

**MINUTES
MARSHALL COUNTY COUNCIL MEETING
MONDAY, NOVEMBER 9, 2009**

BE IT REMEMBERED: That on Monday, November 9, 2009, the Marshall County Council met in a public meeting at the County Building, Plymouth, Indiana, pursuant to the call of the County Auditor. Present were the Honorable Matt Hassel, President; Don Morrison, Vice President; Ralph Booker, Ward Byers, Rex Gilliland, Fred Lintner, Judith Stone, and Auditor Penny Lukenbill. The meeting was opened with the Pledge of Allegiance.

**KAREN RICHEY, PURDUE EXTENSION
REQUEST TO FILL VACANT POSITION**

Ms. Richey reported that Linda Verhaege, 4-H/Administrative Secretary, is retiring December 31 after 26 years of service to the county, and requested approval to fill the position. The commissioners have recommended that the position be replaced, as it was included in the 2010 Extension Budget.

Don Morrison moved, seconded by Ralph Booker, to approve replacing the 4-H Administrative Secretary position in the Extension Office. Motion carried 7-0.

**JULIE FOX, MARSHALL COUNTY CLERK
JUVENILE PROBATIONARY FEE REIMBURSEMENT UPDATE**

Ms. Fox distributed a report of outstanding juvenile judgment liens filed in 2008 and 2009 totaling \$241,247. She reported that the judgments have been converted to the clerk's accounting system and Probation and the courts can now see the exact amounts due. She plans to send a courtesy letter first, and then will send those judgments remaining unpaid to a collection agency, which will add a 25% collection fee to be paid by the delinquent payer. She explained that the judgments include fees such as Probation User Fees, court costs, extradition, restitution, and Court Services fees. Ms. Fox stated that this project has been a massive undertaking, and required months to compile and verify. She also worked closely with the judges to resolve privacy issues. She emphasized that this is a work in progress, and will try to go back several more years. Ms. Fox is working on a similar list of adult judgment liens totaling \$667,315, and is also attempting to collect outstanding support docket fees. She will update the Council in March or April of 2010 on the progress of the collections

On behalf of the council, Mr. Hassel commended Ms. Fox on her efforts to establish a plan to collect these outstanding amounts due to the county.

ADDITIONAL APPROPRIATION REQUESTS

General Fund: Buildings and Grounds: Auditor Penny Lukenbill explained that \$29,000 for Equipment Maintenance Contract and \$3,000 for Pest Control were inadvertently omitted from the 2009 Buildings and Grounds budget. Addressing the \$4,500 request for Repairs, Rich Ulrich explained that since his department is performing many repairs and projects in-house, he is short of funds to finish out the year. They have been working to resolve an ongoing issue with boiler tubes at the jail, and have replaced several at a cost of \$22,000. He also paid for a larger-than-anticipated portion of the renovation of Room 307, and has covered several items in the museum project that were not included in their grant. Council members emphasized that full funding should be in place prior to undertaking any remodeling or repair projects, except for emergency repairs. They also suggested that communication between the Council and Commissioners could be improved to avoid similar future situations. Mr. Hassel asked that Mr. Ulrich keep the Council up to date on the boiler situation.

Rex Gilliland moved, seconded by Fred Lintner, to approve the additional appropriation request from Buildings and Grounds for \$29,000 to Other Services – Equipment Maintenance Contract; \$3,000 to Other Services – Pest Control; and \$4,500 to Other Services – Repair Buildings. Motion carried 6-1, with Byers voting nay.

Health Department: Judith Stone moved, seconded by War Byers, to approve the additional appropriation request from the Health Department for \$1,500 to appropriate adult vaccine fees received into Supplies – Medical Supplies. Motion carried 7-0.

Wireless 911: Don Morrison moved, seconded by Ralph Booker, to approve the additional appropriation request from Special CAGIT for \$30,613 to Other Services – Equipment and Maintenance for 911 system upgrades. Motion carried 7-0.

TRANSFER REQUESTS:

Extension: Ward Byers moved, seconded by Don Morrison, to approve the request to transfer \$206 from Secretarial Wages to Clerical Wages. Motion carried 7-0.

Superior Court #1: Fred Lintner moved, seconded by Judith Stone, to approve the requests to transfer \$1000 from Law Clerk to Pauper Counsel; \$180 from Jury Commissioners to Pauper Counsel; \$1,000 from Juror Meals to Pauper Counsel; and \$1300 from Clerical Wages to Pauper Counsel; Motion carried 7-0.

Sheriff: Rex Gilliland moved, seconded by Don Morrison, to approve the request to transfer \$6,000 from Civilian Training to Janitorial Supplies. Motion carried 7-0.

Health Department: Ralph Booker moved, seconded by Ward Byers, to approve the request to transfer \$21 from Overtime to Part-time Nurse/Sanitarian Assistant and \$148 from Telephone to Travel/Mileage. Motion carried 7-0.

WIC: Don Morrison moved, seconded by Rex Gilliland, to approve the request to transfer \$260 from Unemployment Compensation to Travel/Mileage; \$112 from Unemployment Compensation to Printing; \$1 from Life Insurance to BF Wages; \$24 from Life Insurance to Health Insurance; and \$274 from Supplies to Telephone. Motion carried 7-0.

AUDITOR'S REPORT

Minutes of October 13, 2009: Ward Byers moved, seconded by Rex Gilliland, to approve the minutes of the October 13, 2009 minutes with a date correction. Motion carried 7-0.

COUNCIL BUSINESS

Culver-Union Township Library Board appointment: Mr. Lintner reported he received a letter from James Hahn requesting reappointment to the Culver-Union Township Library Board. **Fred Lintner moved, seconded by Rex Gilliland, to reappoint James Hahn to the Culver-Union Township Library Board, term to expire December 31, 2013. Motion carried 7-0.**

Koontz Lake Regional Sewer District appointments: The nominating committee of the Koontz Lake Regional Sewer District has recommended the reappointment of Robert Aloï to serve from January 1, 2010 through December 31, 2013. Mr. Aloï has submitted a letter requesting reappointment, and Mr. Booker reminded council members that the application period is open through November 15 and there may be other applicants. Council will consider the appointment at their December 14 meeting.

2010 Council Meeting Schedule: Council had previously tabled approval of the 2010 meeting schedule to allow time to check with their constituents to see whether there was any interest in moving council meetings to an evening hour. Mr. Hassel asked whether members were prepared to adopt the 2010 meeting schedule.

Ward Byers moved, seconded by Fred Lintner, to approve the 2010 meeting schedule as presented, with the time to remain at 9:00 am. Motion carried 5-2, with Booker and Stone voting nay.

Mr. Booker stated he felt that evening meetings would encourage more public participation. Ms. Stone stated that the one constituent who contacted her was Ryan Ripley, who requested changing the meeting time to evening.

Mr. Ripley was present and commented that a majority of the citizens were being excluded from participating in the governmental process since 85% of people are at work during the time the Council meets. Mr. Lintner replied he has served on the Council for eleven years, and that no one in his district has ever requested evening meetings. Mr. Hassel also stated that none of his constituents had requested evening meetings, and that several years ago the Council held evening meetings for a year, with little to no citizen participation.

He went on to say that Council often needs to discuss matters with department heads or employees, and that their presence is facilitated by daytime meetings. If meetings were changed to evening, any employees required to attend outside working hours would have to be paid overtime, and many would have other meeting conflicts.

PUBLIC COMMENTS

Mr. Ripley stated that after researching past minutes, he found it has taken a year to get the juvenile judgment numbers, and urged the council to devote additional resources toward getting them collected more quickly. Mr. Hassel explained that the Council has actually been trying for six years to get someone to establish a workable and ongoing collection procedure, and commended Julie Fox on her efforts. He added that the Council's duty is only to approve or deny funding, not to manage other offices.

Mr. Ripley stated that the county was "throwing money away" on the jail boiler, and asked if the Council had established a cut-off point for further expenditures. He also asked Mr. Byers to explain his nay vote on the Building and Grounds additional appropriations requests.

Mr. Byers explained he voted no because he did not agree with the process of making expenditures before they were approved. He also stated that the jail is the responsibility of the Commissioners and the boiler issue is theirs to resolve. Mr. Hassel offered to discuss the matter with the Commissioners.

ADJOURNMENT

Following the day's regular business, all documents and ordinances were signed. With no further business to come before the council, **Ralph Booker moved, seconded by Ward Byers, to adjourn the meeting at 9:55 am. Motion carried 7-0.**

Matt Hassel, President

Don Morrison, Vice President

Ralph Booker

Ward Byers

Rex Gilliland

J. Frederick Lintner

Judith Stone

Attest: _____
Penny Lukenbill, Auditor