things and we need to make it right and make it right going forward. Have some set parameters for Special Occupation as well as address the inequity in the PAT grid.

Tom Harris: The downside for Council, whether it is a downside or whatever, is establishing a range. This is now at \$84,908 and establishing it to \$96,214 means that the offer could be established at \$96,214.

Kara Simonoff: I know when we discussed this with Ms. Bowman, she knows as well as Commissioner Beck knows that the position is going to be started at that low rate. We only put that range up...

Tom Harris: Forget your position for just a minute and in this kind of scenario could the hiring official go to the maximum range if we established the range?

Kara Simonoff: Yes if we established a range for all Special OCC's.

Tom Harris: While I get the importance and the strategy of establishing a range, it also has some merit not to have that range from a negotiation standpoint. If I know this is the amount that I get paid when I come to work for County government then there is not a lot of negotiation. The upside is we keep the rate down. The downside is you may not get the people you want or the talent you want and I get that.

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Joel Benz: Councilman Harris, would you like to make a motion with a number rather than a range? Is that what you are getting at?

Tom Harris: Based on what you just indicated that you would be hiring at the minimum rate, I could make that motion on the basis that we look at the range down the road. Today I can move for consideration of a salary ordinance reclassifying the Deputy Director Land Use, SPEC OCC, \$84,908, 40 hours per week, exempt to SPEC OCC, ranch of \$92,777 to \$96,214, 40 hours per week, exempt.

Sheila Curry-Campbell: Second.

Joel Benz: **We have a motion and a second.** Is there further discussion? Councilman Fries.

Kenny Fries: We established the range for this Special Occupation for what reason?

Kara Simonoff: The range for this position so that she can find someone to put into that position.

Kenny Fries: You may have to offer someone more than the \$92,777 to get somebody qualified.

Kara Simonoff: If we would look outside the public, yes.

Kenny Fries: So you may have to come back to us three months from now and say you couldn't get anybody at this and so we need to bump it to the \$96,214.

Kara Simonoff: We established the range so that she wouldn't have to come back next year if there is more inequity if we adjust the PAT grid. That is why we established the range so that she doesn't have to come back each year.

Kenny Fries: Thank you.

Tom Harris: If I can just add that while I agree with that but that the challenge on that is if we allow that on one Special OCC where they don't have to come before Council for their increase, what about all of the other Special OCC's? I would rather look at that aggregately instead of individually.

Kenny Fries: We have a philosophical difference there.

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

Sheila Curry-Campbell: May I ask one question before they leave? Can you give us the job description for those that are listening?

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Kara Simonoff: Yes, I will send it over to you.

Kim Bowman: It will be posted on the County website.

Kara Simonoff: Don't leave yet because we need to address the Redevelopment Director.

Nick Jordan: All you are doing is making a motion for them to include it in the 2021 budget. It is not effective for 2020.

Kara Simonoff: This was also establishing the range of \$92,777 to \$96,214 for the Redevelopment Director who is currently at \$84,869.

Joel Benz: You can see this highlighted on the screen and it is also in your budget notebook. It is a similar situation.

Kim Bowman: Same situation where the staff was making more money than the Director.

Kara Simonoff: Their Economic Development Specialist is PAT 6 Step 7 at \$85,867. At this time, right now, they are making more than the Director.

Joel Benz: These are the same numbers as what we just did. Do I have a motion?

Tom Harris: So in other words, we are moving for the increase for the Redevelopment Director, Special OCC at \$92,777 and will be paid from LIT Economic Development Fund, effective for the 2021 budget.

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 6-1(Fries).** The next item is Human Resources and we will consider this one in the second part of the meeting. Next is Superior Court and I will handle this one and I told them they didn't need to come. This is a grant that they received for a Law Clerk over the summer. We have received the funds and they are requesting them so they can pay the Law Clerk.

Tom Harris: I will move for the appropriation in the Legal Education Opportunity Fund 850 for \$7,000 for Law Clerk.

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.** Nick, do you want to explain this one since it was rather confusing?

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Nick Jordan: Yes. What this is, Council, back in November of 2019 when we were doing the 2020 budget Community Corrections had learned of grant money that they were going to receive. They were potentially short \$305,340. We appropriated this money in November of 2019 for the 2020 budget. You can't do that. You need to appropriate it in the year that you are in. All we are doing is appropriating this in the correct fiscal year of 2020 for the 2020 expenses. You already approved this last year and we just need to do it in the 2020 fiscal year.

Tom Harris: I will move for the appropriation in Community Corrections General Fund in the amount of \$305,340.

Kenny Fries: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. The Library has a legal matter to bring forward to us this morning. It seems that we have seen quite a bit of you recently.

Dave Sedestrom: Dave Sedestrom, Chief Financial Officer for the Library. With me is Pete Mallers, Board Attorney. We are here today to address an issue that came out of the legislative session. The legislation included with an appointed Board such as the Library, the need to formally declare who their fiscal body was. The fiscal body is who we would bring our budget to under circumstances to if we were going to request greater than the growth quotient and have a binding review instead of a non-binding review. In order to do that the Legislature there were a lot of Libraries was unclear as to who their fiscal body was so they passed a law that said by October first they wanted every Library declare who their fiscal body is, file it with the State and then it would be passed on to the Department of Local Government Finance so that those who are approving the budget at the State level would know who should be reviewing the budget. We are coming before you now because as it has been for a number of years, the County Council is the Library's fiscal body. We just need to formalize that and have it submitted to the State. That is it in a nutshell but I would be glad to answer any questions. Pete is here to answer how this was derived and why the County Council is the fiscal body.

Tom Harris: You need a motion and something passing this morning that we accept that or recognize that.

Pete Mallers: There is a declaration that has to be filed with the State Library. Our Library Board has approved that and now it is for County Council to approve and get it signed and submitted to the State Library by October first.

Tom Harris: You simply need us to recognize, I guess we need some language. I will move forward on the declaration of the fiscal body of the Allen County Public Library recognizing that Allen County Council is the fiscal body for the Library.

Bob Armstrong: Second.

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

Nick Jordan: There is supposed to be a Strategic Plan overview but I don't know where Charity or whoever is doing it is.

Joel Benz: Maybe they can bring it during the second meeting today. Since they are not here, is there any further discussion on our regular meeting today? Are there any liaison reports?

Nick Jordan: They are coming right now.

Joel Benz: We were just at the point in our meeting where we were talking about a presentation for the Strategic Plan.

Charity Murphy: I thought the Library would take a little longer.

Tracy Mitchener: Good morning, Tracy Mitchener, Assistant HR Director.

Charity Murphy: Charity Murphy, Director of Human Resources. I brought an overview sheet of the Strategic Plan update and where we are on our goals. I have, as another overview that I think many of you received the Strategic Plan Foundation document. If not, I brought a couple of extras. We were here last year to discuss our strategic planning efforts and what we want to do today is to give you an update on where we are. If you recall, in our strategic planning efforts, we developed four different strategic priorities. Within each of those priorities, the larger strategic planning group, quickly as a recap the development of the goals and priorities was done by a leadership group that consisted of not all of the Department Heads and Elected Officials but we had a pretty good representation. Everyone participated in the development of the strategic plan and the goals. The first priority was to develop cultivated trust in healthy relationships and open communication. Within that priority the first goal that the committee, we broke it down a little bit into smaller subcommittees to work on each of the different goals. That committee consisted of a lot of different leaders was to develop a plan to improve internal communications by 1/1/2020. That plan has been completed. The main focus of that plan was to improve communications between leadership, management and there were many departments that felt there was a lack of communication between different departments and they didn't know what was going on over here and we needed to develop a better system of disseminating information within the County. There is external also but this is simply internal between departments. You will see on the overview sheet that there were different action items that were developed by this committee. Some of those were to survey employees on internal communication to check how employees felt on communication within departments. That was completed. Create a modern employee directory to assist in interdepartmental communication. We are working on that right now hopefully using a system within Office 365 called Dell where everyone can give an overview of their position. That is for something where a lot of people don't know what a certain position in a department does or of I need this service, who do I call? Replace or

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update County Intranet to ensure County employees have a one-stop easy access repository for information like policies or procedures. We have used the Intranet for years and it is not user friendly and is kind of an archaic system. We are trying to replace that with Office 365 Sharepoint. We are working on that right now. To develop a process for ensuring all leaders have input in new and revised County-wide policies. There was a lot of feedback what when we develop new policies or procedures or things within the handbook that there is not a lot of running it by other departments and they don't have the opportunity to comment until after the fact. We want to give that opportunity to all departments. Develop a strategy for effectively equipping Managers and Supervisors with knowledge related to County-wide and department level policies and procedures. That is going to be part of SP-2 which is the well-equipped employees. I will be talking about that later in the budget portion. That goal will be part of the learning academy. 1.2 is to develop a plan to improve the external communication by 1/1/2020. A plan has been developed focused on increasing visibility of the County to the public, reaching people where they are delivering full transparency and action items under there have been accomplished or are being worked on is to establish a visual identity and branding for the County and currently that committee is working with a marketing firm. Second action item is double the amount of video content information shared on social media. Individuals and departments are encouraged to put more content out on social media. There will be information as to what a certain job does or interviews with certain employees and a broad array of different ideas. This is to give visibility about what we do in Allen County. The third action item is to develop a plan to improve Allen County websites. They are working to get each department to have a website and connectivity between each of those. That will probably be worked on more as we determine who the IT vendor will be in the upcoming years. The fourth action item is to develop channels for consistent feedback. That committee has just looked at what each department does as far as getting feedback from the public. Some departments are awesome and every time someone uses an online service there is a survey that they get. Others don't have that but they have a comment box. There is nothing unified. It might not be a one-size fits all. SP-1.3 is the third goal under there and it was to create a past livability analysis with 100% of Allen County cities and towns in incorporated areas. That has been put on hold. SP-1.4, the fourth goal, 100% leadership group will meet, and this is Department Heads and Elected Officials or their designee, quarterly and we have been holding those now for a year. Departments are able to give shout-outs to employees and the feats they have accomplished. There is a broad array of different topics that we talk about. It is an opportunity for leadership to sit down and connect in person with one another. The next priority is high performing and equipped employees. This is the group that I oversaw and we had a couple of different subcommittees. We developed two goals here and the first one is for us to develop and maintain a leadership and supervisor training program. We will talk more about that and we do have a program outline established but we need to take it to the next level and get some funds for that. The second goal is for champions to initiate and develop a comprehensive performance management system. That was put on hold until the first goal was reached so that we had better trained leadership before we dove into a management system. The third goal was centered around modern infrastructure and facilities. That was to develop a comprehensive asset management plan with the departments by 12/31/19. There were three areas of concentration for this goal.

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The Fleet Management system and they got a system called FASTER. They are close to completing the installation and starting to use that system. The second was for Facility Management and they are looking at a computerized system. Finally Inventory and at the end of those first two items, they will address inventory to make sure that every item is properly inventoried and all assets are captured. The second part of that was to conduct a strategic asset inventory and they are working on that as they complete each of the Fleet Management and the solutions that they are looking at. The second goal was continuity of operations plan to be developed and reviewed by departments and updated annually. We created that in 2019 and they are to be updated annually but this COVID crisis has really highlighted the fact that all departments probably need to evaluate and update their plans because everyone had in mind what would happen if a tornado or natural disaster came through and how you would continue operations. Then we have the thought of what if there is a pandemic. We have to look broader than just natural disasters. IT infrastructure, develop and implement to manage disaster recovery. We have found a second location for data storage and they are working on getting that up and running. Other modern infrastructure and technology strategic priorities that have been accomplished are that we have gotten some new laptops for more flexibility and telework ability for departments and employees. We have new badge readers for when employees come in. They are looking at W-3 and check stub accessibility through a self-service portal. Finally, economic viability is the fourth priority. The first goal is 100% of Department Heads, Elected Officials and financial staff will successfully complete financial education training. Kate Love-Jacobson spearheaded this goal. She worked with Nick and created training for leadership for the employees that handle money and do budgets. They have delivered that training. The second goal is 100% of departments to participate in informal department budget review meetings. Kate did not have data on whether those meetings happened before this budget cycle or not. The third goal was 100% of departments develop a strategic list of future needs and programs to meet department goals. This is just the forward thinking to think about five years or ten years down the road. That is a review of where we are with our goals. We have started to go into departments and help them with their individual strategic planning efforts.

Tracy Mitchener: We have been able to work with Youth Services Center, the Coliseum and Environmental Management. We meet with the leadership of those departments and employees that volunteer to participate. We briefly go through the overview of the County strategic plan just to ensure the department is actually making sure that their plan is in alignment with the County's. We then create department specific questions asking the quality of work life survey because we are going to send out the overall survey along with the department specific to make sure that we get information from the employees themselves in all ideals and problems etc. We determine the key stakeholders of that specific department and you will probably receive invites soon to participate in them. We will be scheduling dates with the key stakeholders and will be smaller meetings. We will take all of those results and that way we have information from not only the people that interact with that department but also from the employees themselves. We will take all of those results to develop a vision, mission and strategic plan, goals and priorities with that department. We have had a lot of excitement through that and have identified a lot of things through this process. It is also great that we are making sure that we are not only

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looking at what the employees might see what we need to improve on but also the stakeholders. We have only gotten to scheduling the dates with Youth Services Center and haven't been able to complete all of that because it is very time consuming and we have to make sure we can get on a lot of scheduling. We are getting close to being able to complete all of that. The next departments that will be up are the Building Department, HR and some other departments. Are there any questions?

Sheila Curry-Campbell: Thank you for your report. That was awesome. I didn't hear anything about diversity or inclusion. Is that part of any of the strategic plan?

Charity Murphy: It is and will be part of the training program. I was going to discuss that in the budget hearing but I can give you an outside update. We have set up four and maybe up to six sessions of diversity and inclusion and unconscious bias training with Nicki Quintana from Metro will be delivering that for us. That will be required for all leadership and from there Nicky is going to work with us on a training program that all employees will have to take. As new employees come on, it will be part of their required training that they take within 30 days.

Sheila Curry-Campbell: Have you looked at anyone other than Metro? I am just curious.

Charity Murphy: Yes. We evaluated four different local trainers and individuals.

Sheila Curry-Campbell: And Metro was your selection? Is that what you are saying?

Charity Murphy: Correct.

Tom Harris: I agree, thank you for the complete review of the strategy and everything. I have a few questions. One is how do you evaluate these improvements and efficiencies that you are making? We are making changes throughout and I have sat in on the initial meetings but have not been to some of the recent meetings. How do you assess the improvements that you are making in monetary or some other way?

Charity Murphy: Part of the measurement piece will be different for the different goals. Part of it, if you recall we had a very large scale employee survey that went out and we will continue to resurvey periodically. Part of the individual strategic planning is the second follow-up that will be given to the employees. We will slowly go through that and that should identify some of the soft skill improvements in leadership and communication.

Tom Harris: When do you plan to do that?

Tracy Mitchener: That is part of the plan where we are meeting with the individual departments.

Tom Harris: So you will do individual departmental assessments.

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Tracy Mitchener: Quality of life surveys. That is like the same one we did prior. We looked at all of those questions and revised it for the departments.

Tom Harris: So you will do it department by department and not County-wide.

Tracy Mitchener: For the specific ones, yes. We are going to do the quality of life survey again with those departments and then we will be tracking and measuring on the goals created from those.

Tom Harris: That is the soft skills. How about dollars saved and efficiencies? How will you monitor that or measure that?

Charity Murphy: We are for the third and fourth goals working on a mechanism for capturing the financial savings or how to measure success in those.

Tom Harris: We don't have those established yet.

Charity Murphy: Correct. We have been working on different programs that we could use to measure goal completion and to capture...

Tom Harris: From a strategy standpoint, I work with businesses all over and strategies are changed with the COVID-19. How have you changed your focus? Have you recalibrated or thought and changed dates in terms of due dates. I know you are pushing to get some people hired or different initiatives started. Have you pulled those back at all or delayed those? I can see the Airport behind you back there and they have changed a major terminal expansion that they were looking at because of COVID. How are you doing that in the County?

Charity Murphy: You may or may not have noticed when I was going over the plan that I didn't talk a lot about dates for that reason. A lot of them had to be pushed back. We had to make alterations top amend timelines. For the training program, we came up with a budget and we have scaled it back a lot with everything going on. It would be awesome to shoot for the moon and get a program with all of the bells and whistles but it is probably not feasible this year. We tried to develop it being fiscally responsible given the COVID pandemic right now.

Tom Harris: Even with the Auditor doing training internally that is a huge piece and I applaud the Auditor for doing that. It might be looking to internal sources to maybe take care of some of those things.

Charity Murphy: We already had that as part of the plan to see where subject matter with experts within but we always do monthly training for employees but for the last two months HR has put on those trainings.

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Tom Harris: From my mindset, a little bit, even with the Coliseum coming up this morning looking for \$8 million and maybe paying that this next year. In my mind and thinking of many, many, many businesses thinking that they should rethink or recalibrate that strategic plan a little bit. Hold back possibly on some expenditures until we know the economy has rebounded.

Joel Benz: All right, thank you.

Tom Harris: If I might add, please pass on to all of the people involved in the strategic planning process, congrats and great job. Keep it up because it is extensive and in the weeds, if you will. We just want to say thanks for all of that effort and we will look for those results.

Joel Benz: I think they would like us to be more involved in that process. I wasn't able to attend the last meeting but as an organization we need to be present and need to do a better job of making sure one of us is there.

Charity Murphy: I'm glad you started talking because it reminded me of something that I neglected to say. We thought that it would be beneficial if one or two Council members, we invite all of you to come to the meetings and we love it. It would be really great to have one or two point members to be almost like liaisons to this.

Tom Harris: Unfortunately I have to tell you that we actually have that. That is the challenge that we are going to have to be better in making sure of that.

Sheila Curry-Campbell: Are you the liaison?

Tom Harris: I think I am. As the President mentioned, we are going to make a more concerted effort to attend.

Joel Benz: I think we are ready to move to the next part.

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 September 17, 2020

Kenny Fries: Second.

Joel Benz: All in favor please signify by saying aye. The motion passes 7-0. The next regular meeting of the County Council will be Thursday, October 15, 2020 in the Discussion Room. The 2021 Budget Adoption will begin after a five minute recess.

Nick Jordan: We have to adjourn this meeting.

Tom Harris: Move to adjourn.

Bob Armstrong: Second.

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Joel Benz: All in favor please signify by saying aye. Opposed like sign. The motion carries 7-0. Five minutes and then we will be back.

BUDGET HEARINGS:

Nick Jordan: Council, to give an overview as they are walking up. The Airport Authority and Southwest Fire District do not have a majority of elected officials and so the County Council is responsible for adopting their budget. Today you will go through it and you can take action or ask them to reduce but you cannot ask them to increase it. I want to point out on this page that I created it and if there are any errors it is my fault. I tried to take it from the data that they submitted on the Gateway website. The Net Assessed Value piece for the 2020-2021 estimates I threw in a three percent increase because I believe it will be in that range. It could be potentially higher but we won't know for a week or so. With that I will turn it over to the Airport.

Scott Hinderman: Good morning, I am Scott Hinderman and I am the Executive Director of the airports for the Fort Wayne Allen County Airport Authority and joining me is Robin Strasser and she is the Director of Admin and Finance. Our process is that the staff starts working on the budget in late March to early May. Our budget is typically put together and really finalized when we present it to the airlines in the July timeframe. The airlines that serve our market actually have an approval process that we go through where they approve our budget. After they approve our budget we formally take it to our Board for their approval. Then because of State code we are in front of County Council because you are our fiscal body. If you look at some of the stuff that Nick put together, our budget is significantly higher for 2021 compared to 2020. It is nearly double but is mostly made up of capital. Our O and M Budget is relative consistent with what it was this year and in previous years. We do have a Cumulative Building appropriation within our budget for \$10 million as well as our General Fund we have an increase in the budget for capital which I have talked to you all previously about our Project Gateway. We are doing a significant project expansion and renovation of the western half of our terminal building. That is why our budget appears to be significantly higher than in previous years. I am going to skip off the road of budget but I wanted to make sure you guys were aware that obviously the world is in a novel pandemic. It has certainly impacted aviation as much as other industries if not maybe more. When they have stay at home orders, a lot of people don't travel. At the airport, our passenger utilization is operating at 54% of what we did last year at the conclusion of August. While that sounds depressing, it is barely over half of where we were a year ago. We are beating the domestic average significantly. Traffic numbers don't come in relatively as quick as what we can know our own but just as a point of reference at the end of June, traffic was operating 77% down domestic. We are 45% down. We are beating the domestic average. Internationally they were operating at 94% down at the conclusion of June. Maybe July and August have improved but I don't know that. We don't get to have that information because it has a significant lag in the exact detail. April was our lowest month and we continue to recover. I will also say that recovery will not be a steep vertical climb. Our passenger utilization, we anticipate 2022 before we hit our 2019 numbers and maybe even 2023. A

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lot of it will depend on a vaccine or improved treatment methods on COVID. I guess I want to confirm the good. We come to you with our budget but we want to come with the good. If you have come out to our airport recently, our ramp is completely ripped up and are doing a lot of construction on both sides of our terminal building. It is a \$13 million project and we got a \$12.1 million grant and that is significantly important as it helps us do our terminal expansion starting next spring. As recently as two and a half weeks ago, we got an additional grant from the FAA to rehabilitate taxiway Charlie which is our primary full length runway and taxiway. Because of COVID, the FAA came out with grants that are typically supported at 90% of the cost but this year they are supporting grants at 100% of cost. While we have to do an appropriation and we spend that money because grants are always reimbursement, we do the project and as work is done we seek reimbursement. We don't start until we know the reimbursement is there. With that I want to turn it over to Robin to see if there is anything specifically about the budget that I didn't say. Maybe we could have coordinated a little better before we came to the meeting but are there some details on the budget that I probably should have said but didn't?

Robin Strasser: No, I think the biggest thing is obviously this is a bigger increase over last year but, as Scott said, it is due to the capital project that we have going on. Overall, we did cut our budget for 2021 by 8.5% compared to 2020. We are continuing to look at numbers and really question before we make any spending decisions now and into the next couple of years. We are fortunate that we did receive Cares Funding as well which will help shore things up for this year and next. That has put us in a better spot considering the decrease in enplanement. We are open to any questions you might have.

Tom Harris: In recent months we have had a chance to speak about the airline industry and such but you were thinking it may be four years and now you mentioned maybe 2022. Are you getting any indication that things are picking up a little bit better?

Scott Hinderman: It is a crystal ball and I do believe it could be four years but I don't want to be the Debbie Downer and am trying to be more optimistic. It is difficult to say it will be two years and I am 100% correct.

Tom Harris: I didn't know if you had heard industry experts tell you something different.

Scott Hinderman: I think a little bit is northeast Indiana is what makes me happy or pleased that northeast Indiana is beating the industry average as it looks to how US traffic is happening. We are 54% of last year or 46% down, however you want to look at that. I like taking the positive side. Other airports are operating at significantly less attractive numbers than we are. I think a lot of people are coming to Fort Wayne to do business or Fort Wayne people are going out to do business and there is some leisure travel. That is one of the hang-ups that while our percentages are not nearly as bad, the airlines have reduced the cost of flying to promote people to fly. While the numbers are there as far as utilization, the airlines yield or margin numbers aren't nearly what they were. That is consistent in our market and across the board. Again, it could very well be if this

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pandemic hangs in there and has some serious lasting power, it could be a while. Even if we got vaccinated this afternoon and things were wonderful, the airlines will not be able to recover as quickly as a month just simply because they have retired a lot of their aircraft and to buy an aircraft, you are not going to a local lot and buying an aircraft. It takes a while to get that kind of asset into the system even if you are there and prepared to buy. It takes a little bit to return. I will say that the other thing that is very optimistic is we have all of our routes back with the exception of Minneapolis. We lost a lot of routes and so did everybody. All of the airlines have come back to Fort Wayne with their destinations and specific routes they were flying. Maybe not at the frequency that we had but at the routes we have back. Minneapolis will come back possibly not until spring. At this point, Minnesota is starting to get cold and dark and maybe nobody really wants to go there in the wintertime. Come spring, we anticipate getting Minneapolis as a hub or site back.

Tom Harris: For you or Robin, how about staffing? Have there been any changes to staffing? I know there was some downsizing during the COVID piece but not only in head count but also in terms of percent increase, what were you looking at for this?

Scott Hinderman: When COVID hit, we did a reduction just to be mindful and responsible. Our reduction was right around fifteen or sixteen percent.

Robin Strasser: That was the number of people.

Tom Harris: Fifteen people, is that what you said?

Scott Hinderman: Within our organization is eerily a close percent. In our budget, we do anticipate a recovery. We don't have those people back but we are putting those positions back in 2021 in hopes that in the recovery we will need those bodies back. We are playing the optimistic card that the activity levels will come back to where we need more bodies. We have a budget of three percent increase for staff. It is not across the board gifted but is how your performance is.

Chris Spurr: You said you are operating around 55%. Do you know what other regions are operating at? Is it marginal?

Scott Hinderman: That is a good question. I am probably not prepared to answer but I do know the longer haul routes are not performing as well as the shorter haul routes. If we had a route from Fort Wayne to LA, which we don't have, that might not be performing as well as the shorter routes.

Chris Spurr: The short business hops are still taking place.

Scott Hinderman: Right. I will say we are very grateful Allegiant serves our market very well. They kept things moving throughout the pandemic and the leisure person has come back maybe faster than the business person. That has been very helpful for our market. I think that the 55% is pretty consistent with Indiana. I cannot say for sure how Evansville

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has done but I do believe that Indianapolis and South Bend are right around our same level of activity. I just don't know for sure about Evansville.

Joel Benz: All right, thank you and I know there are a lot of things happening out there. Keep up the good work and hopefully we can all be as optimistic as you are about the future. Nick, this is non-binding so we don't have to vote.

Nick Jordan: Next month you will vote to adopt their budget. Today was the chance to tell them to reduce their budget or make any changes. Next month you will adopt it.

Joel Benz: Next on the agenda is the Southwest Allen County Fire Department.

Nick Jordan: As Chief Patnoudé is coming up I want to point out what I should have pointed out when the Airport was here. The tax rate change that you see on the right side of the screen is the worst case scenario. It is almost impossible and is because of advertising. We advertise values low and levies as high as you can. On the Southwest Fire District, you see a significant drop in the net assessed value and that is due to the final conclusion of the Southwest Fire and City of Fort Wayne lawsuit regarding the annexed territory and who should service it. The outcome was the court has sided with the City of Fort Wayne and therefore they will have a reduction in net assessed value as you see here.

Don Patnoudé: Don Patnoudé, Fire Chief for Southwest Allen County Fire District. My Board expressed their apologies for not being able to make this meeting but one is working and two are a little under the weather. Nick summed up part of the budget. Obviously the lawsuit has been finalized and that resulted in a drop in our net assessed value. It takes up our tax rate to make up for some of that. As far as our department goes, there is not a lot of difference in the budget than what you have seen before. In the Cumulative Fund we have a line item for replacement of a ladder truck and we have talked about that for the last several years and chances are we will be making a move on that sometime next year. It may be a stock truck or a spec truck, we don't know yet. As far as the district as a whole, with the pandemic we actually have seen a drop during the shutdown as far as run volume. It has come back strong and last month was our highest run volume that we have ever recorded. The downside of that is obviously people are needing us and the second downside to that is with the pandemic we are going through a lot of supplies. Most of that are EMS supplies. With the PPE that we require our personnel to wear, we go through it a lot. We use a service that is paid through the Federal government that can recondition our N95's with usually a 75% pass rate on those when we get them back. It keeps us from buying a large amount of PPE's. Outside of that I am not sure if you have any questions.

Joel Benz: I do have one question for you. Yesterday we had our exit interview with the State Board of Accounts. As part of that they talked about the way that you do your accounting is kind of an older method. It was a little bit difficult for them to handle. I am not an accountant but you are on a cash basis, I believe.

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Nick Jordan: It is an allowed basis of accounting and is a regulatory basis. They don't use a gap basis like the County does and so that is why it can't be included in our financials.

Joel Benz: I guess my question is will there be any thought to maybe change that?

Nick Jordan: It would be cost prohibitive for them. It wouldn't be necessary.

Joel Benz: Okay.

Tom Harris: What is the percent of wage increase are you looking at?

Don Patnoudé: Three percent.

Joel Benz: Council, is there any further discussion? This is also a non-binding agreement and so we don't need to take any motion on it.

Nick Jordan: It is binding but you don't take any motion on it.

Joel Benz: So first on this we are...

Nick Jordan: Wayne Township and Superior Court, Wayne Township's is a reclassification and Superior Court is a new position but they are not appealing their budget. You still have to approve the positions and so we are going to hear the two positions and you can take action or just approve them to be included in the budget. Then you will go through the budget appeals.

Joel Benz: That would bring Wayne Township up first.

Kara Simonoff: Kara Simonoff, HR Generalist.

Bev Zuber: Bev Zuber, Wayne Township Assessor.

Tracy Mitchener: Tracy Mitchener, Assistant HR Director.

Kara Simonoff: We are here for a salary request to increase the Chief Deputy's salary from 85% to 90% of the Assessor's salary at \$64,883. This position was passed at Personnel Committee 2-0-1 and I will pass it over to Bev.

Bev Zuber: Thank you for having me. I am requesting an increase from 85% to 90% for my Chief Deputy. It has been a rough year. When the pandemic came full circle or full bloom, I happened to be out of town. The Chief Deputy had to step into my shoes which is part of his job description. The question is when they step into your shoes how good of a job will they do. What happened was my Chief Deputy took on the pandemic and had to think outside of the box. We had two deadlines hitting our office and coordinated those with everybody working from home. It was phenomenal what he did. He has far

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exceeded my expectations. He has been in this role for five years and I think he has earned this increase.

Tracy Mitchener: This is common with Chief Deputies in their second term. The last time he was increased was in 2017.

Tom Harris: Was there any kind of certifications?

Bev Zuber: There is, Level One, Two and Three.

Tom Harris: And he has hit those?

Bev Zuber: Yes, all of them.

Chris Spurr: How much was the last increase?

Kara Simonoff: It was from 75% to 85% and we are asking for 85% to 90%.

Joel Benz: And this passed 2-0-1 based on historically we have handled the same requests.

Sheila Curry-Campbell: I know you got a little emotional telling your story and I know you shared a little bit about the tremendous job. Is there anything else you want to say about your Officer?

Bev Zuber: He is in charge of the budget and we are one of the few offices that submitted less than our allocation. He has taken over the Personal Property Department and streamlined it. Normally we go into businesses and help them with paperwork to make sure paperwork is filed on time to avoid penalties. With COVID that went out the window. Eric has new procedures for the ladies and they are dealing from the car and still servicing the businesses. With the appeal process that was one of the deadlines that hit when we were closed. Having us available to answer questions, accept appeals and keep serving Wayne Township, he handled it all. He begged, borrowed and stole just to set up each individual staff at home so that we could continue and hit our deadlines.

Sheila Curry-Campbell: Thank you for sharing that. It sounds like he was there for you.

Bev Zuber: Absolutely. I had to be in Florida on a medical issue with family. Totally unexpected and this was just dumped on him. If God forbid and I was hit by that truck on the way out, I have no qualms Eric would step in and exceed my expectations.

Sheila Curry-Campbell: Thank you.

Kenny Fries: As a retired Policeman, I have to ask one question. You said he begged, borrowed and stole. Can you list the items that he stole?

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Bev Zuber: Borrowed from other departments, friends and anybody just so each person had access to an iPad or a computer or laptop, whatever he could get.

Kenny Fries: He has a good boss who comes and fights for him.

Tom Harris: I will move for the increase for the Chief Deputy at 85%, \$61,277 to 90% at \$64,883 of the Wayne Township Assessor's salary at 37.5 hours per week, exempt.

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 is Superior Court.

John McGauley: John McGauley, Court Executive of Allen Superior Court.

Fran Gull: Fran Gull, Allen Superior Court Criminal Division and the Administrative Judge of the Division.

John McGauley: We are here this morning to request a new position in our 2021 budget. We don't anticipate filling this until after the first of the year when the new budget kicks in. We are not appealing our appropriation and believe we can do this within the current funding that you provide to us. Most times we are doing this now out of our Part-Time Temporary line and other funding sources that we have at our disposal. This is really a simple matter of supply and demand. At the moment, we have barely enough Court Reporters in the Criminal Division to cover the number of Courts and Judges that we have operating at any one time. In the event of illnesses or absences, it really stresses the system. We have to go to great lengths to provide coverage for all of the courts that we have operating at any one time. That requires our employees to work a lot of overtime. We have people losing paid time off because they simply can't take it. Over the last decade, the staffing level in this particular division has remained the same and all the while the caseload in that division has gone up about 40%. As I said, this is a simple matter of supply and demand and we have too much supply and not enough folks to handle it. We are not asking for any additional money. We do this from time to time using Part-Time Temporary help but that is getting harder and harder to find. Court Reporters are a specialized professional position and to keep that and make it a reliable source of talent, we feel that we need to hire someone full-time.

Fran Gull: I think when I came to Personnel a month ago I explained that when we have had illnesses in our division with our Court Reporters, we had to create these massive spreadsheets of how we were going to cover everything. Maybe someone could cover the morning but not the afternoon and so we have to plug people in where we can plug them in. Ironically we are experiencing the same position this week and the following week. We have one of our Reporters out ill. We have our Floating Court Reporter that is covering another person's vacation. That lady came in on vacation to help cover and make ends meet in that division. As we come into flu season and continued exposures that we are seeing with COVID, I am concerned that if we don't get this position, we will

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again be cobbling things together to try to get the courts covered as necessary. We are one of the only Counties that doesn't have multiple Court Reporters for each Judge. Most of my colleagues across the State have at least two or three Court Reporters and I have one. My colleagues each have one and then we have one Floating Court Reporter and this would add a second Floating Court Reporter to cover absences, illnesses and vacations.

Tom Harris: I will move for the approval of a new Court Reporter at PAT 3, \$45,000, 37.5 hours per week, non-exempt.

Kenny Fries: Second.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. I would like to recognize that there are a number of departments that came in under budget again this year and I always think it is worth our time to recognize those. Clerk, Assessor, Wayne Assessor, Building Department, Youth Services Center, Election Board, Voter Registration, DPS and NIRCC. They all came in under budget. We appreciate their hard work and continuing to do the things that they do. We have a number of appeals this morning and I will just start at the top of the list and work our way down. The Sheriff is the first one up.

Charlie Edwards: Charlie Edwards, Chief Deputy, Allen County Sheriff's Office.

Gary Grant: Gary Grant, Deputy Chief, Sheriff's Department.

Angela Terry: Angela Terry, Comptroller Allen County Sheriff's Department.

Charlie Edwards: Back in May of 2019, we were before the Personnel Committee and were approved three to zero of adding four Officers and five Confinement Officers. At that time we were still looking at that we were going to have the Work Release Center. Today we are asking that the four Officers be approved and we no longer need the five Confinement Officers. Right now we just need the four Officers.

Tom Harris: Explain a little bit why. What will these Officers be doing?

Charlie Edwards: I will let Gary talk.

Gary Grant: Over the last couple of years, we have changed our hiring process. We have always been several people down at the Jail, when it comes to our Confinement staff. What we have done is put a full-time background investigator within the Personnel Division of our department to do proper backgrounds on our civilians. We are screening those civilians within our Confinement area and hiring directly out of there to promote into Police Officer. This position to do these backgrounds has become a full-time position. We had to pull a body from another division to do that. It takes at least 40 to 60 hours to do a proper background on one of our Officers. They are screened, go into our Jail and work in there. We get a good preview of their work ethic and history inside of our Confinement facility. When we post for a Police Officer, we look at those ranks first.

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Another aspect of that is training. We have worked very hard on a lot of training for the department back in November of 2019. We hired a company to come in and do diversity training. We have successfully completed that training this year and it went very well. With that our training staff of three Officers have to do firearms, defensive tactics, EVOG training and we are constantly pulling other instructors from our Patrol Division to go in there and help. It is a nonstop calendar all year long. We feel that our personnel and our training is the foundation of our department for its future. We need some extra bodies to plug into those spots. We are also looking at our Vice and Narcotics Unit. They have been very successful this year with the seizure of funds and drugs and fighting that battle. We would like to place a couple of Officers in that division also.

Tom Harris: A point of order is to hear these appeals is we don't have to make any decisions one-by-one. We can hear all of them and then have discussions about how to move forward. That is how we have done it in the past.

Joel Benz: That would be Council's prerogative. We can make a decision now while they are at the table.

Tom Harris: Just based on that historical moment, I am becoming the historian. Generally we hear all of the different appeals and then determine how we want to proceed. I was going to ask a question on that. You said two for Narcotics?

Gary Grant: That hasn't been a final decision but yes.

Tom Harris: And then the third was going to be the background check person.

Gary Grant: We do have someone doing the background investigations but he is nonstop and can barely take any vacation time because he is so backed up.

Tom Harris: That is one of the three.

Gary Grant: Where we have been successful within the Jail we have always been several people down at the Jail. Now since we have put this person in place we have had a full staff at the Jail and a waiting list to get into the Jail. We are retaining employees. We are getting good quality employees by the background process.

Tom Harris: The fourth one?

Gary Grant: The fourth one another position in our Training Division. These guys' calendars are so backed up and one of our Trainers has to take off almost the entire month of December because he couldn't take any vacation time. We do a lot of outside training also. We provide training to Juvenile Probation, Adult Probation and Community Corrections for all of their firearms and defensive tactics. These guys calendars are very, very booked.

Tom Harris: If you had to rank that request of the three or four, which ones are most important to you?

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Gary Grant: I think Personnel and Training. The way that policing has gone down a different road and we take that very seriously. Personnel and Training is the foundation of our department and if we don't have the personnel to do that we are going to be behind the eight ball.

Joel Benz: And as part of your request in this is also some funding for clothing allowance increase and MDT's for Patrol Officers.

Charlie Edwards: The clothing is pretty self-explanatory. We haven't changed that in years and to supply a brand new Officer with a uniform and everything that he or she needs is about \$2,000. A pair of slacks is \$100 and some plus. For them to replace their equipment yearly, we felt we needed to bump it up a little bit.

Sheila Curry-Campbell: You said that policing is going in a different direction. What do you mean by that?

Gary Grant: It is all about community oriented policing. On the Sheriff's Department over all of these years that I have been on the department, we have done a great job policing our community. Being out there in the public and having the Officers' ability to show up personally. We are not big fans of phone call reports and things of that nature. We like our Officers to make the scene, speak with the victims and have a personal relationship with them. We have our Officers working in a permanent district. They get to know the neighborhoods and the people within that community. Those people get to trust the Police Officer that is in their district. We would like to stay that way. What we are doing right now is because of training and because of the personnel problems that we are having where we are pulling these Officers off the road because they are our Instructors. The Training people are requesting that they need more help. We have to get the training completed and so we have to bring those guys off the road which lowers the number of Officers that are serving the community.

Sheila Curry-Campbell: Is there any deescalating training that is part of this training?

Charlie Edwards: That has always been part of our training.

Sheila Curry-Campbell: Okay and then my last question is you talked about \$2,000 for uniforms.

Charlie Edwards: When a new Officer is sworn in they have to be in uniform and be equipped. Everything has gone up and it's crazy how much since I have been on the department.

Sheila Curry-Campbell: Is there a body cam that is part of their uniform?

Charlie Edwards: Body cams have not been introduced to our department yet and it had to do with budget. With recent events that is being looked at.

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Sheila Curry-Campbell: Is that included in your 2021 and 2022? You have body cams nowhere.

Angela Terry: It is on our capital request for the department to look into what it would cost to implement a program to support body cams.

Sheila Curry-Campbell: So nobody in the Sheriff's Department wears a body cam, no one.

Gary Grant: Currently, no.

Sheila Curry-Campbell: No, one. Thank you.

Joel Benz: Thank you and we will move onto the next department. The Surveyor is the next one up.

Jeff Sorg: Jeff Sorg, Surveyor. With me is Larry Weber, Chief Deputy and Hydrologist. I am here for two items that I am requesting. One is a salary increase and the other one is our contractual services. We are asking for an increase in the Surveyor's pay. The reason for the Surveyor is because it is far below what the other Elected Officials are. We are not asking to bring it up to anywhere close to what some of the Elected Officials are but are asking for roughly a \$12,000 increase from \$62,527 to \$75,119. As you know, the other Elected Officials are much higher than that. I have tried to keep the number down to at least go in the right direction. The second item would be contractual due to we are going to have to spend \$45,000 to do a flood study on the Benward Ditch which serves the Huntertown area that is developing rapidly. We do not know any of the flood elevations on that drain. In order to obtain those elevations and be able to develop the area, you have to have that number. The last one we did was \$45,000. We expect them to all come in around that number. It could be a little higher or a little lower based on the complexity of the drain. There is also a drain out by Monroeville. That area is developing to some degree and we have no flood elevations on those drains either. The increase would cover flood studies on both of those systems. The community needs them to keep development going. There is nothing that can happen until we get that number.

Joel Benz: Recently I received the notice on my ditch that I pay into and it was quadrupling the minimum payment. So are those funds that you get through that to be used for what you are talking about? Or are you doing contractually you are not able to use those funds for doing those studies? Is there some kind of a restriction there or not?

Jeff Sorg: I don't know of any restrictions but contractual is strictly used for services obtained from other engineering firms and so on to do flood study analysis.

Joel Benz: If you are getting several times the amount of a drain assessment, it comes directly to you and you are able to use that for that work or are you not is what I am asking.

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Jeff Sorg: You need to understand what you are talking about is a maintenance fund. That fund that you are paying into, those funds can only be used on that drain. We can't take them and put them towards salaries or cars or anything else. They are strictly for your drain. That is State law.

Joel Benz: So if you raised the assessment on the drains that you are talking about doing studies for, then you would be able to use those funds for that study or not?

Jeff Sorg: Technically you could but if you tried to raise that enough to pay for those the people would lynch you. Typically it is five to ten dollars a year. We had some as low as fifty cents and acre. Those are from back in the 1930's when things were different. We are slowly bringing those assessments up. You may have been caught up in one of those where you saw an increase from a low number to a little bit higher. It is a realistic number that we have to have to work with. We are trying to get them to the point where we can do our job.

Joel Benz: You feel that what you are requesting today is over and above what the maintenance fund would support, is what you are saying.

Jeff Sorg: Yes that is correct.

Sheila Curry-Campbell: You started out asking for a raise for yourself of \$12,000. Is that correct?

Jeff Sorg: Yes.

Sheila Curry-Campbell: Okay and you feel as you need a raise because you were comparing yourself to...

Jeff Sorg: This goes back to the State law which says a licensed Surveyor can receive one and a half times the amount of an unlicensed Surveyor. Personally I am an unlicensed Surveyor and so my salary was lowered from what it was previously to me taking the office. I have six employees that make more money than I do. I have to know every job in that office from the highest paying to the lowest. It seems a little bit bizarre to me that the salary would be that much lower when I am overseeing these people's work.

Sheila Curry-Campbell: But you are not licensed.

Jeff Sorg: No. That is the whole reason.

Sheila Curry-Campbell: So, is it our fault?

Jeff Sorg: No, it is nobody's fault.

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Sheila Curry-Campbell: So why should we give you a \$12,000 raise because other people are making more money than you and you are not licensed? Is that what you are saying?

Jeff Sorg: No, it is because of the responsibility of the job. Nothing happens in this County unless we approve it. Every construction site you seem, we had to approve.

Sheila Curry-Campbell: The last time you received a raise?

Jeff Sorg: Whatever the cost of living adjustment is every year.

Joel Benz: Councilwoman Curry-Campbell, can I interrupt here?

Sheila Curry-Campbell: Sure.

Joel Benz: When he was elected a number of years ago, we had a pretty extensive discussion because he came in and requested a raise. I don't know if he realized that the State law was there and he wouldn't make the same amount as the previous Surveyor. At that point I personally spent a lot of time and looked at his salary then which was \$50,000 or \$48,000 but significantly lower. We looked at surrounding Counties and tried to compare and felt that the \$63,000 was comparable with other things. If he was a licensed Surveyor then it would have gone up to \$93,500. I felt that was also in line with other communities. We spent a lot of time discussing this previously. I feel that you are fairly compensated where you are at. I don't feel any discussion should be further entertained on this subject.

Sheila Curry-Campbell: It's an elected position and you made that choice.

Tom Harris: Jeff, have there been any thoughts on certification? I think we brought that up when you took the office. Have you had an interest or are you going to pursue?

Jeff Sorg: Not at this time.

Chris Spurr: I have a question. When the assessments are made regarding the ditches and such, is that based on frontage or square footage or how is that differentiation made? Someone pays five and the other person pays ten.

Jeff Sorg: Typically it is acreage. We work in the rural County a lot and it is so much an acre. We have a minimum and it may be two acres or five acres. If you have a parcel of land that is three-quarters of an acre, you may pay four or five acres. That is what the Commissioners have set the minimum at. The runoff from a small parcel is much greater than a farm field. That is how that is justified.

Chris Spurr: Okay. Thank you.

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Joel Benz: Thank you for your comments. We will move onto the next department and then circle back around. The Coroner's Office will be the next department.

Mike Burris: Mike Burris, Chief Investigator for the Allen County Coroner's Office. We are asking for additional funds for 2021 of \$133,413. As you know, every fall I come back and ask for additional money for Autopsy Fees. That is the main thing we are looking at. I can go through each one of the lines where there is an increase. In the payroll section there were two lines that were underfunded or unfunded completely, the Overtime and On-Call Pay. In September of 2019, the Commissioners passed a resolution that there would be On-Call Pay for the people who cover call with the Coroner's Office being on-call 24 hours a day seven days a week. Previous to the Commissioners passing the resolution, the On-Call did not receive anything over and above the regular overtime they would have received. That was something we had to create and find funding for. The other thing is Overtime is limited to 40 hours of comp time. In the Coroner's Office are two employees that earn overtime. One of those employees liked to build up his comp time and then in the fall he would take time to go hunting. Once he reaches the 40 hours of comp time, we have to revert back to paying him for hours. There is an increase in the Overtime and the creation of the On Call pay. Pretty much payroll maintains the same except for the already approved pay raises across the board. That takes us down to our General Supplies. There is an increase of \$5,000. We have four laptops for the full-time employees and the Elected Official and they are older and need to be replaced. Two of those are mounted in the County vehicles and two are just standard laptops. There is an increase in our tires. We have two vehicles that were purchased at the same time and both of those are 2017's. Normally we have a budget of \$500 for tires which covers one set per year. A lot of times we don't use that budget but this year with the two vehicles having about the same amount of miles we could potentially be purchasing tires for both vehicles. Autopsy Fees is going to increase about \$115,000 with the way the budget lays out. With keeping our fingers crossed hoping that will be enough for the full 2020 year. Increase in Postage and Telephone. We will be picking up an additional Verizon Jet Pack for use with the laptops to keep connected with the Spillman database and access to the internet when we are out at scenes. Increase in Dues and Subscriptions to help cover the cost that I am looking to increase the number of volunteer Deputy Coroners. To get them into the office we will have to supply them with training and the membership into the association. Historically there have always been questions about autopsies and out of County autopsies. We had a fatal crash on I-69 yesterday afternoon and two of the people that were transported to Allen County died in Allen County and become an Allen County case. If an autopsy is deemed necessary we will perform the autopsy and bill back to Dekalb County.

Tom Harris: Just a question on that. If they passed away in Dekalb County, Dekalb would pay for the autopsy but because they came back to Allen County and passed away in Allen County then Allen County pays for it.

Mike Burris: Correct. State law allows us to bill the outside County for the cost of that autopsy.

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Tom Harris: Even though they passed away in Allen County, you can still charge back Dekalb County. Do you do that?

Mike Burris: We do that and the funds that come back to Allen County does not replace the money that was spent in the Allen County Coroner budget but goes into the General Fund. To date, we have done 19 autopsies that were transferred into Allen County. The cost of those autopsies was paid for through the Allen County Coroner's budget and then when the funds are returned they go back into the General Fund.

Tom Harris: Having a regional hospital is pretty significant, right?

Mike Burris: Two trauma centers and so any traumas from outside Counties are going to come into Allen County.

Sheila Curry-Campbell: Are COVID's in the nursing homes coming to you?

Mike Burris: Historically a COVID death is not going to be a Coroner's case. It is going to be a natural death and the physicians will be signing those. If an autopsy is deemed necessary due to other circumstances around the death then Allen County would assume the cost of that autopsy. If they were transferred to Allen County from one of the outlying Counties, we would bill them for the cost of that autopsy.

Sheila Curry-Campbell: If someone lived in Dekalb in a nursing home, and they brought them to a Fort Wayne hospital and they discovered they had COVID. I am just trying to figure out because a lot of these nursing home deaths are not being identified, I am not a doctor or a coroner, but there is a murky spot in the middle and I am curious if the Coroner would have caught some of these things.

Mike Burris: Under the description that you just provided that case would still not be a Coroner's case. We would not perform an autopsy on that. Most likely the resident of the nursing home had been transported due to respiratory failure, pneumonia or a pre-existing cardiac disease and they had tested positive for COVID. The death would be related to COVID but not caused by COVID. It would not be a Coroner's case.

Sheila Curry-Campbell: Okay thank you.

Bob Armstrong: My question is for Nick. Is there a reason why that payback money goes to the General Fund and we don't put it to the Coroner?

Nick Jordan: You could argue it is. If you look at past years, the reimbursement outside of the County might be around \$20,000 on average. If that is what the revenue is and the Coroner's budget is \$700,000, it is put towards his budget but he needs way more.

Bob Armstrong: That is what I am looking at. Wither way you look at it, the money is still getting back to him but he comes to us in the fall to ask for additional funds to offset his shortage.

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Nick Jordan: Property taxes and income taxes and miscellaneous revenue is thrown into the General Fund bucket and then you guys allocate them amongst all General Fund operations prioritizing where they are needed.

Tom Harris: Are the autopsies getting more complex or is it staying pretty much the same technology or is it becoming more costly? You mentioned that the autopsy fees are going to cover that. Have you changed the fees? I know we have talked about that.

Mike Burris: There was about a three percent increase in 2020 that the pathologists presented to us. That was pretty much a pay increase for him.

Tom Harris: Are you charging more for the fees to do an autopsy?

Mike Burris: No. We are charging for the cost of the autopsy. What we are billed is what we are rebilling back out to the other County.

Tom Harris: You are not charging more to offset expenses.

Mike Burris: The autopsy cost if going to cover the cost of the autopsy suite for that time period, pathologist fees, toxicology fees if x-rays and additional lab work is needed. Whatever we are billed for that autopsy is what we are rebilling out to the other County. State law says we can bill the other County for the incident that occurred for the autopsy. Anything that we can relate to the autopsy such as what was mentioned is sent to the other County.

Joel Benz: Council, do you have any further questions for him or should we move onto the next department? Thank you, Mr. Burris. The Prosecutor is next.

Karen Richards: My name is Karen Richards and I am the Elected Prosecuting Attorney for Allen County. My Chief Deputy, Michael McAlexander is with me and also my Finance Director, Kris Myers. I understand what we have asked for is a fairly significant increase but we have never asked for anything like this before. I hope you will give me a couple of minutes to explain to you why because I think it is important. I did send a letter to everybody that kind of gave you a snapshot of what I was looking for and why. I would like to talk a little bit more about that. I honestly don't think that I am overestimating by telling you my office is bleeding their sanity these days. We are incredibly understaffed and I think we are understaffed for a whole host of reasons. We are understaffed because we have more cases and more complex cases. Frankly the evidence in my Felony Division has gotten incredibly more complicated. I am not afraid to tell you for purposes of my appeal that in March of 2021, I will have been with this office for 40 years. I am not afraid to tell you that I am that old. It gives me a historical perspective that helps explain where we are. We have lost five Upper Felony Deputies in the past few years for various reasons. One we lost because she retired because the work she does is so distasteful that she couldn't do it anymore. We have lost two of my Upper Level Felony Deputies to the bench. I have lost two to the US Attorney's Office because

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their workload, no offense to them, is vastly less than our office and the pay is significantly more. The head of my Homicide Division is in the audience and most of my Felony Deputies work six days a week if not seven. That is not fair. They all have families and they need to spend time with their families. It is extremely difficult for me to recruit people of their level, at this point, and so what we have been trying to do is hire entry level Deputies and do what we call grow our own. We are going to have to grow them into the positions that they have. I will tell you that you should be blessed that we have probably one of the best reputations for a Prosecutor's Office in the State of Indiana. My Deputies routinely are the lecturers for the State Prosecutor's Association to teach other young lawyers how to be good Prosecutors. I am incredibly proud of the people on my staff. I decided that I was losing my own mind for the first time since I have been the Elected Prosecutor and now I am the Section Chief of a section in our Felony Division. I have never had to do that before but we are so short staffed that I took the section of the woman who quit because she didn't want to look at beaten, abused and dead babies and young children anymore. I am now the Head of the Division that does that work. I was just at a scene last week. That is more work than I frankly handle well but that was one of the things that I did as a Deputy Prosecutor. I know how to do it and someone needs to do it and so it is me. I thought we were understaffed and I began to reach out to a couple of my colleagues and I know I put that in the letter. I reached out to several and I got some statistics back from two. I got statistics back from Pat Harrington in Tippecanoe County which is West Lafayette. They have a population of 195,000. They have a staff of 32 Deputy Prosecutors including the Elected and Chief Deputy. I reached out to St. Joe County which is South Bend. They have a population of 271,000 and a staff of 32.5 Deputies including the Elected and Chief Deputy. In Allen County, we have a population of 379,000. I just hired a brand new Deputy and we have 35. We are grossly understaffed both in Investigators and Caseload Supervisors in my Criminal Division and in Attorneys. Five of these new Deputies have not even been sworn in by the Supreme Court yet. Two of them haven't even started with the office and couldn't find their way to the bathroom because they haven't been there long enough. I am basically working with 30 people. I just can't do it anymore. I came and asked for an increase in Deputies last year and I thank you from the bottom of my heart for giving those to me. I have filled all of those positions. I will tell you that one of the things that is going on is the Police Department is doing a fabulous job of solving crime but what that means is there is more on my plate and on the Deputies' plate. In 2018, and these are homicides, we had 45 homicides. We filed 23. Five of those are still pending. In 2019 there were 30 homicides. We filed 16 and four are still pending. In 2020, so far, we have had 36 homicides and we have filed 32 of those. More than in either of the prior years and this is only September. We have 30 still pending. We have 41 pending homicides and almost all of them are Tom Chaille's. I can tell you that there is not one of my Upper Level people that don't take work home. When I come in on Saturday, I usually have three or four people in the office. When I started out, and I know this is probably more information than you wanted but I feel I owe it to you and my office to explain what is going on here. When I started out, or Mike as well, when you had a criminal case you were handed a file folder and I know Councilman Fries remembers some of this as well, we got a carbon copy paper police report and some photographs in a little envelope. This is now the kind of evidence that we go over in our office. We now have DNA, ballistics, fingerprints and I get boxes

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of files from the Department of Child Services. We have medical reports, drone footage, the Jail now has jail calls, they have decided to hand out tablets and they now record some Jail visits. There is in-car video in most Police cars. There is surveillance video from most of the businesses in town and some kind of doorbell video from many of our citizens. We now have several interview rooms that we record interrogations. We have a Child Advocacy Center that records all of the interviews of suspected abused and neglected children. We have cell phone downloads. We have subpoenas to cell phone carriers and cell phone carrier records. We can now do cell phone GPS and determine at any given time where a cell phone of a suspect or witness was located. We have a million different kinds of social media most of which I don't even understand. We have various kinds of video. We have photographs. Starting next year we will have body cams on almost all Fort Wayne Police Officers. Let me tell you how body cams work. If I want a body cam of an Officer, I don't just get the ten minutes that has to do with the incident I am looking for. I get a download of the entire day. We have to pick through that to figure out what it is that corresponds with the case we are interested in. To give you an idea we were so short staffed that I had to pull three people from Child Support to review the videos of the protests this past summer. It took all four of them six days. All there was on that was drone footage and some cell phone footage and some video footage.

Mike McAlexander: Six weeks.

Karen Richards: I'm sorry. It was six weeks not six days. Six weeks of doing this and I watched them and my eyes started to cross, if you sit at a computer and do nothing but watch that all day. That is where I am. This is what I have asked for and this is why. I would like you to fund three Prosecutor positions that I would like to fill. One of those is an entry-level position. The other two, which I will try to fill, are Upper Level Felony positions. I have been successful in stealing people from other Prosecutors' Offices. I have no shame in doing that and I will continue to do it. I have also convinced some former Prosecutors that were in private practice to come back to us. I have also convinced a retire Attorney from one of Fort Wayne's finer civil law firms to try his hand at becoming a Prosecutor. He is now part-time as my financial person. In order to do that I have to have a salary that will pique their interest. For an entry-level position, I ask for one \$60,000 and two at \$85,000. In order to review all of the evidence that we just talked about, I will ask for new Investigator positions and Caseload Supervisor positions. Let me talk a little bit about evidence. All we get is basically the police report and a concept of things that are out there. Some things get dumped into our IT system and many others we have to go looking for in the Police Department system. What my folks do when they get a case in is go to every one of these locations in the Fort Wayne Police Department IT section and start looking for surveillance video, interview video, et cetera. But because not everything comes in at the same time, every week or two those people are going back to see if anything new has been dropped into the IT box that we get information from. DNA doesn't come in as fast as the Interview video. Neither does ballistics or cell phone information. They are going back week after week, after week on every single case to look for that information because I have an ethical obligation to provide every single thing there is to the Defense Counsel. If I do not timely provide that and I get ready to go to trial, my case either gets dismissed or the case gets dismissed and cannot be refiled. I

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am responsible to give to Defense Counsel everything that exists in any Police Department whether I know what is there or don't know what is there. I do not want to look at some victim and tell them their case was dismissed because we couldn't find what needed to be out there because I didn't have enough people to do it. We have gotten to the point where folks aren't very good at showing up for court anymore. In order to enforce the subpoenas, every one of them needs to be personally handed to someone. It is not like it used to be where you could drop one off in the mailbox or stick it in the front door. I have several people on the street every single day, all day, serving subpoenas. I have people doing witness transport. I have people arranging to have people in protective custody. Things have gotten so complicated that I cannot do what I need to do with the number of people that I have. Five of the employees that I have were put into line items that we already had but they were advanced positions. I took one Caseload Supervisor and bumped them up to Investigator. I took four Paralegals and put them into Caseload Supervisor which means they can draft things that need to get filed in court. They have reached a level of sophistication in their work that they are now responsible for filing charges and the Probable Cause Affidavit that goes with it. The last thing I am asking for is to move three Prosecutors to the General Fund. I know this really gets in the weeds but let me see if I can do this so it makes sense. We pay for a large chunk of things out of the Infraction Deferred and Pretrial Diversion budgets. That is money that we get from several sources but one of them is for traffic tickets where people go on this diversion program if they do defensive driving and behave themselves then the charges get dismissed. Lower level misdemeanors and felonies can do the same thing. It is their first offense and it is a relatively minor crime and they go on a diversion program where they attend some programs, are good for a year or two and pay their fees and the case gets dismissed. Also in those funds we get reimbursed for child support at 66 2/3 % from the State. That money goes into Infraction Deferred but can only be spent on child support purposes. The three Deputies that I want to move into the General Fund were originally Child Support Deputies so they could be paid from the child support reimbursement. They are about ready now to be pushed into the Misdemeanor Division. I can't pay them out of Child Support anymore. The five kids I just hired now have to get paid out of Child Support. I need to take those Deputies and put them in the General Fund. That is an incredibly long explanation for where I am. I know it is a crazy amount of information and I am glad to help in any way that I can by making any of that understandable. I have done an analysis of the money coming in on the two diversion funds. They are slightly less this year than they have been in previous years. Not significantly but they are less and that is because with COVID I didn't have Officers out on the street writing tickets and we didn't have people being arrested for minor offenses because we were all shut down. If we have to get shut down again, the same thing is going to happen. I understand we don't want to arrest folks for minor, non-violent crime when we are trying to keep the Jail population down. I get that but what that means is there are less people to put into these programs and less revenue to come in. I don't think I can take any more on in these funds. We already cover about 30% of our expenses through these funds or from two grants that I get. I will be happy to help with this in any way that I can.

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Joel Benz: I do have a number of things that I need clarification on. You used caseload increases over the last several years for needing the three new Deputy Attorneys. Do you have the numbers of how much your volume has increased?

Karen Richards: I gave you the homicide numbers but I do not have the other numbers for you. What I want you to remember is that it used to be before we had all of the technology, one lawyer could do 50 sex crimes cases. I can't have one lawyer do 50 anymore. One lawyer now could probably handle about 20 because the complexity has gotten so huge that is all they have time for. I did the homicides because I think that is the one that is the most significant. The other thing that has happened over the years is that a lot of crimes that were misdemeanors are now felonies. Domestic batteries are now felonies. They take up a significant part of our caseload. I can get you numbers but I can't point year to year. I can tell you that any increase or staying the same would give the same result because people cannot handle the number of cases that they used to handle.

Joel Benz: I understand that. You are asking to move three Deputies to the General Fund. Is that based on the three new ones that you are requesting?

Karen Richards: No. These are people that are already employees of the office. These are people that I have already hired.

Joel Benz: Okay so you are saying if we didn't move on those three new Deputy Prosecutors, you would have the same number in there and still need to move three into the General Fund even though you have the same number?

Karen Richards: I just hired five new lawyers out of law school. When my lawyers come out of law school, they all go to the Child Support Division. It is the best learning place. You have to remember we do lots of things other than criminal. One-third of my office is Child Support. All of my young Deputies go to Child Support. The three that I am trying to move into General were originally Child Support but are now moving into the Criminal Division and so I can't pay them out of Child Support. The five people that I have hired are going to come into Child Support and will be paid out of Child Support.

Joel Benz: But your overall numbers aren't changing. You still have the same number of Prosecuting Attorneys. You lost some due to attrition and you have hired new people and overall stayed static but are asking to move into the General Fund.

Karen Richards: I think the difference is that a lot of the people I lost were on the upper end. I am replacing them with lots more people on the bottom end. Actually I have increased the number of lawyers that I had by two or three. I am increasing them with kids out of law school and not those with ten or fifteen years of experience. I don't think I have ever hired five brand new kids at one time.

Sheila Curry-Campbell: These are attorneys that you are referring to.

Karen Richards: They will be sworn in next week.

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Joel Benz: I just fail to see you are moving in five new people and they are going to be paid partially and you are going to move three out and you are requesting a huge chunk out of the General Fund. I feel that five are going to get more money from wherever you are drawing that money from.

Karen Richards: I added five lawyers that I didn't have.

Joel Benz: So your overall numbers have increased.

Karen Richards: Yes. I used to have 30.

Joel Benz: Okay.

Mike McAlexander: I think what we are saying is...

Karen Richards: I am trying to build the bench.

Mike McAlexander: All of this electronic data has made it so much more time consuming to handle each individual case. Every time a squad car goes lights and sirens, a video is produced. We have to keep up with that. We need more total lawyers and support personnel to review all of this data that is coming in. You can't take 15 minutes to read a twenty-page police report and look at some pictures and interview a couple of people and be ready to go. You have to sit there and watch a video of a two hour interview that may only have 15 minutes of pertinent information because the Detectives are going back and forth. All of this data and Jail phone calls have to be listened to. All of this is coming in and we need more people to review that. We basically need 6 or 8 more.

Karen Richards: I think what I am telling you and I think what your question is as of August 31st, I had 30 Deputies. By the time that this month is over I will have 35 Deputies. The moving three Deputies to the General Fund is a different request than putting line items in my budget to hopefully hire one more brand new lawyer and two experienced Deputies. They are two separate requests.

Joel Benz: I understand that. That is what I am making sure of.

Karen Richards: The moving of the three Deputies to General is because I have increased the overall number of lawyers in my office from 30 to 35. Five of them have never been in a courtroom in their life until they come to work for me.

Joel Benz: So those were positions that were maybe unfilled in the past.

Karen Richards: Yes, unfilled.

Joel Benz: Now, the next thing is the five internal employees and three Caseload Supervisors. There are two different salary numbers on the Caseload Supervisors. That doesn't seem super consistent and I think you have some internal things where one of them is doing a little more.

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Karen Richards: I think part of the problem is that when you put some of these people in positions, there is a line item. Let's say if you are in the line item you get ten dollars. But if you are a long term employee and because of the little step increases and stuff, you may get fifteen dollars.

Kris Myers: This is for someone that we have in mind and this is where they are on the grid. At the beginning of the year we wanted to promote already in-house.

Karen Richards: Let's say Kris is a Deputy. If we both were put into the same line and I get paid more than she does because I have more years of service.

Joel Benz: I understand.

Karen Richards: The forty-five is because the person has enough years of experience that they merit just a little bit bigger salary. These have all been scored and are all existing job descriptions.

Joel Benz: Is it recently that they have been scored?

Karen Richards: Yes.

Tom Harris: I know in the past you have been pretty stringent about not coming to Council for needs and such. We got this request, I felt late, and was there some reluctance or changed your mind? What happened?

Karen Richards: Do you have any idea how uncomfortable it is to come in front of you and ask for this kind of money?

Tom Harris: Was there a change in strategy that you were trying not to do this?

Karen Richards: I think what totally put us over the edge was the body cam thing. We sat down and looked at that and the City may have talked to everybody else but they didn't talk to me. That came in about the same time we started solving all of these homicides and I have people coming to me panicked because they don't have enough hours in the day to do their work and get in front of a judge on a high profile case and not be ready and embarrass the office. When people are coming to me some of them are close to having their sanity go out the window.

Tom Harris: You have an overall request of about a 13% increase in your budget. Is this an all or nothing kind of request? I need this or else?

Karen Richards: Councilman Benz asked me that and I thought long and hard about what you asked me. I can rank them if that is what you want me to do. What I don't get this year, I will be back for next year.

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Tom Harris: What are the ramifications of not having enough staff in your world to the public and citizens of the County?

Karen Richards: It is going to be a couple of things. I will have some of my top level people turn in their resignation and then I will have nobody to do these cases. There are a couple of people that I just can't give any more work to. When you are talking about trying some of these complicated child molestation cases, you can't just throw someone into it. The person that is the head of that division has an incredible amount of experience and I can't afford to lose her and frankly neither can you. People are going to start quitting and we will start screwing up.

Tom Harris: So the ramification to the general citizen on the street...

Karen Richards: Is bad. We will get high level cases dismissed because we didn't do it right. I don't ever want to stand in front of a judge and be embarrassed because we are not ready and are not good. I don't want to do that. It is getting pretty crazy. These body cameras, you are going to have 400 Officers out there with these things on. When these things are on, they are on and somebody has to look at them and it falls to us.

Tom Harris: Thank you.

Sheila Curry-Campbell: You spoke about the body cams. I am in favor of body cams.

Karen Richards: I am in favor of them too. I don't disagree with you.

Sheila Curry-Campbell: With that being said, does that need to be a whole other division in your office along with the City of Fort Wayne so that we are not using your resources? I am just asking the question.

Karen Richards: Ma'am, welcome to my world. That is the exact conversation we have been having with the City. I am not getting very far. That is why I have two people in my office that do nothing but IT work. Because the City doesn't always have the best system for maintaining and producing this stuff, it falls on me. Just because nobody else is going to do it doesn't mean that I don't have to. It is going to be a significant burden but I don't have the choice because I legally, morally and ethically have to review this stuff and provide it to a Defense Attorney. I have to and I should because I am the Prosecutor. The City isn't going to review this stuff and tell me what is out there. I have to have somebody in my office doing that.

Sheila Curry-Campbell: We are all talking about criminal justice reform and maybe this is part of the form of a whole other division...

Karen Richards: Reform is expensive.

Sheila Curry-Campbell: Well, life is expensive too. We need to think about this as a futuristic thing. A lot of things are going online. I don't know if it is set up like a 9-1-1

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situation. I don't know what this will look like as far as the body cams. I believe it is something that we need and it is something that needs to be in your budget as a totally separate line. Let us vote it down but at least put it in there and ask for it. I think we need to be very intentional about the body cams. Thank you.

Karen Richards: It goes with all of the other evidence. I think we need to be very intentional about all of it. I need to know that before I prosecute the case and the Defense Attorney needs to know. Technology has not been our financial friend. It has made things very complicated and time consuming and expensive. That is the world that we live in. We work with the City all of the time and where does the body cam footage go? How do we get it and how do we review it? What method is it stored?

Sheila Curry-Campbell: Like you stated, you have been doing this for 40 years. Twenty years from now I don't know what you will be doing but hopefully you will leave a legacy of the body cams.

Chris Spurr: Just a couple of questions that kind of goes along the lines of Councilman Harris and Councilman Benz. I am assuming that the request was made in anticipation of the body camera fulfillment or whatever you want to call it. My question is that this is an estimate. Do you estimate coming back in front of Council next year with the same sort of request?

Karen Richards: It is really hard to say. I would hope not. All I can tell you is that I have spent, with the exception of asking for three lawyers last year, I have spent my entire career as the Elected Prosecutor never asking you all for a dime, ever. Last year was the very first time and I don't like doing this. I pride our office on being self-sufficient as humanly possible. We have reached a point where I don't have a choice this year. Depending on what I get this year and how things go, I may be back or I may not. I will try my hardest not to be.

Chris Spurr: My other question is about the three Deputy Prosecutors at \$60,000, \$85,000 and \$85,000. My assumption is that you may promote two of those from within and then look outside.

Karen Richards: I might try or not. As I said, I pride myself in attempting to steal people from the private sector and from other Prosecutors' Offices. I don't know that these will be promotions. These are folks that I am kind of looking at from outside.

Kenny Fries: I have just one question. Do we know the balance in the Infraction Deferral Program?

Karen Richards: At this very moment, I would say it is close to \$600,000.

Kenny Fries: That is down quite a bit then.

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Tom Harris: I would ask, and you don't have to do it right now but can you submit a ranking of some kind?

Karen Richards: I can give it to you right now. I think it is mostly heavy on the Attorneys. If I had to choose, I would take one new Prosecutor at \$60,000 and one at \$85,000, one Investigator, one Caseload Supervisor, moving the three Deputies into the General Fund and getting the money to pay for the promotion of our five employees. That is bare bones of what I need. To answer Councilman Spurr now, yes I will probably be back next year.

Joel Benz: Okay, thank you. I think we will move on now to the Cooperative Extension Office. We are going to do this one and then we will break.

James Wolff: I am the County Extension Director and Ag Educator for the Purdue Extension Office. I am joined by one of our volunteers, Don Wiese. Basically we are requesting an additional \$2,726 and what it breaks down to is mostly our utility costs which have been going up and also a couple of other things associated with general office things such as postage and the maintenance agreement and supplying computers to all of the staff. I try to take some reductions where I could such as mileage or travel because Purdue is cutting back on our travel. We still have some anticipated needs with travel for next year depending on things being better with COVID. I had Nick hand out a sheet on an update of some programs that we have done where we have partnered with some other organizations and it also highlighted some things that we have implemented and you had asked for in the past. I know we generally come with small amounts and our budget is generally pretty small. We come with small requests for increases. In the past you have asked us to look at things such as grant funding, charging for services and programs and trying to find donations. We are trying to get grants and are partnering with many groups in the community. Getting grants that are benefitting a lot of our community members and we are charging for services and those charges are set at an industry standard. They are not really things that we can adjust too much and still maintain those services. All of our programs are fully self-funded through program fees. What we come to you for is things such as the three employees that we have that are County employees, the contractual services with Purdue and the utility type items.

Chris Spurr: This really doesn't have anything to do with the \$2,726 request but can you tell me whether or not the Johnny May Farm is entirely funded from a grant?

James Wolff: Yes, all of the funding comes from a grant and that is a partnership we have with the City. It is a Federal grant that the City has. I will step back just a bit, I think the benefits portion of that program actually comes from a Purdue fund but are not funds from our office or the County.

Chris Spurr: What is the duration of that grant and is it renewed annually?

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James Wolff: The duration of the current grant is December 31, 2021. After that it is generally up for renewal and as long as they can prove that work still needs to be done and show the success of the project, most of the grants get renewed continually.

Chris Spurr: Okay that was my question. Is it a sustainable operation?

James Wolff: Yes. The goal is that it will be made sustainable and we are looking at other partnerships within the community to help fund things. We know that we are going to need to replace the high tunnel and greenhouse there. We are working with other organizations and other grants. In working with the City, the goal is that it is sustainable outside of coming to you to you guys for funding of those positions.

Chris Spurr: You don't anticipate coming before Council to fund that position.

James Wolff: No.

Tom Harris: First off, congratulations on your new appointment. This is your first budget season in that role?

James Wolff: Yes. I think Vickie submitted the budget last year right before she retired.

Tom Harris: I cannot let this opportunity pass by without asking about the President of Purdue University, has he charged you more or less or given you more or less than where you were a year ago. Where do you stand coming from Purdue University?

James Wolff: They basically told us to look at cutting budgets and trying to reduce expenses. We, as Extension Educators, are not getting any increases in pay this year. I guess that is less funding to expect from them.

Tom Harris: Who is determining that?

James Wolff: That is coming from Purdue University. I believe it is coming from Mitch Daniels, as far as the increases. The contractual funding is remaining flat from your side of things. Do the programs and everything all comes just from charging the program fees.

Tom Harris: The challenge, we have talked for about ten years and every year Purdue continues to come back and tells them they are going to give less and they need to get more from their local community. That is my words and not yours. The challenge is that this is not going to change. All anticipation is Purdue is going to continue to cut back and the Extension Centers around the State of Indiana are going to have to come to local communities and ask for more and more money. I challenge you and the organization to say why the citizens should continue to pay more for that when Purdue says they are not going to pay more for that. They are just passing that expense back to local taxpayers. You need to figure out how to get more funding. Fees justify your existence. If people are not going to pay for it they are saying they don't want that service. If they want that service, they will pay a little bit more for it. There are also ways to go after grants and I

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am sure there are organizations and companies that would be willing to sponsor more of your programming. That \$2,726 is pretty miniscule compared to the \$8 million that the Coliseum needs. I challenge you to not be here next year asking for something like that.

Chris Spurr: I will say, Councilman Harris, in their defense I have been part of this program and it is great as far as the level of education. That was my concerns and that is why I asked the questions that I did. My concern is that the financial difficulties coming in the future, I would hate to see them have to ask for funding for this position.

Tom Harris: Final clarity on that is that it is not necessarily picking on the Extension Center but the fact that their major source of revenue continues to say that they don't need to continue to fund them and it is landing on the backs of taxpayers.

James Wolff: To go with that we are trying to get grants, we are charging for programs and cover all of that. The challenge with getting grants and some of the other funding options is that it doesn't give us the option to cover utilities. That is really what we are here for today. We don't come to this group to fund the programs because we have those funded through grants and program fees. It is hard to say that we have to charge more for the program fees because we can't pay the electric bill this month. We have cut back so many years and have tried to keep a very lean budget. We are really at the point where utilities are increasing and we don't have the funds to try to cover those anymore.

Sheila Curry-Campbell: I just wanted to say that Johnny May Farm is something that more people need to know about. How do we do that marketing with the location of where it is at? How do we get people more engaged? I understand we are in the middle of COVID and I know you are here about some other loose dollars. I have empathy and compassion and I know that is not how we operate here. I want to commend you and your team for what you are doing in my hood as far as Johnny May Farm. I try to support it on a regular basis and I hope more folks hearing about it. I don't know what kind of marketing but how can you go beyond Facebook and beyond that to let folks know how close these fresh fruits and vegetables are. I know you do some things with WIC and SNAP but we have to remember where Johnny May is located. It's not on Dupont. The people that you are serving, you are making an impact. How can we support you as County Council to make sure you have all the tools you need to be successful keeping the lights on and the water or whatever. I think we need to go beyond. I understand we are talking about Purdue and Mitch Daniels and I understand all of that. I don't really care about that part. I care about how we keep the lights on and keep you doing what you are doing on the south side of Fort Wayne and in my hood. Thank you for what you are doing.

Joel Benz: Thank you gentlemen. What do you guys want to do? Do you want to take five or a lunch break?

Sheila Curry-Campbell: Another day is what I would like.

Kenny Fries: I would do five minutes.

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Joel Benz: Okay, five minutes. Let's do it.

BREAK

Joel Benz: We will try to move through a little bit of this. Go ahead and introduce yourself. The Commissioners withdrew their item on the agenda.

Charity Murphy: Charity Murphy, Director of Human Resources.

Tracy Mitchener: Tracy Mitchener, Assistant Director of Human Resources.

Charity Murphy: My budget request had two sections. I had a request for an increase in the regular budget portion which I am going to go through first. The second column was a budget addendum that I made for a training program. You can see the numbers that would go into the correlating budget lines or line items within the budget if the program were to be approved. I don't need extra supplies and all of that if the program isn't approved. For my regular budget, we historically have been given \$40,000 and I am asking that to be increased to \$60,000. We have had a \$40,000 budget for training for as long as I have been here in 2013. With that amount of money some obstacles that we run into because we are not able to offer the training so as many employees as often would like to attend them. We have to limit the number of sessions. We work very hard to find free training and get subject matter experts. We did FMLA and ADA Lead training and are doing Work Comp this month. We do Documentation and Discipline, Financial training and many more. We get some of our outside partners. We use EAP and Weber and Associates for the employees' assistance program. Do lunch and learns on many different topics. Fifth Third comes in and does financial education training. We try to get as many free as we can but we do have to pay for many trainings. Historically they have been \$3,000 to \$5,000 for a three-hour session and would get somewhere between twenty and forty employees. It is really costly if you wanted to be able to offer it to all employees. We often have to turn some away. That is the reason for that request. The reason they are separated out from the other part is because last year I made a request for training money as part of strategic planning and it was denied. I didn't get any increase in my County training budget. We really need it regardless of what happens with the training program. Going on to the addendum, as I mentioned this morning, as part of strategic planning one of the identified priorities was high performing and equip employees at every level. There was a goal created under that to develop and maintain a Leadership Supervisor Manager training program that was set by all Leaders during the retreat. Champions were set for this goal which is HR, Commissioners and Council and a subcommittee to form the curriculum. We took a lot of time researching other programs, talking to outside companies, private and other government agencies to see what types of programs they offered. We talked to Department Heads and Elected Officials to find out what they wanted and what were crucial programs that they wanted. We surveyed employees to see what they wanted. Within the group we proposed different options. We could use an in-house trainer and have that person develop it. We don't currently have that position so we would need it or we could outsource all of it. When we looked at the analysis, it was much cheaper to have an in-house trainer. Also we would be able to

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expand the different types of training and that list would grow. The financial benefits of a training program often help reduce turnover and assist in retention of employees. As we know, turnover has been estimated to be up to half of an annual salary for an employee. It has the ability to decrease operating cost by creating more efficiency within departments and eliminating wasteful spending. We often have a hard time finding qualified candidates. It doesn't mean that they aren't a great candidate or good worker but that they don't hold all of the requirements. We often have to bring in someone to do a lot of training to get them up to speed. We would be able to do a lot of those ourselves instead of outside expensive training. Succession planning, again we want to keep our good employees here and there are a lot of positions where there is no continual step up.

Joel Benz: Charity, I don't think you need to go through the whole thing in depth. I know it is important but I think we have an understanding of all that sort of stuff. If you want to talk about anything else you have in there...

Charity Murphy: If you are looking at the actual budget, initially what was submitted was a Contractual request of \$45,000. That was for an E-learning system. I removed that from my request. We should be able to get an E-learning system right now before the end of 2020 that will go for a year through CARES money. At that time I will evaluate if we need to renew it. I also took out \$20,000 from the County Training. The total request is \$96,417 and the additional \$20,000 for County Training for a total of \$116,417. Part of this request would also include a new position of Professional Development Manager at PAT 5 at \$56,896. Most of that is for the position which is very crucial and allows us to keep cost down for the training. We had two individuals score the position and they came up with the same score. It was brought to Personnel Committee and passed 2-0-1.

Chris Spurr: Charity, regarding the \$45,000, it is my understanding from previous conversation that the reason for that is because we are not there yet and don't even need it.

Joel Benz: She is going to request that out of the CARES Act.

Chris Spurr: Right but we are not there yet in the development...

Charity Murphy: It's fair enough that we still have to develop the program and we probably won't get through it because of COVID.

Tracy Mitchener: Some of the classes are only a one-time class too. Think of that also as you are looking at the budget because that is not something that we will need the following year.

Tom Harris: How is that PAT 5 position that you are talking about? How does that compare to the other positions in HR?

Charity Murphy: We have two other PAT level positions, Compensation Specialist/Generalist and our Recruiter/Generalist.

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Tom Harris: What is their rank?

Tracy Mitchener: And Risk Manager.

Tom Harris: What are the PAT levels on those?

Charity Murphy: They are all PAT 5. We have a Benefits Manager who is PAT 6. Tracy is PAT 7. There is an HR Associate at PAT 4.

Tom Harris: So this would be the same level as all of the other ones.

Charity Murphy: Basically yes.

Chris Spurr: In the future, moving forward, you don't anticipate this moving up or a reclassification or anything.

Charity Murphy: No but I am very hopeful that we will be able to get someone with the needed qualifications.

Tom Harris: Would that be your HR Associate or anybody internally within the County?

Charity Murphy: I don't know. I have not asked interest level.

Tom Harris: Okay.

Tracy Mitchener: We always post our positions internally and this one will be posted internally and externally.

Chris Spurr: How much experience are you looking for? What are you looking for? Corporate Trainer is what you are looking for but like five years or eight years? What are you looking for?

Charity Murphy: We have Bachelor's Degree with three to five years of experience.

Tom Harris: I asked the question earlier of the Prosecutor and I will ask you as well. If you had to rank all of these different requests, is this all or nothing or are you looking at getting something? What would your first request be?

Charity Murphy: I absolutely have to have the position to start the program. Then I need some additional money for the position and we would need to house them somewhere. We have had talks with the City about reconfiguring the office.

Tom Harris: What is the first training topic out of the hat? What would they go after first?

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Sheila Curry-Campbell: Yes, what is the first training?

Charity Murphy: I don't know but the day-one training for Leadership Development is Fostering a Culture of Continuous Improvement. Diversity and Ethics is all on day one of that training.

Joel Benz: Nick, I need you to clarify something for me. When I did the calculation here, I got \$116,417 that it would be reduced to and I saw it on the notebook at \$118,117.

Nick Jordan: Yes, \$118,117.

Joel Benz: You're sure.

Nick Jordan: Yep. Here is where I am getting the figures.

Joel Benz: I don't doubt your math. I am just making sure. You are the Auditor for a reason. Council, are there any other questions for the HR Department? Thank you for your presentation. Next is Homeland Security.

Bernie Beier: Bernie Beier, Director of Homeland Security in Allen County. I am here this afternoon asking for an additional \$9,000 specifically down in the 400 Series. It is primarily for electronic equipment and computer equipment and miscellaneous equipment. As the office shifts to more virtual, more ad hoc, more emergent type responses screens and technology and those types of things are not 200 Series but are 400 Series. Even when we pick up a screen through a grant or something, we find out quickly that we need a \$600 iPad-type controller or computer accessory to turn the thing on to make it work. Having money already appropriated in the 400 budget gives us the flexibility and adaptability to act. Not necessarily quickly. It is not an emergency. I don't need to act in 20 minutes but waiting 30 to 60 days or for the next Council meeting doesn't work in that circumstance especially now due to the COVID crisis. It is not about COVID but we are learning we are more reliant on distant communication or telework and whether it is Monroeville or within County offices. This is happening quickly right now and I anticipate those kinds of changes happening more in 2021 as well. We are working with a surface or tablet on the side of the road looking at GIS and camera images and drone footage and bringing those to bear at a particular place in time to make decisions. That is what it is really about. We know what we need and it is changing today, tomorrow and probably the next eighteen months. I know it is different but having the flexibility to have that limited amount of funds in the 400 Series to quickly go and buy a connecting piece to make it work to solve the challenge and get through the civil unrest or whatever we are working on that weekend is what I am really asking for. It is divergent to how Council has looked at the 400 Series before where we ask for a vehicle or copier later that is a different type of 400. These are little 400 things that come up and come up more frequently and I just think our office needs to have appropriated dollars waiting so when that quick-ask comes up we would be able to act on it and take care of the problem. I would be short to mention that it is not always technology. We are running the COVID center with the Health Department or vaccinations are coming. Goofy little

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things come up and the State provides all of the doctors and nurses but we need to provide fifteen folding chairs. That is capital budget. If it is not in the budget, we are scratching our heads on how to get chairs to the testing site. Having dollars in the 400 Series solves those problems for me and allows us to quickly act.

Joel Benz: Thank you, Bernie. This is kind of a big number for hundred dollar items here and there. With \$9,000 over three years is \$27,000. That is a lot of electronic equipment that you are refreshing.

Bernie Beier: It is so by example it is for COVID. It is not a fair example but using CARES money and the Hazardous Waste Tax Fund to be reimbursed with CARES, we have spent \$11,000 this year already on technology. Some of them were big screens that go to certain rooms. We won't have that repeat. Out of \$11,000 it was \$8,000 for big screens. It will be smaller things like needing a third laptop as we start to work in New Haven and Monroeville. We added a drone to the inventory later this year and we don't know what we don't know as we partner with the City Police Department on all of the software to make it work. They are providing that at their cost. We are a single office and it is easy for them to absorb the cost. I should point out that we are partnering a lot with the City, primarily the Police Department, and other County Departments as well. We are not the only ones who have drones. We strategically look at how we fund that piece of it, who is providing the software and the GIS footage. We are trying to be smart about who pays for what. We don't want to come to partnerships with two empty pockets and say I am here to help but will you pay for it all. I don't anticipate a full \$9,000 being used as long as we don't have to buy a big screen but I don't know what I don't know in 2021. I don't know if Congress is going to extend the CARES Act and allow some of those funds to be used after December 31st and then all of this would be moot. I want to put us in a position to still be able to act. Reasonably, I don't anticipate needing to use all of that \$9,000 but my job is to be prepared for unknown contingencies.

Tom Harris: Are we in good shape on sirens?

Bernie Beier: We are not in good shape at all on sirens.

Tom Harris: I thought we spent some money a few years ago to get those upgraded.

Bernie Beier: Council did, mostly through the Commissioners, and what was funded was to upgrade the receivers because we narrow banded them. The FCC required local public safety to narrow band their VHF frequency to a smaller area. That necessitated \$90,000 to be spent to narrow band those VHF receivers on top of all of the siren poles. That is coming again. The FCC is going to require further narrow banding and it is beyond sirens. It is County Fire and everything else that is left on VHF and in a couple of years that is going away and is going to be narrow banded so tight that the cost is going to be incurred to keep that old technology afloat. It is going to be more expensive than just moving it to 800. That is why we commissioned the siren study last year to really look at technology and where we are going to be to put the fiscal bodies in the position to start making decisions about financial impacts on that narrow banding and it is not just the

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sirens. The old mechanical sirens that may or may not be working are one part of it but what we spent was just to keep the signals going to the towers today. There is no date yet but we know the FCC is going to mandate additional narrow banding within two to five years. When they do that it will shut those off again. We will have to spend another \$90,000 or \$120,000 on old technology to keep them running to where sometime the fiscal bodies in Allen County are going to have to look at technology and be smart about how we share cost and decision making on how do we keep those sirens going, do we need the darn things and how effective are they. That is what a lot of the study was intended to do.

Joel Benz: That is not what we are dealing with today. I know there are some unfunded stuff out there.

Bernie Beier: That is in the future on capital funding. That is my job to plan for the next emergency and the unexpected.

Sheila Curry-Campbell: I have one question. Can you email me the results of that study?

Bernie Beier: I can and frankly the Commissioners and the Mayor jointly funded it and they have not had the presentation. Purdue was behind it and then COVID came about. It was released to us in March but the two funders haven't had the presentation. That is the only reason I have held it back.

Sheila Curry-Campbell: Okay.

Bernie Beier: I am happy to share that. The intent is to share it with this body and the other fiscal body so that you would have two or three years to talk about what kinds of expenses you might have in the future.

Sheila Curry-Campbell: Thank you.

Chris Spurr: I am assuming what you are saying is like in aviation and the ADSB, there is not going back the other way. It is just going to move forward and all of this is going to be outdated.

Bernie Beier: It is already outdated. It is just going to be more expensive to keep updating equipment. To your point, it is not for this meeting. I would be happy to come back to a different session as soon as you want me to just to talk about that one issue, the complexity of what we have looked at and the other things it touches. Coming to you and asking for money is the wrong answer. I think there is another way to move forward with our outdoor warning system and it is not you.

Joel Benz: Thank you. Environmental Management is next.

Tom Fox: Tom Fox, Director of Allen County Environmental Management.

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Matt Jarrett: Matt Jarrett, Storm Water Quality Program Manager working within the Allen County Surveyor's Office.

Tom Fox: We are here to ask for an additional \$6,075 for the Water Quality Education budget which is a \$30,000 General Fund budget established in the Department of Environmental Management a couple of years ago. That basically funds the position of Water Quality Education Specialist and the supplies and activities that she undertakes in carrying out the County's MS4 Storm Water Quality Management Plan that is mandated by IDEM and EPA. The position was funded at \$30,000 two years ago and has remained at that for these two years and we are just asking for a modest increase to allow a three percent increase for the Specialist and an increase for expenses for supplies and seminars for the Specialist to attend. Matt is here to give much more information about the position and the activities. I don't know how much time or interest you have in learning about water quality but we are here to provide any information that you need.

Joel Benz: Do you have any questions about his budget?

Tom Harris: This is specifically for a rate increase? What is your overall need there? You mentioned an increase in pay.

Tom Fox: Right now with the compensation, it is a part-time position and so it is hourly. The compensation and FICA cost is \$26,910. We are looking to increase that by three percent which would take it to \$26,675. The biggest increase is in supplies. We are asking to go from \$1,000 to \$5,000. This is the cost for printing materials and productions. For example, she had activity books printed for some of the school presentations. She had 1,000 printed at 53 cents each and it took over half of her budget for supplies. By increasing that it will allow us to get more materials and increase her activity as it ramps up. They have actually been curtailed this year because of the Corona Virus.

Tom Harris: One of the challenges we have hit with other departments especially if the numbers are smaller is could you not have found that savings anywhere else?

Tom Fox: This is the entire budget. My budget is not a General Fund budget.

Tom Harris: Because it is the other budget that is why you can't help it out.

Sheila Curry Campbell: That position is filled? Someone is in that position?

Tom Fox: Correct.

Sheila Curry Campbell: Is that the young lady that came from Chicago or somewhere? Am I confused?

Tom Fox: She came from Ohio.

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Sheila Curry Campbell: Ohio?

Tom Fox: Miami and Cincinnati.

Sheila Curry Campbell: I want to think I met her. I knew she came from somewhere.

Tom Fox: I think you probably talking of our Educator for ACDEM on the solid waste side. She was from Chicago. She has since left and we have a new person in that position.

Sheila Curry Campbell: Oh, she is no longer there. Okay. Environment is my wheelhouse. Thank you.

Tom Harris: Without the \$5,000, what would you do? Your service still happens.

Tom Fox: We have to. It is mandated by MS4 requirements.

Matt Jarrett: Without the \$5,000, we run the risk of not being in compliance with the Federal and State mandates.

Tom Harris: Because why? Is it because you are not sending stuff out or making copies?

Matt Jarrett: Well, the first step that we had to take was back in 2005 we had to come up with a Storm Water Management Plan. We had that drafted with the help of a consultant so we could be on even keel with other MS4's across the State. We have revised that a couple of times since then but that management plan outlines exactly what we are going to commit to doing for public education and public involvement in order to satisfy those requirements. We draft that plan and turn it into IDEM and EPA. They approve it as being able to meet the compliance standards and then we have to go in and do what we say we are going to do in that plan. In that plan we committed to doing things like public service announcements, Storm Water Activity Books, Facebook with educational information, our website, go out to the local schools and we do presentations. We are required to do presentations at two schools in outlying areas.

Tom Harris: Are these new expenses or are they simply costing more each year? Is this something new that is coming to the County? Have the demands increased and therefore you need more money to continue that?

Matt Jarrett: We used to have this position as a full-time Educator prior to 2018. That Educator position was in the Storm Water Conservation District at a budget of \$70,000. Now we are in the Allen County Environmental Management as a part-time position and a budget of \$30,000. We only have \$1,000 allocated to supplies. When she goes and prints off activity books and some brochures, she is wiped out for the whole year. That doesn't give her any money to pay for booth expenses, providing any type of materials, summer programs, videos, PSA's and those types of things that we have committed to IDEM to do to satisfy the compliance.

Tom Harris: Thank you.

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Kyle Kerley: Are there any other questions?

Kenny Fries: I have one. If she printed 1,000 books, how many did she hand out?

Matt Jarrett: She handed out 1,000 this year, on a down year with COVID. That was \$500 there.

Kenny Fries: I assume if she gets more printed up it is going to be cheaper than 53 cents each if you have 5,000 printed.

Tom Harris: Correct but it would also enable us to do different levels. The activity books are directed at certain age groups and that would enable us to direct them to different groups.

Kenny Fries: I was going to ask because I haven't seen anything.

Tom Fox: The position is part-time and she is getting her footing and getting to expand it. We have hit a brick wall this year because of what has been going on. Hopefully that will change next year and we are working to have different avenues of communication such as social media and websites and podcasts and those kinds of things.

Kyle Kerley: Thank you.

Sheila Curry Campbell: Do we have the Coliseum or am I confused?

Nick Jordan: I told the Coliseum to come around 1:00. Community Corrections is next.

Tom Harris: Congratulations on the biggest request on the appeals.

Kim Churchward: I can't thank you enough for having me go after Tom Fox with the \$6,075 request. Kim Churchward, Director of Community Corrections.

Bob McArdle: Bob McArdle, Senior Finance Manager for Community Corrections.

Kim Churchward: Understanding and out of deference to your schedule, I provided as Nick indicated a few handouts as reference materials for our conversations. I am also going to make four simple points. I understand that this is a very large \$4.1 million ask but I also understand you all were anticipating it and so you are not shocked by it. I just want to make a couple of additional points for you to consider. As you know and we discussed the full program analysis, this is anticipated to fund the program at full capacity and full staff for a full calendar year in 2021. Your packet contains the excerpt from the full analysis report that talks about the anticipation of this fund amount. I think it is important that you understand our somewhat unique or very unique and somewhat complicated budget process. Again, in your packet, I have given you the DOC timeline and their budget timeline for calendar 2021. We were required by the State to submit our

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budget on July 17th and we did that. In fact, we submitted the exact same budget to the State that we have submitted to you. We were required to give our budget as well as all of the materials they requested and that was turned in on the 17th of July. We anticipate the State award to be announced on October first pursuant to their published timeline. On 8/14 we provided to you in the County budget timeline, our submission and once we receive the award from the State, we will be back in front of you. If we don't get that in the first few days in October, I suspect we will miss your cutoff meaning that we would be back in front of you in November talking about the award and not just this budget but our full agency budget. In your packet is the letter from the DOC Commissioner and I know you have all seen it before but I think it is relevant today. The letter outlines the DOC's interest and support in this new program in Allen County. It also outlines the steps that we were to take to seek 2020 funding for the program. Like most everyone else that has come before you today, I will tell you COVID happened and the State's fiscal period ended at the end of June. While we have been directed then to submit the same request and the same information in our 2021 budget request and we did that on the 17th of July. I wanted to give you a status of the program. While we are here today, I know we have had a lot of interest about where we are. We received funding on May 21st for six or seven months of personnel expense and only five months of operating expense. In June, as promised, we began recruiting and hiring process. In July we launched a five-week training academy for all of the new staff that was onboard. That ended on August 21st. On August 25th, we began welcoming our new participants. As of today, we have 32 participants residing in the program. There are an additional eight pending placement yet this week. We have 23 that are ordered by the Courts for screening in a normal course and in addition to that the Superior Court has given us a list of 72 individuals that are currently serving sentences of largely level six in the Allen County Jail that they have asked us to screen for possible modification and placement at the residential facility. You see in your packet a couple of graphs. We are tracking our intakes in the new program and tracking the census at the Jail. As we had all hoped and anticipated, you see our census going up and you see the Jail census coming down. I point that out only because it was something that we had hoped to see and certainly we see our role here in supporting the Sheriff and the Courts in trying to accomplish that. In May we talked about a lot of milestones. What did we anticipate with this new program? We had hoped to reach half capacity by the end of 2020. If we stay on the pace we are on right now we will reach that in the first or second week of November. I can tell you that we had hoped to have a little slower ramp up candidly. We are working hard to try to support the Courts and their needs right now. Certainly we are on track to meet half capacity by the end of December then that carries us to our anticipation of continuing into 2021 and reaching full capacity in some point in 2021. I believe I touched on everything that was provided to you today and so with that we are happy to answer any questions.

Tom Harris: I have a couple. The request of \$4 million represents not only what you would have been requesting previously but is that just for the Work Release Program and facility?

Kim Churchward: The \$4.1 million is exclusively the residential program.

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Tom Harris: Nick, can you recall, how much were we paying previously for that program? Or do we know how much the Sheriff was going to be requesting? We wouldn't have had that yet, right?

Nick Jordan: No, we wouldn't have had it and I don't know if we could accurately say what we were previously paying under Title 11. The budget was around \$1.6 million but that was for less than 100 people and I also don't know if the Sheriff potentially covered any other costs in the Sheriff's Department and/or Confinement budget. With the way that we do their budgets, as I mentioned last meeting, we were transferring Work Release and they could transfer money within their budgets. Potentially they would have been paying expenses for Work Release out of Confinement or the Sheriff's budget. I don't have an accurate picture except for the \$1.6 million that used to be budgeted.

Tom Harris: The chances of the State coming through with what we were anticipating, thoughts on that.

Kim Churchward: All verbal conversations that I've had with the Executives is that they remain interested and supportive and they are getting routine reports on the intakes and the launch and how it is going. Like everyone else, we will receive our award on or about October first. Nothing negative has been said. There certainly has not been any retraction from the letter of intent. Just the State has experienced some of the same challenges that everyone else did.

Tom Harris: How close are our State Representatives and Senators to this program? Should the State kind of not move toward additional funding for this additional expense that we are taking on in Allen County? Is this something that our State Reps or Senators could assist in to get that message across?

Kim Churchward: It is interesting that you make that point. I am attending a Legislative Luncheon on the 22nd, next week, with the northern district Legislators to talk about these things.

Joel Benz: I have one question for you. You are going to get an award but we don't know the number. If we reduce the budget request that you are asking for by an amount that we estimate maybe we would get from the State, would that be detrimental to you. Let's say they don't give you anything then you would come back later in the year and say that you have to finish funding. My fear is that if we fully fund you they will say Allen County can support it and so we don't need to give them anything. Any comment at all on that?

Kim Churchward: I am not sure I am hearing your exact question. Can you ask it again?

Joel Benz: My intent is to reduce the \$4 million. I would say \$3 million and they would come in with the additional \$1 million, potentially. Would that hamper you in any way upfront?

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Kim Churchward: I would hope that we would have all of these things resolved between now and when I am back in front of you in November for final appropriation. Would it hamper us? The majority of our funding is tied to the humans that we are supervising. If we don't have the full amount, we may not be able to open the other pods, for example.

Joel Benz: I would say come back again if the State doesn't come through with the full amount of funding that you need.

Kim Churchward: Sure.

Bob Armstrong: Of the employees that you have hired, did you retain or keep any of the Work Release employees?

Kim Churchward: Almost all of them. They have been a great asset for us.

Kyle Kerley: Does the \$4.1 million include any anticipated revenue from the participants in the program?

Kim Churchward: We have our PI budget which you haven't seen yet but you will when we come back for all of our appropriations. We have taken it to almost \$3 million anticipating collections from the facility as well. It is kind of a shot in the dark. We are anticipating based on our current collections and current client base. Yes, we have absolutely budgeted anticipating fees to come in. Ask me that question next September and I will have a lot of data for you.

Kyle Kerley: What are you estimating and what are you targeting for the fees?

Kim Churchward: The daily fees are \$18 a day and we typically run a 65% to 67% collection rate with our client base. We are hoping and assuming that will be the same.

Sheila Curry Campbell: Just one question. I know we are trying to get out of here early and are limited to our questions. I know you guys have been doing awesome work trying to fill the positions and trying to work with the Courts to get the right people in the program. My question is about the grant and I know you have given us a deadline. Will your budget include a grant writer specifically or will you continue to do that task with your team. I am just asking because I think we have to depend a lot on some other way of taking care of your building.

Kim Churchward: One of the things about our agency that is unique is that we have a pretty dynamic and continuous quality improvement grant but because we are largely funded through the State, there is a tremendous amount of work and requirements that go with that money. We have that staff existing and they are absorbing the responsibility for the additional program. We talked a little bit in May about all of the different things that my agency would simply be absorbing and that is certainly one of those things.

Sheila Curry Campbell: Awesome. Thank you.

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Bob Armstrong: Has there been any movement from the Commissioners on finding you a building for Superior and Harrison?

Kim Churchward: There have been some movement conversations about a property. There certainly have not had any final decisions made. That is more movement than we had in the last couple of years.

Chris Spurr: Just real quick. If they rescind the proposal and the grant doesn't come through, do you anticipate coming back and asking for more? Or is your \$4 million an entire scope?

Kim Churchward: It is the entire scope. We asked the State for \$4.1 million. There is nothing in addition to that unless we would have unanticipated expenses that we didn't know were coming. We have certainly done our due diligence to estimate what we have.

Joel Benz: All right. Thank you. CCP would be the last item on our agenda.

Nick Jordan: I will handle the CCP. The Coliseum is here.

Randy Brown: Good afternoon everyone. Randy Brown, General Manager of the Coliseum. We are so grateful for the support of this body and your support of the Coliseum. I am happy to tell you a little good news. The NCAA made an announcement yesterday that men's and women's basketball will be starting on November 25th. I am going to view that as a real positive sign that we are definitely a step closer to reopening arena business as usual, whatever that means. Hockey is scheduled to start on December 5th. We are not sure when the Mad Ants will start. They follow the NBA and there is talk that it could be January or March. Next week we have two concerts in the parking lot. We are doing events. The reason we are here today, and we don't normally come before you for our budget is because in addition to our normal budget that we have submitted for our earned revenues, we were encouraged to do the same thing to the County General just in case social distancing continues and we don't have the ability to self-support. It is our intent and effort and our pledge that we will do everything we can to get back to the way we have operated for 60 years. CJ is our numbers guy. I am not really sure what your format is but would be happy to answer any questions or see how you would like us to start.

Tom Harris: Maybe an update. You have kind of given us a little bit but are you feeling more optimistic than you were the last time we spoke in terms of the revenue and getting people in the building next year?

Joel Benz: In the \$8 million that has kind of been batted around here is posted as your worst case scenario.

Randy Brown: That is if we don't earn one dollar of income. Just to give you an update on where we are with cancellations and the attendance impact so far, this is as of last

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Friday. Our cancellations, postponements and rescheduling that are not going to happen in 2020 are up over 250 events. The impact on attendance is 626,175 people. I am frustrated by that but am hopeful that the daily COVID infections are going down and all of the things that Mindy has told you. We were the first to close and will probably be the last to open. Our book of business confirmed contracted events for 2021 is very good.

Tom Harris: I have been watching some of those restaurants around you starting to drop and the sooner you get back up and your industry, maybe we can save some of those restaurants.

Randy Brown: One of our purveyors has told me that 50% of their customers are cash on delivery. I think there is a lot of pain out there. There is a tournament that is a wrestling tournament that we are working on for as late as October. It is a national tournament much like the Roller Hockey event that was displaced from Michigan. There are a number of events that are displaced and we have a great relationship with the Board of Health and if we can find a way to do it safely, we are competing with another market to attract that business here but July or August was a pretty good time period or more June and July for the hotels, nowhere near normal but August is slower now and September and October is looking to be a little slower according to Rob Evans, General Manager of the Holiday Inn across from the Coliseum. Anything we can do to bring people to town, our economic impact is usually in the \$110 million range yearly. Year-to-date at the close of August, we were at \$40 million. We are off about \$38 million in economic impact. That is the direct impact on restaurants and hotels and shopping and all of those things. When we are doing well, other businesses are doing well. Clearly when we are struggling, so are they. CJ, take it away.

CJ Steigmeyer: The report that you have in front of you, look at the bottom half of that the \$3,574,854 was what we presented in May when we were requesting the funds. Currently, if you look at the top, those show all of the actual months through July. We have not finalized August just yet. Through July, we are approximately \$157,000 to \$158,000 to the good from what we had presented before. Our expenses/additional revenue less expenses is higher than what we had originally estimated. We are trending in a good way and we are continually monitoring every expense that we pass through before we incur it. We are assessing everything and asking if this is something that we have to do. We are trying to make the impact on the General Fund as little as possible.

Randy Brown: The surprising thing with that is the number of cancellations and postponements than we expected back when we appeared before you last. I think it is a good sign of how we are controlling the budget and expenditures. We fully anticipate continuing to do that. We unfortunately don't have a lot on the books yet. We have wedding receptions and parking lot events and a lot of non-traditional Sports Car Club events in the parking lot and roller skating events in the parking lot. Plus we are doing a lot to work with other County departments. As you probably know, we have the Election Board as our guest for about three months. We hosted Nick and the Auditor's Office for the Property Tax Sale and we are working hand in hand with the Board of Health. You have been so gracious to us that we are passing that on.

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Kyle Kerley: I think I saw Zack coming in the back door but I know that Randy and I have talked at length along with Representative Dave Heine about working on some legislation that may assist you should our friends at the State be inclined to pass it. Could you or maybe Zach talk on that a little bit and how that may help the taxpayers and help this number?

Randy Brown: I am happy to tell you and Zack can fill in the gaps here but we are making progress on that front. We have a capital source called the Professional Sports and Convention Development Area, PSCDA, and right now that generates \$2.6 million a year for the Coliseum, \$400,000 for the Grand Wayne Center for a cap of \$3 million. There is a geographic area that is already established and includes the Coliseum grounds, the Grand Wayne and Purdue Fort Wayne. We have not fully realized all of the dollars that we could realize from the geographic area. We have two proposals that we are working. One is to increase the cap beyond \$3 million so that ideally the Coliseum picks up an additional million dollars for capital and the Grand Wayne picks up an additional million dollars for capital. Again that is not a tax increase. It is just lifting that cap. The most important part of this is our request of up to 40% of the funds could be used for operations. That will hopefully prevent us needing to come back to you again. Zack, do you want to fill in the gaps?

Zackery Sand: As he mentioned the 40% for operational expenses would be huge. That would give us about \$1.4 million just for Allen County Coliseum. There is still a gap there but I think it is a great conversation starting. Over the past two weeks I have been meeting with several Legislators and their phrase is that they are willing to have the conversation and entertain the idea of it. It will be followed by Rep Heine in the House. I will keep you updated as that occurs. The Legislative Session starts in January and that is officially when our session will start. It could be delayed a little bit so we will wait and see. The 40% mirrored what Indianapolis is allowed to use because of Lucas Oil and that was even before COVID. I think it is really good to make the argument that we have a need for it up here.

Randy Brown: The million dollars will help us because we are underfunded on our capital. In 2025, we are targeted to replace the ice floor for continuing hockey and Disney on Ice events like that. That would go a long way for us to be prepared for that major capital project when it comes up.

Tom Harris: One of the thoughts that we had and Nick correct me if I am wrong here but we could take a look at breaking that initial request up into a smaller request so that you are back to us on a quarterly basis next year. What we can do is through our Rainy Day Fund is recognize that we have to hold some back in order to possibly, worst case scenario, but we wouldn't approve any of that upfront.

Nick Jordan: You can definitely do that and the way the Coliseum has structured their budget is they double budgeted. They budgeted in the General Fund and also in the Coliseum Operational Fund. Whether you hold some of it back or you say Coliseum

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revenue would be the first dollar out before you tap into the General Fund. They have definitely double budgeted so that either route is there.

Tom Harris: I can't speak for everybody but from my perspective we are here for you and I think everyone feels that way. We may do it in chunks rather than something else.

Randy Brown: Certainly receptive to that. We are more than happy to come and give quarterly or monthly if that is what you would like. Just let us know.

CJ Steigmeyer: I just want to state from a budgeting standpoint, we go through about half of our budget through the first five months or four months. That is our busiest time. If quarterly is what you plan is then we need to figure out what that number is to be. It is not just one-fourth of the total.

Chris Spurr: So you would need a larger injection to start.

CJ Steigmeyer: To start.

Tom Harris: But that is on the basis that it all or a chunk of it comes back. You have reduced staff and you are bringing back staff based on demand.

Randy Brown: It looks like if the sports teams start like I had mentioned earlier, we will have to start bringing some staff back in October to create menus and programs for premium seating and getting ready for ice operations and all of those things. We are holding off as long as we can and if that start gets pushed back so will the return of staff.

Kyle Kerley: Are the corporations still being pretty supportive with the luxury suites and things like that? Are they still committed to purchasing those or is that something that was done before COVID?

Chris Spurr: Can those contracts be rescheduled?

Randy Brown: What we have done is put those on a hiatus period. Since they don't have the use of the suite we are thinking of it as a blackout period. They are not losing eight month's use of the suite. We are going to add time on the back end of the current contract period. We are not getting revenue right now but when we start normal operations, at that time we will realize that revenue. We are doing the same thing with signage for our corporate clients as well. And individuals that have club seats.

Chris Spurr: You don't anticipate losing any sponsors over those types of things.

Randy Brown: I won't go that far because I can tell you with some of our signage sponsors there are some on the verge of going out of business. It is possible that we have eight companies that are up for renewal on what would normally be the end of the year but that will change a little bit because of our shifting the hiatus period. So far, our

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Director of Corporate Sales who is a part-timer is having contacts with them and we are talking about renewal. So far it has been very positive.

Chris Spurr: As a percentage of the revenue, I know it is purely in a cloud estimations, what would your estimations be as far as the advertising revenue not returning?

Randy Brown: Let me say that a typical year that number is about \$250,000 I believe.

CJ Steigmeyer: I thought I had December but I don't. I think it is a little bit lower than that.

Randy Brown: Most of those are on multi-year contracts. It is not likely that they would all go away at one time. We are talking large corporate entities like Lutheran Health and we have a ten-year agreement with them. There were a number of others that were ten-years and I feel pretty good. We are going to have to work.

Chris Spurr: Those agreements will be restructured then and put on the back end.

Randy Brown: Just giving them more time.

CJ Steigmeyer: Let me also add that while the revenue is not being recognized, they paid a lot of those upfront. The way our contracts work, they pay at the beginning of the year. We have not recognized the revenue but some of that cash has been expended.

Chris Spurr: Sure. Thank you.

Randy Brown: There is one detail I would like to share and acknowledge as good work on the part of Zack. I had a chance conversation with Chris Cloud and Zack and mentioned that we had possible COVID needs to become more guest friendly. I am talking about touchless credit cards, touchless scanners with tickets and all of those things as well as our POS (point of sales) units for our concession stands. I was encouraged to put a list together and put in a request to the State. Zack took the lead in approaching the State with that and we were successful to the tune of a little over \$366,000.

Sheila Curry-Campbell: Good job, Zack.

Randy Brown: Between Chris and Zack, they have really come through for us.

Chris Spurr: Upgrading those stations then?

Randy Brown: Absolutely. Google Pay and Apple Pay and touchless and we are working on a couple of other requests for UV protection on handrails and escalators. You probably have seen them. Also, fans for much cleaner air when you are in an elevator. Some additional big grants requests are coming but if we are successful with this it will take us a long way towards being safer. We have done other filter changes but there is the next step and if we are able to get that funding it will be pretty amazing. We have over

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100 different air handling units and we are talking about negative-positive particle charge cleaning system that not only kills odors but any virus that might be transmitted. We are counting on you, Zack.

Sheila Curry-Campbell: He will make it happen.

Randy Brown: The air handling cleaning system would be over a million dollars. We are encouraged that State money is potentially available and actually comes from the Federal government. When we open, we are already making significant improvements and capital that has already been budgeted. LED lighting and the additional improvements that Zack was so helpful with and there may be some others.

Joel Benz: Thank you for being here. Nick, do you want to talk through the CCP request?

Nick Jordan: I will preface it that I don't think we should do anything at the time with the CCP request. The reason I say that for those that are unfamiliar with it is the CCP is 80% funded from the City and 20% funded from the County. We estimate as you can see here, the hold harmless amount has not been changed by the State in years. We will get the \$2.4 million. We get a supplemental distribution that is an estimate and when we get miscellaneous revenue that is an estimate. That being said, we also don't know what their cash balance will be. We have thrown in \$500,000. They are kind of like the Jail and the positions do turnover because of the nature of the job. All of that in a summary I and the City Controller's Office recommend that we push this until next year to see if they actually need the \$252,000 from the County side. The City side would be a lot more. If they do, we will address it at that point.

Sheila Curry-Campbell: Awesome. Thanks.

Nick Jordan: It doesn't mean you won't have to do it but it will be like next year.

Sheila Curry-Campbell: But it sounded good.

Kyle Kerley: We don't have to do anything, right?

Tom Harris: On that particular topic.

Nick Jordan: No. Not unless you want to.

Tom Harris: We could do that as we get ready to look at this whole list and deal with it then.

Nick Jordan: The way the interlocal says is if they have any money sitting in the CCP balance, they have to use that first. They use any reserves before we throw any more at the funding.

Joel Benz: Let's start at the top of the list here with the Sheriff's Department.

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Tom Harris: Mr. President, would it be appropriate for the Auditor to review if it is required, necessary that we not approve everything today because we will bankrupt the County.

Nick Jordan: You won't bankrupt the County.

Tom Harris: I only meant that in jest. Help us understand where we are financially.

Nick Jordan: I want to give one positive note. As I was hoping and anticipating but erring on the conservative side but the Local Income Tax distribution will be about \$1.5 million to \$2 million higher than what I have in here. That is based on eighteen months in arrears using the 12/31/2019 tax returns and we know that was a positive economic time. It still is now for the majority in this area and therefore our distribution again will be about \$1.5 million to \$2 million higher. The projected revenue exceeding allocations would actually be closer to \$8.6 million if all of the other miscellaneous revenues are met. We historically have been close but we will have an extra \$2 million from the LIT piece. We just found that out today as we were sitting here. In the General Fund financials you can see that you are sitting on \$25 million to \$30 million and so that is why I recommended if you do fund the Coliseum to whatever extent that we hope it is a one-time or two-year request that is absolutely necessary that it would come out of the cash balance and not operating. If you would fund the Coliseum out of operating, we couldn't survive.

Joel Benz: A couple of more points here. We are not able to go above these numbers because they are advertised. We are able to decrease these numbers.

Nick Jordan: I want to point out in regards to Community Corrections, one thing that you have the power in this regard is while they have asked for \$4.15 million, the revenue in the grant that comes from the State are not going into the General Fund. If you approve this, it can be under the condition that they use the grant that they use the daily fees first rather than the other funds. They tap into the General Fund dollars last. Kim and Bob are aware of that. I think it is just the mechanics of how they budgeted it but nonetheless they did not completely double budget like the Coliseum did. They are under the understanding, I believe, to use those monies first. Obviously the grant piece for sure. Those daily fees are not going into the General Fund.

Tom Harris: Mr. President, I will throw out a suggestion that we could discuss maybe the top down. The first would be the Coliseum and the second would be Community Correction.

Joel Benz: You mean based on the dollar amount?

Tom Harris: Yes. It is pretty significant in those numbers, right? It is just a thought.

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Joel Benz: Nick, let me ask this question. As far as the Coliseum goes what do you need from us? Do you need a motion that we fund that to the tune of \$8 million? What do you need?

Nick Jordan: I will need a motion with a dollar amount if you don't want to do it at the \$8,068,896.

Kyle Kerley: Because this is a General Fund request, right? If we agreed not to move on the Coliseum today, couldn't we vote at any other time to grant it out of the Rainy Day Fund?

Nick Jordan: Yes you can. What I know for sure they only have \$305,000 and they won't be able to start the year with only \$305,000. What I would do at the very least is a couple million to get a month of payroll in before you would be able to take action in January.

Tom Harris: Even if you divided the eight four times.

Nick Jordan: CJ's point was that if they would normally have hockey and basketball in the spring that is why everything is heavier then and if they don't have those going...

Chris Spurr: I was going to suggest \$3.5 million.

Kyle Kerley: What funding options do we have? We could take it out of the General budget. We could take it out of Rainy Day. Could we fund it out of LIT?

Nick Jordan: The Economic Development fund, you could discuss it with the Commissioners. They did not submit that in their budget. I don't know what their plans are to spend in this year's budget. They aren't anywhere close. When you look at the notebook, they have spent 23% of the amount budgeted which the Commissioners are the bulk of that and they have only spent 8.5%. That is the trend for the last six years running. They did not submit Coliseum funding in the budget. After this meeting, we would need to know by the middle of October...

Tom Harris: Is that something that we can vote on today?

Nick Jordan: You can choose to not take any action on it and we will leave it in there at the higher mark. At the October meeting, if you have had the discussion with the Commissioners on funding it from LIT Economic Development then we will know come October. October is when we need to know or otherwise your next chance is January.

Tom Harris: I am jumping in there and I apologize. In other words, if we decided to pull it from LIT today, we can vote on that for next year. It will tick off the Commissioners by not having the discussion but that doesn't mean that we can't come back and help them out by putting money into that account?

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Joel Benz: We can't put money into that account. Technically that is their money. It is appropriated to them.

Kyle Kerley: But we have to approve all of their expenses.

Joel Benz: We do.

Kyle Kerley: It is a negotiation that we would have to have with the Commissioners. One of the reasons this idea came to me is that I ran a not-for-profit during the last economic downturn. One of the tools that was really stressed to us by our financial advisors is when you are facing economic downturn and you don't know what may happen to your funding sources and we have a little bit of time based on how the lag and the revenue comes in. It is always recommended to spend your restricted or encumbered funds first when there are areas that you can spend them in. that leaves your General Funds or unencumbered funds free for whatever needs may arise. I think being fiscally prudent as the fiscal body, it would behoove us to sit down with the Commissioners and find some areas where we may be able to spend some of those funds on the pressing needs right now like the Coliseum. I don't think anyone is going to argue that it is a huge economic driver for this area and so I think it is a germane use for economic development funds to keep the doors open to weather this storm. They may disagree with us but that is the opinion that I am coming from.

Sheila Curry-Campbell: I guess it is raining. The Rainy Day Fund is in my mind. That is where we are at right now. That is what the money is sitting in the cooler on the shelf for at the times of emergencies. This is an emergency. If we never called it an emergency, this is an emergency. Thank you.

Joel Benz: I think we should leave it in there and it will give us the opportunity to discuss it with the Commissioners.

Tom Harris: Are you making a motion?

Chris Spurr: I was just making a suggestion.

Joel Benz: If you would care to make a motion then we can move that forward. How about that? You would also state your funding source, I suppose. Is that correct, Nick?

Nick Jordan: Yes please. To Sheila's comments, the General Fund has \$25 million to \$30 million and that is where we would need to go first. If you are going to look at the Rainy Day Fund, we need to talk through the mechanics of that. Some of you that have been on Council, we used to do a short-term loan to the General Fund and then we would have to pay it back. If we are going to look at the Rainy Day Fund, we have to talk through that. I am not talking about reserves in the General Fund. The Rainy Day Fund has its own \$15 million balance.

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Kyle Kerley: If we were to approve \$3.5 million as a suggested number and then had a conversation with the Commissioners and they were willing to pay that out of LIT, we would still have time to change that before the meeting?

Nick Jordan: Yes. Nothing is solidified until the October meeting.

Joel Benz: I think it would be appropriate to move it out of General Fund at this point.

Chris Spurr: So we are talking General Fund at \$3.5 million. How is that official?

Nick Jordan: You move to use \$3.5 million from the General Fund for the Coliseum operations.

Chris Spurr: Correct.

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. Moving onto the next item agenda according to the dollar amount is Community Corrections. My only thought on this is that is we fully fund her request then the State says they have plenty of money and can fully fund it and there is no reason for us to put anything in. I don't know that they will but I feel that the number that was floated initially from the State behind the scenes was a million dollars. I don't know where that discussion is at but I feel that we should leave a gap there. She can then come back and ask for the funding if they don't come through. If they happen to come through with more, great, it can roll back over. I think that is where we should move on that.

Chris Spurr: With what they are going through down there right now, intent doesn't really mean a whole lot. That is all subjective, you know.

Kyle Kerley: In her own paperwork, if I understood this correctly, she has a potential fee collection of \$1.3 million. If you take the million that we think is coming from the State and the potential fee collection that would leave a balance of \$1.9 million.

Kenny Fries: That is if the building is fully occupied.

Tom Harris: What if we were to approve \$2 million to move that process forward on the basis that the State comes through with an additional amount?

Chris Spurr: So they can sustain operations.

Tom Harris: I will move for approval of \$2 million for ACCC.

Bob Armstrong: Second.

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

Sheila Curry-Campbell: I am just going to be quiet because I don't agree with the last two.

Tom Harris: What does that mean, in terms of the process or the amounts or what?

Sheila Curry-Campbell: Yes. Where are we taking this money from? To me, it is raining. It is a Rainy Day Fund. It is the reserve fund.

Kyle Kerley: We are not taking anything from Rainy Day Fund. Right now we are taking everything out of General.

Sheila Curry-Campbell: I understand that.

Joel Benz: If we take it out of Rainy Day, Rainy Day Fund decreases and there are some additional implications for that.

Sheila Curry-Campbell: I understand that but at what point? Does the house have to be on fire to use those funds? I am just asking.

Kyle Kerley: Community Corrections is going to be an ongoing thing that we have to fund. That request for \$4.1 million is not a Rainy Day item because...

Sheila Curry-Campbell: That is correct. We all agreed when we had the Sheriff before us before. We were all on one accord with that. I am going to stop talking right now because we have limited time. We already talked about this. We already talked about this so thank you.

Tom Harris: Nick, correct me if I am wrong here but on the budget hearing outline it says projected revenue exceeding allocations to fund appeals is \$6 million. Correct?

Nick Jordan: Yes.

Tom Harris: In essence it says that we have approximately \$6 million to spend for those appeals.

Nick Jordan: New revenue.

Tom Harris: To answer your question, we still have a lot of revenue coming in to pay for these appeals. We don't have to turn to the Rainy Day Fund. It is a choice but we don't have to.

Sheila Curry-Campbell: Thank you for sharing that. When do we use it, never? Does the house have to be on fire?

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Nick Jordan: Prior to the last four years, we actually used to take \$6 million, \$10 million and in that range from 2011 to 2014 because we didn't have sufficient revenue to keep us cash flow positive. We would take a Rainy Day Fund loan to keep us positive as far as the County's spending. Then we would give it back. The problem here is you can use the Rainy Day Fund but we have to budget it but we didn't budget it when we advertised the budget and so we would have to do it next year as an additional appropriation. The problem I see with that is when you are sitting on \$30 million in cash reserves there is no reason to use a different fund when you are sitting on \$30 million. You are just taking it from two different pots. If you have two pots sitting in front of you and one says Rainy Day and one says General and one has \$30 million and one has \$15 million in it. If the event comes in a year that the house is on fire, we can budget the Rainy Day Fund as an additional appropriation if we needed to. There are multiple funds with significant reserves and you are just picking one out of the others.

Sheila Curry-Campbell: Thank you.

Tom Harris: Sheila, if you would pull your budget up that box that says \$6.6 million and we have requests of \$6.2 million and what we just passed was Coliseum and Community Corrections for \$5.5 million. Out of this \$6.6 million we have now spent \$5.5 million. Am I saying that correctly, Nick?

Joel Benz: Nick is saying it is closer to \$8 million.

Sheila Curry-Campbell: How much is in the General Fund? How many million? People want to know this stuff?

Nick Jordan: Which fund?

Sheila Curry-Campbell: General Fund. People at home want to know.

Nick Jordan: Right now you have \$35 million in cash at the end of August and you can appropriate \$34 million.

Sheila Curry-Campbell: Thank you.

Nick Jordan: You are welcome.

Bob Armstrong: Before we leave Community Corrections, I have a question. On her comment...

Tom Harris: Whose comment?

Bob Armstrong: Sheila's comment. Kim's I mean. There are 231 beds at the new facility. She said we have 32 occupied. We have eight being interviewed to go there. My

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question is on the Work Release side, how many beds could we occupy or how many people do we have on average in Work Release?

Kenny Fries: Before all the problems began with Work Release, there had been about 100. All we could handle at the northern place was 104. I think they were going to try to fill the whole new Work Release Center with Work Release people.

Bob Armstrong: That is what I am trying to figure out. Work Release hit a wall back in October and came almost to a standstill. Nobody was going there. Now we have forty people into a facility of 231 beds. How long or does it just matter how quick the judges want to fill that building?

Kenny Fries: I think that was key to the one thing she said that 72 people that the judges are requesting are Level Six offenders that they want to look at to see if they can modify their sentences and put them on Work Release. There will be felons on Work Release. They brought up the Jail population and the decrease that we have. The Jail was basically locked down from taking any new inmates from August 20th until just the first of this month because they were overcrowded. The only inmates that could go there violent felons, OWI's or domestic batteries and so their population was going to decrease anyhow because we are so overcrowded.

Bob Armstrong: Thank you.

Joel Benz: Good discussion. Let's move on to the Sheriff's budget request.

Kenny Fries: I can tell you right now the MDT's and uniforms should be struck and they can pay for that out of Commissary.

Tom Harris: So two instead of four?

Kenny Fries: Mobile Data Terminals.

Tom Harris: He was asking for \$404,218.

Kenny Fries: I am talking the equipment part.

Tom Harris: Oh yes,

Kenny Fries: I think that should be paid out of Commissary rather than General Fund since he has over \$1 million in that fund. It certainly fits within the use of the Commissary account.

Joel Benz: If those were taken out, what would that number be?

Nick Jordan: You would have to multiply it by the Officers that need it.

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Joel Benz: While you are working on that go ahead Councilwoman Curry-Campbell.

Sheila Curry-Campbell: Can you share what we really should be doing with the dollars from the Commissary? Should we do marketing and advertising?

Kenny Fries: No. My opinion is no. It was historically used for the good of the department which meant you bought squad cars with it, bulletproof vests and that kind of stuff from the inmates to make the Jail better. That is what the State statute has it set up for. It is a very gray area what you can use it for. I think sometimes it gets stretched on what it can be used for.

Sheila Curry-Campbell: How did it get to \$1 million? Is that over time? Five, ten or twenty years, how did it get to \$1 million?

Kenny Fries: No. The most we ever had when I was the Sheriff was \$300,000 over a couple of years because we were buying squad cars with it. The way it has so much now is because of the laptops and the phones. I think Nick could probably address the amount of revenue generated from the laptops and phones. That is where most of the money comes from.

Sheila Curry-Campbell: So the money is coming from individuals calling their family members and doing face time on the laptops. That is where the revenue is coming from. What should they be doing to give back? Are those dollars recycled back into the Jail or used for marketing and things like that? I keep saying marketing because that is what they said.

Kenny Fries: State statute says the things it can be used for. Like I said, it is a very gray area. State Board of Accounts looks at the expenses and decides what are good expenses and what aren't. I think we are waiting on an accounting from them to find out what they believe.

Tom Harris: Sheila, a little history on that is that as the previous Sheriff we used to give him a challenge saying that he had all of this money in Commissary and why can't you use the requests that you come before us for to pay for those things. He would help us understand why some of that was not appropriate.

Kenny Fries: We would have maybe \$120,000 or \$130,000 in there.

Tom Harris: It has been up for a number of years. There are the balances over the years.

Sheila Curry-Campbell: That is a lot of money. The criminal justice system needs a reform. I could pick a lot of different areas and this is one of them. A million dollars sitting in that account kind of disturbs me. I am thinking of all of the people that are incarcerated trying to reach out to their family and friends or whatever the case may be. I don't care what they have done. There are little things that we could fix. Thank you.

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Tom Harris: So one thought would be to remove some of the request that the Sheriff had and him paying for those out of Commissary. The second is that there are four Officers being considered. Are some of those Officers paid out of Commissary?

Kenny Fries: Legally, they can't be. The only personnel that can be paid out of Commissary are people to implement the Commissary. They can't be paid out of that.

Joel Benz: Nick, we are back to our General Fund request here. Do you have a number for me?

Nick Jordan: I have part of your number but I have no clue on MDT's. Their 2020 budget for clothing allowance was \$111,350. They submitted \$137,000 and so that would be \$25,650. If you wanted to chop that off but I don't see MDT's.

Joel Benz: Can you figure out what an Officer's salary would be and then we can multiply that times four?

Nick Jordan: If you just wanted just the Officers is \$245,526.

Joel Benz: Councilman Fries, did you want to make a motion?

Kenny Fries: No, I actually don't. I am torn by those positions.

Chris Spurr: Please elaborate.

Kenny Fries: They are only hiring personnel that they have already hired at the Jail. I don't think they are hiring off the streets which I don't know is legal. That concerns me. We already have one full-time Officer doing background checks. I don't know why they couldn't have a civilian doing background checks instead of hiring an Officer at an Officer's rate to do it.

That concerns me. Putting one more Officer into full-time training when the Department has trainers throughout all of the Divisions that assist with training concerns me.

Tom Harris: This initial request came when the Sheriff was picking up Community Corrections and some of these things have changed and he has indicated that they still need those. We are in a position of watching our dollars based on all of the requests as well as the Coliseum and such. Possibly, if we were in a hold position, we would probably approve that if we needed something in the first quarter or second quarter we would then know where we stood. With the rollover of this year and we know where we are at next year. We can approve those throughout the year and they wouldn't have to wait until the following year. I like the holding of that because we have to make some prudent and tough decisions. That might be one of them.

Sheila Curry-Campbell: That might be one of them.

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Kenny Fries: I am concerned getting an email from an advertising agency about the K9 Center. Does that mean they have hired an advertising agency to do their public information? If so, why are they paying a Public Information Officer?

Sheila Curry-Campbell: Right. Instead of buying uniforms that they want. I love dogs and I have a dog but he has been missing since May but I think some of the things that the Sheriff's Department is doing is trying to eat up dollars and they think that nobody is paying attention and I think it is our responsibility to be good stewards and make sure that we are watching. I think we need to hold up on all of that. That is bogus and that is my opinion.

Tom Harris: I don't know that it is bogus. My opinion is that it is not necessarily bogus but I think being prudent makes sense at this point in time.

Joel Benz: I think two of those positions were specifically training positions. I see the value of training. I don't think this is the time to be cutting training.

Kenny Fries: I have two Officers going to Narcotics, one going to Backgrounds and one going to Training.

Joel Benz: He said two.

Chris Spurr: Did he say two? I thought he said one.

Joel Benz: Maybe he did. Yes, he said one for Training.

Kenny Fries: If you want to run up what it is for two Officers...or can we make a motion to hire two Officers at whatever rate they have listed?

Nick Jordan: Yes.

Kenny Fries: That would be \$122,763.

Nick Jordan: Keep in mind they always have \$500,000 to \$600,000 of rollover.

Sheila Curry-Campbell: I didn't hear what you said.

Nick Jordan: The Sheriff's Department always has rollover of \$500,000 to \$600,000 the last five years.

Jackie Scheuman: Two Officers would be \$122,763.

Kenny Fries: I will make a motion that we approve \$122,763 for the Sheriff's Department to hire two new Officers to be used in whatever positions they decide to use them in.

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Bob Armstrong: Second.

Joel Benz: Any further discussion?

Bob Armstrong: Did we cut the equipment and uniforms.

Joel Benz: Yes.

Bob Armstrong: And we want that to be paid for out of Commissary?

Tom Harris: I don't think there is a movement on that. It would just be cut and they wouldn't get it.

Joel Benz: The Sheriff would have to figure out how to fund that.

Bob Armstrong: I just wanted to know what we did with those two items.

Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 5-2 (Curry-Campbell and Harris). Next is the Surveyor.

Tom Harris: That \$60,000 represents both requests?

Joel Benz: Yes.

Nick Jordan: Just to clarify, you need to get more clarification before you approve this. The drain maintenance fund has over \$6 million in it and the reconstruction fund has \$1.8 million. Before you would give any money out of the General Fund to pay for Contractual, it needs to be addressed what we are doing with the almost \$8 million in the two other funds. When you pay for a drain, it goes into these funds and not the General Fund. That needs to be addressed before you ever give money out of the General Fund.

Tom Harris: Can we move to the Coroner?

Joel Benz: Yes unless there is a motion. Okay, Coroner.

Jackie Scheuman: Are you doing anything about the salary?

Tom Harris: By not addressing it I think we addressed it.

Kyle Kerley: The Coroner is one of those that we have been pushing for years to come and give us a real number. They finally did. I have no problem with the Coroner. I move to approve the Coroner's budget increase by \$133,413.

Kenny Fries: Second.

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Joel Benz: We have a motion and a second. All in favor say aye, those opposed, like sign. The motion passes 7-0. The Prosecutor's Office is next.

Chris Spurr: I think this is difficult.

Tom Harris: My history of being here for a number of years, it is true that she has not come before us and does not come before us with a request. I have watched and heard about the backlog that is starting to happen in the department. I have heard that from people outside of the department. We know that the demands are climbing based on everything going on. I have watched and heard about the turnover. For all of those reasons, I am in favor of doing something. What we didn't get necessarily is her priority list. My thought was possibly not approving everything but maybe approving some of it. She said she has five new people and it is going to take time to get them onboard and maybe spread that out over a year instead of hiring everyone at one shot. We could always come back and revisit future requests. That was my two cents.

Chris Spurr: I would agree with what you said but I had a lengthy conversation with both of them and I think the need is there. The feeling I got that there was some serious real thought that people were becoming overburdened and would just leave. They are highly valued employees and we don't want that to happen.

Tom Harris: I would be willing to make a motion and I am going to need some help in dividing that number up a bit.

Kenny Fries: Can I say something before you do that? I will tell you that the Infraction Deferral Program is going to have a lot more money in it than what it does because that is why she hasn't been coming back for so long. She has been using that to help pay salaries and give pay increases. With COVID, certainly that has taken a hit. I was shocked that it only had \$600,000 in it. I know with the cameras it is going to be a lot more work and will take a lot more personnel. I don't like the \$767,221.

Joel Benz: I agree and I talked to her at length also. I feel that there is a need for an Investigator and Case Load Supervisor. I think beyond that I have some questions. I understand what she said about moving the three Attorneys into the General Fund and also what she is trying to do to promote. I talked to the Court system and I don't know about the Prosecuting Attorneys, they were kind of hesitant about that need.

Chris Spurr: I think with the body cams coming and I was talking to Fort Wayne PD and there is going to have to be an entirely separate division.

Sheila Curry-Campbell: A whole division.

Joel Benz: But it is the Investigators and Case Load Supervisors that are reviewing that stuff. Yes, there is definitely some need for those.

Tom Harris: What I was looking for was her priority list.

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Nick Jordan: But this one is she wants the higher salaries.

Chris Spurr: She wanted one at \$60,000 and one at \$85,000.

Nick Jordan: If you wanted the priority list it is here with the numbers next to it the total would be \$460,263.

Jackie Scheuman: Does that include benefits?

Nick Jordan: No. It includes the Caseload Supervisor at \$45,000 not \$43,269. I came up with \$518,487.

Tom Harris: With that and based on those numbers, I will move for the Prosecutor to receive \$518,487.

Chris Spurr: Second.

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

Tom Harris: I will move for approval being this Director's first year and giving him a little leeway for \$2,726.

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. Now to Human Resources and their number is actually \$118,417.

Tom Harris: My background has been in HR and I work with businesses everywhere. Everyone has gone through times where they have been reevaluating lots of things. I think this is one from a County perspective and HR perspective and I think we should just hold on this number. I felt there was a lot of detail in these numbers. I shared with her that one of the requests was for a sweeper and those kinds of things there are better ways to look at these numbers. I think they are trying to do the right thing and to help with strategic planning for the County. I don't feel good about passing this and I would like to know where the next four months go in terms of the economy and see the rollover into next year. Businesses pull training when times get tough.

Bob Armstrong: Are you talking about HR?

Tom Harris: Yes.

Sheila Curry-Campbell: How do we skip over that?

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Joel Benz: If there is not a motion, we move on. I do feel that it is a part of the strategic plan process.

Chris Spurr: I think there is value in the training position.

Joel Benz: Do you care to make a motion?

Bob Armstrong: I am thinking how to word the motion. I will make a motion to not fund the allocation request for HR for \$118,417.

Joel Benz: We don't need to make a motion for that.

Tom Harris: If no one wants to make a motion we can just move to the next line and they don't get it.

Bob Armstrong: I will retract it.

Joel Benz: We will move onto Homeland Security and \$9,000. I feel that this is a significant increase in his budget and probably half of that would be appropriate.

Kyle Kerley: I was going to go for a third. I move to increase the Homeland Security budget by \$3,000.

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. Environmental Services.

Chris Spurr: I move to accept the increase for Environmental Management for \$6,075.

Joel Benz: Hearing no second, the motion dies. That is all of the items on the agenda.

Tom Harris: Move to adjourn.

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.