

HOWARD COUNTY COUNCIL MEETING MARCH 26, 2019

The Howard County Council met in Regular Session on Tuesday, March 26, 2019, at 4:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President James Papacek, Vice President Dwight Singer, and Council Members Stanley Ortman, John Roberts and Jeffrey Stout. Also in attendance were County Attorney Alan Wilson and Auditor Martha Lake. Council Members Bryan Alexander and Leslie Fatum were absent.

The meeting was called to order by Sheriff Jerry Asher and conducted by President James Papacek.

President Papacek led the Pledge of Allegiance and Councilman Ortman led in a word of prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the February 26, 2019 meeting, having been previously submitted and reviewed, were approved on a motion made by Councilman Roberts. Councilman Stout seconded the motion, and the motion carried.

Councilman Roberts discussed the lease of vehicles with Enterprise and stated that he is uncomfortable with the lease arrangement, as it is not cost effective, nor a benefit to the county's constituents. Councilman Roberts would like to see the county own the vehicles outright and utilize cash rather than to continue to enter into a lease which results in long-term, additional debt for the county. Councilman Roberts asked for a meeting of the Council to discuss this in more detail prior to the next budget hearings. President Papacek was in agreement that a special Council Meeting would be held regarding leased vehicles prior to the next budget meetings.

IN THE MATTER OF ORDINANCE NO. 2019-HCCO-07 – ADDITIONAL APPROPRIATIONS FOR 2019:

Auditor Martha Lake read Ordinance No. 2019-HCCO-07-Additional Appropriations one time, and the ordinance was acted upon as follows:

Additional Appropriations	Requested	Approved
<u>1000</u> HOWARD COUNTY GENERAL FUND		
<u>0008</u> Howard County Assessor's Office:		
11306 First Deputy Level II	\$50.00	\$50.00
Total Assessor's Office:	<u>\$50.00</u>	<u>\$50.00</u>
<u>0009</u> Howard County Prosecutor's Office:		
11311 First Deputy to Drug Task Force	\$3,991.00	Withdrawn
11803 Criminal Enforcement Clerk	\$2,232.00	Withdrawn
Total Prosecutor's Office:	<u>\$6,223.10</u>	Withdrawn
<u>0204</u> Howard County Superior Court IV:		
31110 Continuing Education	\$1,200.00	Tabled
Total Superior Court IV:	<u>\$1,200.00</u>	Tabled
<u>TOTAL GENERAL FUND:</u>	<u>\$7,473.10</u>	<u>\$50.00</u>
<u>1114</u> HOWARD COUNTY LIT – SPECIAL PURPOSE FUND		
<u>9603</u> Kinsey Center – Shelter Care Dept.		
12108 Longevity	\$9,800.00	\$9,800.00
Shelter Care Dept.:	<u>\$9,800.00</u>	<u>\$9,800.00</u>

Additional Appropriations		Requested	Approved
<u>9605</u>	<u>Kinsey Center – Secure Detention Dept.</u>		
12107	Longevity	\$18,200.00	\$18,200.00
	Secure Detention Dept.:	<u>\$18,200.00</u>	<u>\$18,200.00</u>
	<u>TOTAL LIT – SPECIAL PURPOSE FUND:</u>	<u>\$28,000.00</u>	<u>\$28,000.00</u>
<u>1168</u>	<u>HOWARD COUNTY LOCAL HEALTH MAINTENANCE FUND:</u>		
11288	PT Immunization Nurse	\$18,470.00	\$18,470.00
15210	FICA	<u>\$1,530.00</u>	<u>\$1,530.00</u>
	<u>TOTAL HEALTH MAINTENANCE FUND:</u>	<u>\$20,000.00</u>	<u>\$20,000.00</u>
<u>1186</u>	<u>HOWARD COUNTY RAINY DAY FUND:</u>		
47213	Other Unit Radios	\$7,224.00	\$7,224.00
	<u>TOTAL RAINY DAY FUND:</u>	<u>\$7,224.00</u>	<u>\$7,224.00</u>
<u>1175</u>	<u>HOWARD COUNTY MISDEMEANANT GRANT FUND:</u>		
31210	Maintenance Service Contracts	\$10,000.00	\$10,000.00
47210	Equipment	\$20,000.00	\$20,000.00
47232	Vehicles	<u>\$85,000.00</u>	<u>\$85,000.00</u>
	<u>TOTAL MISDEMEANANT GRANT FUND:</u>	<u>\$115,000.00</u>	<u>\$115,000.00</u>
<u>1206</u>	<u>HOWARD COUNTY HEALTH DEPT. TRUST ACCT:</u>		
12505	PT Immunization Nurse	\$13,809.04	\$13,809.04
15210	FICA	<u>\$1,143.90</u>	<u>\$1,143.90</u>
	<u>TOTAL HEALTH DEPT. TRUST ACCOUNT:</u>	<u>\$14,952.94</u>	<u>\$14,952.94</u>
<u>2508</u>	<u>HOWARD COUNTY USER FEE LAW ENFORCEMENT CONTINUING EDUCATION FUND:</u>		
32130	Travel & Training	<u>\$5,000.00</u>	<u>\$5,000.00</u>
	<u>TOTAL CONTINUING EDUCATION FUND:</u>	<u>\$5,000.00</u>	<u>\$5,000.00</u>
<u>4930</u>	<u>HOWARD COUNTY LAW ENFORCEMENT FUND:</u>		
11311	First Deputy to Drug Task Force	\$4,000.00	\$4,000.00
11803	Criminal Enforcement Clerk	\$3,348.00	\$3,348.00
15210	FICA	\$600.00	\$600.00
15220	PERF	<u>\$1,050.00</u>	<u>\$1,050.00</u>
	<u>TOTAL LAW ENFORCEMENT FUND:</u>	<u>\$8,998.00</u>	<u>\$8,998.00</u>
<u>9112</u>	<u>HOWARD COUNTY JDAI GRANT FUND:</u>		
32179	Unobligated Account	\$2,110.11	\$2,110.11
	<u>TOTAL JDAI GRANT FUND:</u>	<u>\$2,110.11</u>	<u>\$2,110.11</u>
	TOTAL ALL FUNDS:	<u>\$208,758.15</u>	<u>\$201,335.05</u>

ASSESSOR:

Auditor Martha Lake presented the request for additional appropriations for the Assessor who is away on spring break. Auditor Lake stated that the Assessor encumbered funds from 2018 to 2019; however, someone left the department, which after paying out remaining benefits resulted in a negative balance of \$50.00. On behalf of the Assessor, Auditor Lake requested the funds for 1000.11306.000.0008 for the First Deputy Level II in the sum of \$50.00, in order to correct this line item. Councilman Singer made a motion to approve the additional appropriation as requested. Councilman Ortman seconded the motion, and the motion carried.

PROSECUTOR:

Prosecutor Mark McCann addressed the Council in regard to the additional appropriations requested for his First Deputy to Drug Task Force account line 1000.11311.000.0009 and Criminal Enforcement Clerk account line 1000.11803.000.0000, that were tabled in the January 2019 Council Meeting. Prosecutor McCann explained that there are three options for the Prosecutor’s Office in requesting the additional salaries for his two employees. One option is to request funds from the General Fund 1000; another is to utilize funds from the Law Enforcement Fund 4930 and the last option is to utilize funds from the Prosecutor’s Salary Supplemental General Fund line item. The Prosecutor stated that he currently has about \$7,000.00 in his supplemental fund and has already waived it for transfer, if necessary. Prosecutor McCann stated that you cannot compare the Prosecutor’s office to other departments in the county as his office generates income in excess of \$200,000.00 in the forfeitures, seizures, pre-trial diversions, and grants which brings in revenue for the county. Prosecutor McCann stated that the income generated in these programs saves the county considerable expense from the General Fund.

Auditor Lake stated that the request for additional appropriations for these two positions, in February was requested by the Prosecutor’s Office from Law Enforcement Fund 4930. Auditor Lake stated that in the PAC meeting, it was discussed that the additional salaries may be paid from the Law Enforcement Fund 4930, and next year be paid from the General Fund 1000. Auditor Lake further explained that Paige from the Prosecutor’s Office did put in the amount from the Law Enforcement Fund 4930 for the PERF and FICA for those same two employees. Auditor Lake stated that as the Prosecutor’s request for additional appropriations is from the General Fund 1000, that the Council will need to address and clarify which fund will be utilized for the additional appropriations for the two Prosecutor’s Office positions, if approved. Auditor Lake stated that these funds are required to be appropriated.

Councilman Stout expressed that they were in agreement of utilizing the Law Enforcement Fund 4930 whereas the FICA and PERF were already built in. Councilman Stout stated that with the additional work required of these two positions and the amount of the increase requested, the department could not employ another individual at this rate. Councilman Stout stated that filling positions with the current salary continues to be a challenge in the Prosecutor’s Office.

Councilman Roberts stated that if the Council does approve the additional appropriations from the Law Enforcement Fund 4930, that it raises some issues with bypassing the budget process, the attrition program and sets a precedent of approving wages under the additional salaries which would be expected to be approved in 2019 for the 2020 budgets. He also stated that the remaining county employees could only see an increase of 3% in 2020 which is inconsistent with what some offices are requesting for their staff, thereby bypassing the Council’s responsibilities to all employees. Councilman Roberts stated that “with all respect”, this is similar to the same request as Superior Court I insisting on a raise for his office and although he does not want to micromanage an office, he believes for the sake of consistency that the increases for salaries should be postponed until budget time. He further stated his concern on the effects of employee morale if the increase was approved at this time and not approved during budget time.

Councilman Orman stated that the Prosecutor asked for an increase for his staff at budget time and the Council declined the increase. Since that time, Councilman Ortman has been in some discussion with Prosecutor McCann. He does not want to compare departments, however, he does know there has been an ongoing issue attempting to fill positions within the Prosecutor’s Office due to the unique duties they perform. Councilman Ortman stated that if the

Council approved additional salaries at this time, the Council would be under no obligation to approve the increases in the 2020 budget.

President Papacek stated that the Prosecutor could request funds from the Law Enforcement Fund 4930 this year and during budget time in 2019 for 2020, request the salaries from the General Fund 1000. He further stated that he did see this request as a permanent request going into budgets in 2019 for calendar year 2020 for the Prosecutor's staff. Councilman Ortman made a motion to approve the additional appropriations as requested by Prosecutor McCann for the First Deputy to Drug Task Force line items 1000.11311.000.0009 and the Criminal Enforcement Clerk 1000.11803.000.0009. Councilman Stout seconded the motion, and the vote was not unanimous. The vote is as follows:

Councilmember	Vote
James T. Papacek	Yea
Dwight V. Singer	Yea
Stanley E. Ortman	Yea
John J. Roberts	Nay
Jeffrey A. Stout	Yea
Bryan Alexander	Absent
Leslie Fatum	Absent

Councilman Stout made a motion to withdraw the request for the two positions for the Prosecutor's Office from the General Fund 1000.0009. Councilman Ortman seconded the request, and the motion carried.

SUPERIOR COURT IV:

Judge Hans Pate was not present to address his request for additional appropriations as he and office staff are away for State training. A motion was made by Councilman Ortman to table the request for the additional appropriations for Superior Court IV. The motion was seconded by Councilman Singer, and the motion carried.

LIT SPECIAL PURPOSE - KINSEY CENTER – SHELTER CARE & SECURE DETENTION:

Auditor Lake addressed the Council stating that in 2018/2019 budget year, account line 1114.12108.000.9603 and 1114.12107.000.9605, were requested to pay for longevity. Although it was requested from FFT, Fund 4913 for the 2018 budget, it was with the understanding that longevity payments would be paid from the General Fund for year 2019. Auditor Lake stated that for some reason at the 2018/2019 budget time, this request was missed. Councilman Stout made a motion to approve the additional appropriations as requested for line items 1114.12108.000.9603 in the sum of \$9,800.00 and 1114.12107.000.9605 in the sum of \$18,200.00 as requested. Councilman Roberts seconded the motion, and the motion carried.

LOCAL HEALTH MAINTENANCE AND HEALTH TRUST ACCOUNT:

Director Kent Weaver addressed the Council stating that he would like to change the account line item that his three part-time nurse positions are paid from. The Immunization Grant Fund the department paid from last year will not be available this year. A motion was made by Councilman Ortman to approve the additional appropriations for account line 1168 in the sum of \$20,000.00, as presented. The motion was seconded by Councilman Singer, and the motion carried. Councilman Ortman made a motion to approve account line 1206 in the sum of \$14,952.94, as presented. The motion was seconded by Councilman Stout, and the motion carried.

RAINY DAY FUND:

Auditor Lake stated that the Auditor's Office received a late bill on a balance due on subscriber P-25 radios in the amount of \$21,480.12. In order to pay the balance on this bill from the same account as the prior P-25 radios and not short the Budget for Dispatch, the Auditor requested additional appropriations in the Rainy Day Fund in the sum of \$7,224.00 in account line 1186.47213.000.0000. Councilman Roberts made a motion to approve the additional

appropriations to the Rainy Day Fund, account line 1186.47213.000.0000, in the sum of \$7,224.00 as requested. The motion was seconded by Councilman Singer, and the motion carried.

SHERIFF – MISDEMEANANT GRANT FUND:

Sheriff Jerry Asher presented his request for additional appropriations in the Misdemeanant Grant Fund to the Council. Sheriff Asher stated that he would like to pay for the annual maintenance service contract, which covers the records management “jail tracker” system at the jail. For this reason, Sheriff Asher is requesting additional appropriations in account line 1175.31210.000.0000 in the sum of \$10,000.00. Sheriff Asher also stated that he is asking for additional appropriations in account line 1175.47210.000.0000 in the sum of \$20,000.00, which will provide for a new kitchen steamers. Sheriff Asher stated that his request for additional appropriations in the sum of \$85,000.00 in account line 1175.47232.000.0000, would provide for the two vans.

Councilman Roberts inquired about the jail tracker system at the Jail and wanted to know what service the jail tracker software provided and whether or not it is connected to other counties.

Sheriff Asher responded stating that the jail tracker system merely provides tracking information on the date an inmate is booked into the jail and when the inmate leaves the jail; providing the number of days served by the inmate. Sheriff Asher stated that the jail tracking system is not connected to surrounding counties; however, the Sheriff’s webpage does give information on inmates at the jail.

Councilman Roberts made a motion to approve the additional appropriations in the Misdemeanant Grant Fund for Maintenance Service Contracts account line 1000.31210.000.1175 in the sum of \$10,000.00, which will be utilized to pay for the Jail Tracking Software, Equipment account line 1000.47210.000.1175 in the sum of \$20,000.00 which will be utilized to pay for two new kitchen steamers and, Vehicles account line 1000.47232.000.1175 in the sum of \$85,000.00 which will pay for the two vans for the Sheriff’s Department. The motion was seconded by Councilman Stout, and the motion carried.

SHERIFF – HOWARD COUNTY USER FEE LAW ENFORCEMENT CONTINUING EDUCATION FUND:

Sheriff Asher requested additional appropriations in account line 2508.32130.000.0000 in the sum of \$5,000.00 for travel and training. Sheriff Asher stated that these funds come from traffic tickets. When asked by Councilman Roberts, how many traffic stops the department does each year, Sheriff Asher stated that he believes there is an average of 6,000 traffic stops per year; however, not certain on how many are tickets.

Councilman Ortman made a motion to approve the additional appropriation for the Sheriff’s Law Enforcement Travel & Training account line 2508.31230.000.0000 in the sum of \$5,000.00. Councilman Singer seconded the motion and, the motion carried. He also requested to be on the April 1st Commissioner’s Meeting Agenda for the approval of kitchen steamers.

Sheriff Asher submitted the Jail Commissary Fund Report for the Month of February.

JDAI GRANT FUND:

Dustin DeLong addressed the Council stating that the additional appropriations for the JDAI Grant Fund account line 9112.32179.000.0000 is essentially a corrective action. The department owed the State of Indiana \$2,110.11 for the year 2016/2017; however was paid from the incorrect fiscal year of 2019. This correction will replace the current 2019 budget as necessary.

Councilman Ortman made a motion to approve the additional appropriations for the JDAI Grant Fund account line 9112.32179.000.0000 in the sum of \$2,110.11 as presented. Councilman Stout seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2019-HCCO-08-AMENDING SALARY ORD. FOR 2019:

Auditor Martha Lake read Ordinance No. 2019-HCCO-08-Amending Salary Ordinance one time, and the ordinance was acted upon as follows:

Salary Amendments	Requested	Approved
<u>1000 HOWARD COUNTY GENERAL FUND:</u>		
<u>0008 Howard County Assessor's Office:</u>		
11306 First Deputy – Level II (Effective January 1, 2019)	\$50.00	\$50.00
<u>0009 Howard County Prosecutor's Office:</u>		
11311 First Deputy to Prosecutor	\$3,991.10	Withdrawn
11803 Criminal Enforcement Clerk (Effective Jan. 1, 2019)	\$2,232.00	Withdrawn
<u>1114 HOWARD COUNTY LIT – SPECIAL PURPOSE FUND:</u>		
<u>9603 Kinsey Center – Shelter Care:</u>		
12108 Longevity	\$9,800.00	\$9,800.00
<u>9605 Kinsey Center – Secure Detention</u>		
12108 Longevity	\$18,200.00	\$18,200.00
<u>1168 HOWARD COUNTY LOCAL HEALTH MAINTENANCE FUND:</u>		
11288 PT Immunization Nurse	\$18,470.00	\$18,470.00
15210 FICA	\$1,530.00	\$1,530.00
<u>1206 HOWARD COUNTY HEALTH DEPARTMENT TRUST ACCOUNT:</u>		
12505 PT Immunization Nurse	\$13,809.04	\$13,809.04
15210 FICA	\$1,143.09	\$1,143.09
<u>4930 HOWARD COUNTY LAW ENFORCEMENT FUND:</u>		
11311 First Deputy to Drug Task Force	\$4,000.00	\$4,000.00
11803 Criminal Enforcement Clerk	\$3,348.00	\$3,348.00
15210 FICA	\$600.00	\$600.00
15220 PERF (Effective January 1, 2019)	\$1,050.00	\$1,050.00

Councilman Stout made a motion to approve Salary Ordinance No 2019-HCCO-08 Amending Salary Ordinance for 2019 as presented. Councilman Roberts seconded the motion, and the motion carried.

OTHER COUNCIL BUSINESS:

Councilman Ortman asked Commissioner Paul Wyman about the new ditch reconstruction project before the Board of Commissioners and the expected start date. Commissioner Wyman stated that there is a list of individuals who would like the work to be done; however, he is unsure of the start date at this time.

*There being no further business to come before the Council
at this time, the meeting was adjourned at 4:53 p.m. on a motion made by Councilman Stout seconded by
Councilman Ortman, and the motion carried.*

HOWARD COUNTY COUNCIL

JAMES T. PAPACEK, PRESIDENT

STANLEY E. ORTMAN, VICE PRESIDENT

LESLIE W. FATUM, MEMBER

DWIGHT V. SINGER, MEMBER

JEFFREY A. STOUT, MEMBER

JOHN J. ROBERTS, MEMBER

BRYAN ALEXANDER, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
HOWARD COUNTY COUNCIL MEETING MARCH 26, 2019