

**MONDAY JUNE 11, 2007**  
**COUNCIL MEETING**

BE IT REMEMBERED: That on Monday June 11, 2007, 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, Rex Gilliland, Matt Hassel, and Judy Stone, members; and Jan Quivey, Auditor. Joanne VanDerWeele was unable to attend due to an illness.

The meeting was opened with the Pledge to the Flag.

**JAIL PROJECT UPDATE**

Dennis Husted, CCI Project Manager, stated that work is progressing. A status report is as follows:

Last month the County and CCI requested permission from the City of Plymouth to proceed with one of two options regarding installation of the waste water lift station. 1) to relocate the lift station to county property or 2) raise the elevation of the lift station. The City determined that neither of these options would facilitate the city's future needs in development of the area, and the requests were denied. Alt & Witzig, soil engineers were asked to give further recommendations for installing the lift station at the current location. Their recommendation was to use a deep foundation system, 30 -35 feet deep, such as helical piers or timber piles. CCI is in the process of contacting contractors to get pricing on this recommendation.

Mr. Husted says this could cause a delay in the project because without a waste water discharge system, water hookups to the jail cannot be made and lines tested. Also a problem is the fact that there are only a few contractors in the County who do this type of work and they are already booked for the summer. He did say that there is a company in Cincinnati that can do the work, so there may not be a long term delay as long as a contractor can be found in a reasonable amount of time. Once pricing and scope is determined the proposal will again be presented to the City for approval.

On June 1<sup>st</sup> a semi tractor from Kingman Mobile Storage of Elkhart side-swiped a light pole base on the employee's parking lot causing a spill of 70 gallons of diesel fuel. It was contained to the parking lot and abated by Environmental Solutions Midwest of Plymouth. Asphalt in the spill area will have to be removed, and tests run to determine if sub-grade materials will have to be removed.

Topsoil work, concreting; exterior window and glass installation; and detention cell slider doors and ceiling installation is nearly complete. Painting, setting of utility poles, stair rail installation and wire pulling are progressing well.

Commissioner Chamberlin presented the following in voices to be paid with CAGIT Funds: April/May Invoices (to be paid from CAGIT):

- NIPSCO – gas - \$ 39.37
- Allied Waste Management - \$ 980.92
- Overmyer Water - \$ 44.45
- Johnny on the Spot - \$ 450.00
- Mobile Office Rent - \$ 231.00
- Embarq - - \$ 239.76
- REMC - Parking area - \$ 85.22
- REMC - Building - \$ 1,803.05
- REMC – Trailer - \$ 154.14
- Insley Systems - \$ 1,949.43
- Casteel - \$ 8,691.00 – material
- Casteel - \$12,156.00 - labor
- City of Plymouth - \$ 147.12 - Fire Protection
- RQAW - \$13,200.00 - Contractual
- RQAW - \$ 222.90 - Reimbursables

Change Order Invoices to be paid by the Holding Corporation:

- Hattersley & Sons - \$ 8,039.00 - Install hot water exhaust system – C.O. # 22
- Ryan Fire Protection - \$ 3,982.00 - Move fire connections closer to bldg – C.O. # 32
- Rosema Construction - \$ 1,350.00 - Gypsum walls in cell block – C.O. # 33
- Hattersley & Sons - \$ 10,955.52 - Misc. Allowance – C.O. # 34

**Rex Gilliland moved and Ralph Booker seconded the motion to approve the above jail project expenditures with CAGIT and Holding Corporation funds. Motion carried 6-0.**

### **LARRY FISHER – REQUEST FOR GDI LOAN**

Surveyor Larry Fisher appeared before the Council to request a commitment from the Council for a temporary loan in the amount of \$ 500,000 from the General Fund to the General Drain Improvement Fund for reconstruction work on the Rightley Ditch north of Plymouth. The money will not be needed until actual construction begins in the fall. The loan will be paid back with assessments on those property owners that benefit from the Rightley Ditch project. The Auditor will draft an ordinance to be passed by the Council at a later date which will allow the loan to take place.

**Matt Hassel moved and Judy Stone seconded the motion to commit to a \$ 500,000 loan from the County General Fund to the GDI fund for the Rightley Ditch reconstruction project at such time as it is needed. Motion carried 6-0.**

## **CASA REPORT – MELODY KRUGER**

CASA Director Melody Kruger appeared before the Council to report on the status of the CASA program in Marshall County and to provide information on the number of volunteer advocates now trained and the number of children served.

Melody says CASA is intended as an advocate for abused/neglected children in Marshall County. Children in need of the services of CASA are determined by the Division of Child Services. Eligibility is for children 0 to 18 years of age, or longer with special circumstances.

As of March 1, 2007 there were 115 children in Marshall County in need of CASA services. Of these 69 are in Foster Care; 17 are in their own homes; 17 in the care of relatives; 10 in Residential Care; and 2 in other care. CASAs can also represent children in court.

To become a CASA requires special training. The first group of nine CASA volunteers was sworn in on November 9, 2006. These nine serve as advocates for 17 children. Nine additional CASAs were sworn in April of this year, making a total of 37 children now served. 14 people have expressed an interest in receiving the training this fall, with a couple of others showing interest in becoming a volunteer next Spring.

Melody says the success of the CASA program depends on 1) the ability to recruit, 2) to train, and 3) to retain advocates. State funding for the CASA program will most likely double in 2008. This will provide an adequate budget for a short time to fund a part time director, but as the number of children in need increases, and a full time Director is required, there will not be adequate funds available. The cost of gasoline has also been a burden on the CASA budget.

## **ADDITIONAL APPROPRIATIONS**

**Rex Gilliland moved and Matt Hassel seconded the motion to approve the Highway Department additional appropriation request of \$ 95,000 for Vehicle Maintenance Supplies. Motion carried 6-0.** This request is to recapture gasoline usage by other county departments who have been invoiced for gasoline purchased from the Highway, with revenue received put into the Highway Fund. Part of the request is for increased vehicle repair expenses, and to prepare for additional gasoline purchases by Marshall-Starke Development Center and Older Adult Services.

Neal says other County departments have purchased \$ 42,000 in gasoline from the Highway, which is less expensive than buying directly from a service station. Since the Highway Department put in the large fuel storage tanks in 2003 there has been a savings in fuel cost of \$ 210,194.20 countywide. Neal says when they began buying fuel in bulk in 2003 the per gallon cost was \$1.05. The most recent purchase in 2007 was at \$2.48 per gallon. The County pays federal fuel tax but not State tax.

**Matt Hassel moved and Don Morrison seconded the motion to approve the Clerk's additional appropriation request of \$ 5,440 for Office Equipment from the Clerk's Records Perpetuation Fund. Motion carried 6-0.**

## **AUDITOR REPORT**

May 14, 2007 Meeting Minutes: **Rex Gilliland moved and Judy Stone seconded the motion to approve the May 14, 2007 Council meeting minutes as presented. Motion carried 6-0.**

June 4, 2007 Joint Commissioner/Council Meeting Minutes: **Rex Gilliland moved and Ralph Booker seconded the motion to approve the June 4, 2007 Joint Commissioner/Council meeting minutes as presented. Motion carried 6-0.**

HR Consultant Letter of Engagement: Jan Quivey presented a Letter of Engagement from Waggoner, Irwin, Scheele offering to serve as the County's consultant for Personnel Classification and Compensation matters. The Agreement presented was of a much larger scope than the Council wishes to enter into at this time. Instead:

**Matt Hassel moved and Don Morrison seconded the motion to approve a letter of engagement between the Marshall County Council and the consulting firm of Waggoner, Irwin and Scheele for job classification and compensation issues on an hourly rate charge only pending a redraft of the letter. Motion carried 6-0.** The Auditor is to have Mr. Kent Irwin draft a new agreement showing payment on an hourly basis only.

Wireless 9-1-1 Fee Fund Investment Interest: For informational purposes only Jan Quivey stated that a new Wireless 9-1-1 Fee Fund has been established, as required by statute. Also required by the same statute is that any investment interest earned from monies in the fund be channeled back into the fund.

## **LAKE OF THE WOODS SEWER DISTRICT BOARD APPOINTMENT**

**Matt Hassel moved and Don Morrison seconded the motion to reappoint Mr. Paul Rowe to the Lake of the Woods Sewer District Board for a 4-year term ending in 2010. Motion carried 6-0.**

## **COUNTY BUILDING MEETING ROOM CONSTRUCTION PROGRESS**

Buildings and Grounds Director Rich Ulrich appeared before the Council to report on the remodeling status of the County Building meeting room. He said reconstruction is progressing very well with completion expected within the next couple of weeks.

## **COMPENSATORY TIME DISCUSSION**

Ralph Booker presented for informational purposes the effects the proposed elimination of Compensatory Time would have on the County budgets. From information obtained from the Auditor's office Ralph says:

- Paying off all current accrued comp time would cost the County \$113,000 + excluding benefits
- Paying off all comp time above 40 accrued hours would cost \$51,000+ excluding benefits
- The cost of Overtime that would need to be budgeted to replace comp time would be \$100,000+ excluding benefits.
- Including benefit costs (Social Security and PERF) the total 2008 costs to pay off accrued comp time and to budget necessary Overtime would be just under \$ 250,000, which would have a huge impact on any other budget needs in 2008, including wage increases.

Ralph stated that currently on 8 employees have over 120 hours of accrued comp time. If the County were to pay off all hours above 120, the cost would be \$8,947 plus benefit costs.

He says he would rather see a more strict enforcement of current policy which says that department heads shall ensure that earned comp time be used within 6 months of the time it was earned. He also favors the county having a flex time policy in which an employee who is required to put in extra work time on any one day be allowed to take off an equal number of hours on a day within that pay period, or within the next pay period if the flex time was earned too late in the cycle to be flexed and used that cycle.

He favors paying off all accrued comp time over 120 hours, and suggested that perhaps if a report could be run each month and presented to the Council showing the amount of comp time earned and used by employees, the enforcement of current policy might be more adhered to.

Ralph says he would also be in favor of paying all Holiday time in the Sheriff's Department rather than allowing worked Holiday hours to accrue as comp time.

Surveyor Larry Fisher asked if it would be feasible for some departments to have comp time while others do not. Fred Lintner says it is not likely because of discrimination issues.

Jan Quivey stated that even though compensatory time policy is included in the County Handbook, it is also a Council issue, because compensation, of which comp time and overtime are a part of, is under the authority of the Council. He says the Commissioners and Council have to work together on this issue.

Ralph said his attempt today was to bring forward the possible options dealing with comp time, and hopefully more discussion before a decision to eliminate it altogether is made. The Council said they will look at the comp time issue further in the next few weeks.

Ralph Booker, who along with Jan Quivey, attended the State Board of Accounts called County Council Conference in Columbus Indiana on Saturday June 9. Ralph gave a verbal and written synopsis of items that were covered by the SBOA, DLGF, Public Access Counselor, and Kent Irwin of Waggoner, Irwin and Scheele. Major items of interest covered during the conference were new legislation and its affect on local government, including property tax relief and local income taxes, the petition/remonstrance process, and Salary Ordinance issues.

**TAX AWARENESS COMMITTEE**

Mike Bernero stated that property tax relief is actually just a tax shift from property taxes to income taxes. He says he supports the idea of paid overtime versus earned comp time in order to keep compensation of employees current.

Mike also commended Melody Kruger for the job she has done as CASA Director in getting the program up and going again.

There being no further business **Ralph Booker moved and Matt Hassel seconded the motion to adjourn. Motion carried 5-0.** Don Morrison had to leave and was unavailable to vote.

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**Fred Lintner, President**

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**Don Morrison, Vice President**

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**Joanne VanDerWeele**

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**Matt Hassel**

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**Rex Gilliland**

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**Ralph Booker**

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**Judy Stone**

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