

**MONDAY FEBRUARY 13, 2006  
COUNCIL MEETING**

BE IT REMEMBERED: That on Monday February 13, 2006, the Marshall County Council met in a public meeting at the County Building, City of Plymouth, Indiana, pursuant to the call of the County Auditor, and there were present, the Honorable: Fred Lintner, President; Don Morrison, Vice President; Ralph Booker, Joanne VanDerWeele, Rex Gilliland, Matt Hassel, Bill Gee members; and Jan Quivey, Auditor.

The meeting was opened with the Pledge to the Flag.

**RICH ULRICH – COUNTY BUILDING HVAC ISSUES**

Building and Grounds Director Rich Ulrich appeared before the Council along with representatives from Mayer Electric, Innovative Control Systems (I.C.S.), and Staefa, Inc. regarding problems with the heating and air conditioning system in the County Building. Rich stated the system is old and is being held together piecemeal. The current controls are a pneumatic system involving the use of air compressors to operate. Not only has the system become unreliable, pneumatics do not do a very efficient job of retaining desired room temperatures. A portion of the first floor has already been updated with a digital control system with very good results. Rich requests funds to complete the first floor switchover to digital controls and to install a computerized control system. The second floor will partially be changed over in 2006 with the remainder of the second floor and the third floor to be completed as funding becomes available.

Rich states the county is spending \$18,000 to \$25,000 monthly to heat the County Building. The new controls system would on average save 15 – 20 percent on that cost.

**Bill Gee moved and Joanne VanDerWeele seconded the motion to approve the additional appropriation request of \$18,500 from the CCD Fund for the Repair Buildings and Structures line item. Motion carried 7-0.**

**PUBLIC HEARING – ITAMCO ABATEMENT REQUEST**

Today's Public Hearing is the second step in the Abatement request process. During the January 9, 2006 Council meeting a resolution was passed designating the requested (ITAMCO) property in an Economic Revitalization Area. Following today's public hearing a second resolution will be presented confirming the previous resolution and declaring said real estate (ITAMCO) north of Plymouth to be within an Economic Revitalization Area. The abatement request is for a period of 10 years on a 1.3 million dollar investment that will provide 10 new jobs with an annual salary of \$35,000 plus an additional \$6,500 in benefits.

**Matt Hassel moved and Don Morrison seconded the motion to open the public hearing. Motion carried 7-0.**

Mike Bernero questioned the amount of the abatement request and what the benefits would be to the County.

**Rex Gilliland moved and Matt Hassel seconded the motion to close the public hearing. Motion carried 7-0.**

**Rex Gilliland moved and Don Morrison seconded the motion to approve the declaratory resolution granting a 10 year tax abatement on business personal property investments of 1.3 million dollars for the Indiana Tool and Manufacturing Company located north of Plymouth on Old US 31. Motion carried 7-0.**

## **ADDITIONAL APPROPRIATIONS & TRANSFERS**

### **2006 Additional Appropriations:**

**Special CAGIT Fund: Ralph Booker moved and Rex Gilliland seconded the motion to approve the additional appropriation requests of \$ 20,480.46 for Professional Services (for current Construction Control invoices), \$ 94,500 for Professional Services (for estimated Construction Control invoices for the remainder of the year), \$ 14,128 for Professional Services (for a current RQAW invoice), and \$ 85,480 for Professional Services (for RQAW contracted costs to complete the Construction Document phase and the Bidding and Negotiation phase of the jail project). Motion carried 7-0.**

**Tobacco Cessation and Prevention Fund (Health): Rex Gilliland moved and Matt Hassel seconded the motion to approve the Health Department's Tobacco Cessation and Prevention Fund additional appropriation requests of \$ 10,000 for Computer Equipment (server purchase) and \$ 2,000 for Professional Services (web page design) for education purposes. Motion carried 7-0.**

**Health Maintenance Fund: Matt Hassel moved and Bill Gee seconded the motion to approve the Health Maintenance additional appropriation request of \$ 10,000 for Computer Software (for a paperless document management system). Motion carried 7-0.**

**L.E.P.C.: Matt Hassel moved and Ralph Booker seconded the motion to approve the LEPC additional appropriation request of \$ 1,000 for Administrative Communication Equipment. Motion carried 7-0.**

**Auditor: Joanne VanDerWeele moved and Matt Hassel seconded the motion to approve the Auditor additional appropriation request of \$ 6,000 for Deputy Auditor. Motion carried 7-0. (This is the amount that was transferred from the Plat Mapping Fund to pay a portion of the Auditor GIS Deputy wages as approved during the 2006 budget adoption).**

**Prosecutor and Commissioners: Bill Gee moved and Don Morrison seconded the motion to approve the Prosecutor additional appropriation request of \$ 10,500 for FT Deputy Prosecutor; and the Commissioner additional appropriation requests of \$ 1,890.25 for Employer PERF, \$ 3,213.43 for Employer Social Security, \$ 3,140.32 for Group Health**

**Insurance, and \$ 65.92 for Group Life Insurance. Motion carried 7-0.** (These amounts were transferred from the Prosecutor's Pre-Trial Diversion Fund to cover one-fourth the wages of the FT Deputy Prosecutor and all the benefits for that position for 2006 as was approved during the 2006 budget adoption).

**Probation: Ralph Booker moved and Bill Gee moved to approve the Probation Department additional appropriation requests of \$ 12,429 for Department Head, \$ 50,982 for Probation Officers, and \$ 4,000 for Assistant Chief Probation Officer Stipends. Motion carried 7-0.**

(These amounts were transferred from the Probation Administrative Fee Fund (\$63,411) and the Probation User Fee Fund (\$4,000) to pay the increases in Probation Officer Wages since 2003, as mandated by the State, and the Stipends as was approved during the 2006 budget adoption). It was noted that as a result of action taken at the budget adoption \$19,274 was to come from Probation User Fees to cover a major portion of one Probation Officer's wages, but a recent Court Order designated that those dollars come from the Probation Administrative Fee Fund instead. The amount transferred from the Administrative Fee Fund is \$8,049 short of what is needed to cover the mandated increases. The Court Order states that the remainder of the money will be transferred to the General Fund as funds become available in the Administrative Fee Fund.

**Probation: Joanne VanDerWeele moved and Rex Gilliland seconded the motion to approve the Probation Department additional appropriation request of \$ 2,500 for Urinalysis Supplies. Motion carried 7-0.** (This amount was deposited into the General Fund by the County Drug Free Committee as a donation and was designated for this use).

#### **2006 Transfers:**

The part time pay rate of \$10.00 per hour in the Plan Commission office for attending and taking minutes at night Plan Commission and BZA meetings, as well as providing fill-in relief and typing minutes during normal business hours was brought forth for discussion. It was stated that this part time rate, as the well as the status and pay rate of the full time combined Plan Commission/Drainage Board Secretary position will be readdressed and evaluated at the April Council meeting.

Councilman Rex Gilliland stated the higher part time rate was wrong. Ralph Booker stated and Jan Quivey concurred there were several part time positions in the County that paid a different rate than \$8.67 per hour. Following this discussion **Rex Gilliland moved and Don Morrison seconded the motion to reduce the part time pay rate in the Plan Commission office from \$10.00 per hour to \$8.67. Motion was defeated 4-2 with Ralph Booker abstaining and Rex Gilliland and Don Morrison voting nay.**

The majority opinion of the Council following input from Matt Hassel was that a 3 month trial period was granted for both the part time pay rate and the combining of the two positions (Drainage Secretary and Plan Commission Secretary) and that decision should be upheld. At the April meeting it is requested there be a status report and recommendation from Ralph Booker and Jan Quivey as to whether the combining of the two full time positions is working out. Also requested at the April meeting is a recommendation from the Personnel Committee as to what hourly rate is justified for both the full time and part time positions.

**Joanne VanDerWeele moved and Matt Hassel seconded the motion to approve the Plan Commission transfer request moving \$ 3,200 from Wages – Secretary to Wages – Clerical. Motion carried 6-0 with Ralph Booker abstaining.**

**Don Morrison moved and Bill Gee seconded the motion to approve the Highway transfer request moving \$ 17,736 from Building, Vehicle and Liability Insurance, and \$ 2,240 from Unemployment Compensation to Workman’s Compensation, a total of \$ 19,976. Motion carried 7-0.**

**Joanne VanDerWeele moved and Matt Hassel seconded the motion to approve the Auditor transfer request moving \$ 464.66 from the General Fund to the Probation Administrative Fee Fund. Motion carried 7-0.** This is a reimbursement of unspent Probation Administrative Fees from 2005 as a result of the first pay in 2005 being at the 2004 rates and unspent funds due to lost time of a Probation Department employee.

The following are transfers from various funds to the General Fund for supplementing employee wage and benefit purposes as approved during the 2006 budget adoption.

**Don Morrison moved and Matt Hassel seconded the motion to approve the Auditor’s transfer request moving \$ 6,000 from the Plat Mapping Fund to the General Fund to cover a portion of the GIs Deputy wages. Motion carried 7-0.**

**Joanne VanDerWeele moved and Rex Gilliland seconded the motion to approve the Auditor’s transfer request moving \$ 11,225 from The Probation Administrative Fee Fund (per Court Order) to the General Fund to cover salary needs of the Chief Probation Officer. Motion carried 7-0.**

**Ralph Booker moved and Rex Gilliland seconded the motion to approve the Auditor transfer request moving \$ 52,186 from the Probation Administrative Fee Fund (per Court Order) and \$ 4,000 from the Probation User Fee Fund (per Court Order) to the General Fund to cover the mandated salary needs of the Probation Officers and the Assistant Chief Probation Officer Stipends. Motion carried 7-0.**

**Don Morrison moved and Bill Gee seconded the motion to approve the Auditor transfer request moving \$ 18,809.92 from the Prosecutor Pre-Trial Diversion Fund to the General Fund to cover one-fourth the salary needs and full benefit costs of the new full time Deputy Prosecutor position. Motion carried 7-0.**

## **MIKE BOYS - REASSESSMENT ITEMS**

Assessor Mike Boys and Chief Deputy Debbie Dunning appeared before the Council with two items for consideration.

**Request to waive the 90 day 90 percent pay requirement for new employee:** Mike stated the new person he had hired full time as of January 1, 2006 has worked part time in the Assessor's office for almost a year and is now performing essentially the same duties as she was then.

**Joanne VanDerWeele moved and Matt Hassel seconded the motion to waive the 90 day 90 percent pay for the new employee in Reassessment. Motion carried 7-0.**

**Preliminary request to purchase new personal property software for Reassessment:** To become compliant with state requirements, all counties are required to enter into a contract with a vendor to provide personal property software that will produce data in a format that the State requires, even though no vendor has been officially approved by the DLGF. Marshall County desires to sign a contract with DoxTek at a cost of \$ 17,400 for the software purchase and training.

**Bill Gee moved and Don Morrison seconded the motion to tentatively approve an additional appropriation pending completion of the additional appropriation request process and approval at the April Council meeting; plus approval of DoxTek as an approved vendor by the DLGF. Motion carried 7-0.**

## **PENNY LUKENBILL – TAX BILLING AND COLLECTION STATUS**

Treasurer Penny Lukenbill gave a report on investment income the County received in 2005. Total interest earned in 2005 was \$ 849,804.27 as compared to \$ 288,309.03 in 2004, an increase of \$ 561,495.24. This was considered very good news by both the Treasurer and the Council.

Penny states the State Legislature wants to implement additional property tax relief. One way is by increasing the Property Tax Replacement Credit as part of the long term plan to reduce and eventually eliminate Welfare (Child Services) levies from the counties. She says the Legislature may require this relief to be shown on the tax statement. If so, tax billing vendors will require one month retooling their software which would likely delay tax billing.

The Legislature is also considering raising the Standard Deduction (Homestead Deduction) from the current \$ 35,000 to possibly \$ 50,000. This would require all counties to refigure their net assessed valuations and tax rates. Whether this will happen likely will not be known until March 15, the last day of the legislative session. It would then be at least April 1 before the DLGF can analyze the effect and determine how to proceed. Again if this scenario should play out tax collection could be delayed until summer with distribution to take place sometime after that.

**HEALTH DEPT**  
**EMERGENCY FUNDING PROCUREMENT ORDINANCE**

Jan Quivey presented for consideration Joint Commissioner/Council Ordinance 2006-04 Permitting Procurement of Emergency Funds in the Event of a Health Pandemic. The ordinance has already been approved by the Commissioners on first reading. The ordinance essentially provides a mechanism for the procurement of funds to purchase vaccines, medicine and health services if a pandemic should occur and there isn't time to go through the Council additional appropriation process or to receive Commissioner approval of claims. The ordinance also provides for control of spending by stating that the County Auditor shall be notified to determine the financial situation of the County at the time of the emergency and the cost of the health services, and states that the President of both the County Commissioners and the County Council shall be notified.

**Rex Gilliland moved and Bill Gee seconded the motion to waive the rules and pass Ordinance 2006-04 on all three readings. Motion carried 7-0.**

**INVENTORY TAX ELIMINATION – EDIT TAX**

Ralph Booker brought forth the issue of the inventory tax elimination which is to totally be in effect in tax year 2006 pay 2007, and the County Council's prerogative to impose an EDIT (Economic Development Income Tax) to mitigate the tax affects on residential property owners caused by elimination of the inventory Assessed Values.

Jan Quivey passed out information regarding the effects on the individual taxing unit tax rates and the tax dollars that will need to be made up once inventory is no longer taxed. There was considerable discussion on what should be done to best serve the taxpayers, and specifically residential homeowners of Marshall County so they are not too adversely affected by tax increases.

**COUNTY AUDITOR REPORT**

**January 9, 2006 Council Meeting Minutes:**

**Rex Gilliland moved and Bill Gee seconded the motion to approve the January 9 meeting minutes as presented. Motion carried 7-0.**

**Signing of Ordinances and Resolutions Passed Today:** All documents were circulated for signatures.

**2005 vs. 2006 General Fund Surplus Comparison:** Certified copies of additional appropriation for 2005 and 2006 were distributed. This certified copy as approved by the DLGF shows the financial status of all tax driven funds including the General Fund. The bottom line of what the document shows is all revenue expected plus a fund beginning cash balance, minus the approved budget plus any additional appropriations granted. The difference between the two is the cash

surplus, which is what the fund has in excess to tide the fund over until tax distributions are made, or to cover any needed additional appropriations.

For 2005 the Surplus Funds for the General Fund was \$ 1,092,610.

For 2006 the Surplus Funds for the General Fund is \$ 3,076,395

The large difference is due to essentially three things:

- 1) Larger January 1 Beginning Balance in 2006 than 2005 - \$ 1,997,631 vs. \$ 1,336,531
- 2) Greater Miscellaneous Revenue in 2006 than 2005 - \$ 4,639,691 vs. \$ 3,858,061
- 3) Lower Approved Budget in 2006 than 2005 - \$ 8,579,756 vs. \$ 9,046,971

### **TAX AWARENESS COMMITTEE/PUBLIC COMMENT**

No comments other than general questions and comments during the Inventory Tax Elimination portion of the meeting.

There being no further business **Joanne VanDerWeele moved and Bill Gee seconded the motion to adjourn. Motion carried 7-0.**

\_\_\_\_\_  
**Fred Lintner, President**

\_\_\_\_\_  
**Don Morrison, Vice President**

\_\_\_\_\_  
**Joanne VanDerWeele**

\_\_\_\_\_  
**Matt Hassel**

\_\_\_\_\_  
**Rex Gilliland**

\_\_\_\_\_  
**Ralph Booker**

\_\_\_\_\_  
**Bill Gee**

Attest: \_\_\_\_\_  
**Jan A. Quivey, Auditor**