

MINUTES
MARSHALL COUNTY COUNCIL MEETING
MONDAY, AUGUST 8, 2011

BE IT REMEMBERED: That on Monday, August 8, 2011, 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; Members John Benedict, Ralph Booker, Ward Byers, Rex Gilliland, Judith Stone; and Auditor Penny Lukenbill. The meeting was opened with the Pledge to the Flag.

JUDGE DEAN COLVIN-SUPERIOR 2
RECEPTIONIST-TRANSFER OF FUNDS

Judge Colvin presented his request to transfer funds to the Receptionist position in the Superior 2 budget. He explained that Court Services has experienced a significant decrease in revenues as a result of the poor economy - many people cannot pay the fees to participate in the programs. Although he has recently increased the fees and the number of drug and alcohol charges has risen, the indigency factor has a major influence on the revenues. Consequently, he is downsizing the Court Services program, tentatively leaving only the director and a case worker. He feels that some of the services can be combined with the courts, and would like to restore the Receptionist/Hispanic coordinator position to the Superior 2 budget to assist with the increased work load. The receptionist would also serve the courts as a bilingual translator. He proposed transferring \$3,500 from Office Equipment and \$4,300 from Grand and Petit Jurors to Receptionist Wages in his 2011 budget.

Mr. Hassel asked if further consideration had been given to using the Adult Probation User Fees Fund to supplement the program, as proposed when it was established in the mid 1990's. Judge Colvin said he was considering it, but the other judges would have to agree as well. He stated that if and when Court Services revenues rise, they could be used to assist with the expenses.

The Council delayed action on the transfer request until later in the meeting.

COMMISSIONER JACK ROOSE
FULL-TIME BUILDING INSPECTOR

Jack Roose presented the Commissioners' recommendation to restore the Building Inspector position to full time at a salary of \$38,000. The position had been reduced to part time earlier this year due to the slow economy; however the number of inspections for the first and second quarters is up substantially. Mr. DeWitt performed 185 inspections in the first quarter, 282 in the second quarter, and 151 in July.

Mr. DeWitt stated that performing inspections towns are only part of his job. He also oversees contractor registrations, is developing testing for electrician and contractor standards, as well as an online process for applications and inspection reports.

The county currently charges a one-time fee of \$50 for building inspections, which could involve up to ten visits, and he is attempting to determine the true cost of the entire process. He performs inspections for several towns, enabling them to save the expense of hiring a building inspector.

After extensive discussion, Council members agreed that the Commissioners should consider increasing the inspection fees to more accurately reflect the true cost, which should be borne by those who use the service.

Mr. Booker noted that Mr. DeWitt is working more than 4 hours a day and in effect is a full-time employee. He felt the salary was too low, and noted that the personnel committee had not been involved in the process and asked how the figure had been determined. Referring to the AIC Fact Book, Mr. Hassel reported that Building Inspector salaries in similar sized counties ranged from \$20,000 part time to \$58,000 full time.

John Benedict moved, seconded by Ralph Booker to approve the salary ordinance amendment for a full-time Building Inspector at a salary of \$38,000. Motion carried 4-3, with Gilliland, Morrison and Byers voting against.

Although the motion passed by majority vote, Mr. Hassel felt that a super-majority was needed and indicated a recess would be taken for the Auditor to research the matter.

JENNIFER LAURENT
ECONOMIC DEVELOPMENT DIRECTOR

Ms. Laurent reported that the MCEDC continues to focus on long-term success and initiatives for economic development, marketing to attract outside businesses, developing strategies for business retention and providing resources. They are also focusing on entrepreneurship through small business development, in conjunction with a state-wide program. MCEDC also provides grant support – although funds are not flowing as freely as they once were, the grant process is still important as it helps to identify needs in small communities. MCEDC has assisted in securing a \$600,000 OKRA grant to assist with a storm water project and a \$1.3 million FEMA grant.

Ms. Laurent stated that the county has strong businesses who have taken this time to reconsider their business models, and is cautiously optimistic about the county's economic development prospects. She is working with the Indiana Economic Development Commission to establish a larger footprint in the regional marketing context where counties are collaborating rather than competing. She complimented county officials for their business-friendly philosophy, and plans to conduct educational workshops on encouraging economic development.

Several wind power companies are interested in establishing wind farms in the county, and she noted that the county has good zoning ordinances and should remain engaged in the process.

Mr. Booker asked if any progress had been made on bringing fiber optics to the county. Ms. Laurent reported that INDOT has been approached to include the conduit in the US 31 realignment project. However, she believes the county will ultimately bear the expense, and that even if grants are available, they would require a 50% cash match. She felt that the lack of fiber optics was not a major factor for companies not locating here.

WES BURDEN, HEALTH DEPARTMENT
PART-TIME HEALTH EDUCATOR

Mr. Burden advised that he would like to hire a part-time Health Educator to be paid from the Local Health Department Trust Fund, formerly the Master Tobacco Settlement Fund. The Health Educator would focus on chronic disease prevention and assist with diet and health education, working 20 hours per week.

(Meeting recessed from 10:10 to 10:20)

BUILDING INSPECTOR DISCUSSION CONTINUED

Council returned to the full-time Building Inspector matter. During the recess, the Auditor had researched whether the issue needed a super majority vote of 5-2, and found that Indiana Code refers only to “a majority vote”.

Mr. Hassel opened the floor for further discussion, and stated that the current inspection fees are too low and should be adjusted to offset the actual expenses. Council members agreed that the inspection fees should be raised.

Mr. Benedict stated that restoring the building inspector position to full-time and the need to increase inspection fees were two entirely separate issues. The county has a part-time employee performing work on a full-time basis, and the council should act on whether the position should be full-time. He agreed that the inspection fees should be increased to bring them in line with the actual cost of the services provided.

Ralph Booker moved, seconded by John Benedict to approve the salary ordinance amendment restoring the building inspector to a full-time position at \$38,000 annually. Motion carried 5-2, with Byers and Morrison opposed.

Ward Byers moved, seconded by Judith Stone, to recommend that the commissioners analyze the actual cost of building inspections, and increase the fees to more accurately reflect that cost. Motion carried 7-0.

TREASURER DEBBIE VANDEMARK **INTEREST UPDATE**

Ms. VanDeMark distributed a comparison of interest rates and service charges for the past 11 years. Total interest earned in 2010 was \$133,281 with an average rate of .43%, compared to a high of \$1,406,069 in 2007 when the average rate was 5.27%. The current agreement with Lake City Bank provides for a floor of .75% on a minimum balance of \$10 million. She noted that interest rates were on the rise and that investment safety is her first priority.

The Treasurer stated she is interested in providing passport services in the Treasurer’s office to supplement the service already provided in the Clerk’s Office, and will research the matter further.

ADDITIONAL APPROPRIATIONS

Cumulative Capital Development Fund: The \$75,000 additional appropriation from Cum Cap Development will be used to purchase the new phone system in the court house and county building. **Judith Stone moved, seconded by Ward Byers, to approve the additional request of \$75,000 in Cum Cap Development, Capital Outlays - Communication Equipment to purchase and install a phone system for the County Building and Court House. Motion carried 7-0.**

TRANSFERS

Plan Commission: The Plan Commission transfer request of \$1,000 from Clerical to Overtime will cover overtime for BZA and Plan Commission meetings and the online permit project. Several members questioned the use of overtime was being used for the permitting project. **Rex Gilliland moved, seconded by Ward Byers, to approve the Plan Commission request to transfer \$1,000 from Clerical to Overtime. Motion carried 6-0-1, with Mr. Booker abstaining.**
Superior Court 2: Discussion continued on Judge Colvin’s request to transfer \$3,500 from Office Equipment and \$4,300 from Grand and Petit Jurors into Receptionist Wages in the Superior Court 2 budget. Mr. Hassel stated he was not in favor of transferring costs of Court Services to the General Fund. Mr. Gilliland and Mr. Byers were in favor of approving the transfer for 2011, but made it clear

there were no guarantees for the 2012 budget. Mr. Gilliland suggested that Court Services pay for the fringe benefits for the Receptionist position.

Ward Byers moved, seconded by John Benedict to approve the transfer of \$3,500 from Office Equipment and \$4,300 from Grand and Petit Jurors to Wages-Receptionist, with benefits to be paid from Court Services. Motion was denied 3-4, with Stone, Morrison, Booker and Hassel opposed.

AUDITOR'S REPORT

July 11, 2011 Minutes: **Don Morrison moved, seconded by Rex Gilliland, to approve the July 14 minutes as presented. Motion carried 7-0.**

Ordinance #2011-12 – Establishing the County Offender Transportation Fund and County Training Fund: The Auditor presented Ordinance #2011-12 to establish the County Offender Enforcement Fund #0509 and the County Training Fund #0156, as required under new legislation. The County Offender Transportation Fund will receive a portion of probation user fees to assist with transporting out-of-state probationers. The County Training Fund will receive a portion of document fees from the Recorder and the Clerk and will be used to defray training costs for elected officials.

Rex Gilliland moved, seconded by Judith Stone, to approve Ordinance #2011-12 to establish the County Offender Transportation Fund 0509 and the County Training Fund #0156. Motion carried 7-0.

Salary ordinance amendment – Full-time Building Inspect: **Rex Gilliland moved, seconded by Judith Stone, to approve the salary ordinance amendment establishing the position of full-time building inspector at \$1,461.54 bi-weekly. Motion carried 7-0.**

2012 Budget documents: The Auditor distributed the 2012 budget proposals and various reports to assist with budget hearings on August 22 and 23.

MISCELLANEOUS COUNCIL MATTERS

After discussing the need to appoint two members to the Central Dispatch Committee, **Ralph Booker moved, seconded by John Benedict, to appoint Ward Byers and Judith Stone to serve as the Council representatives to the Central Dispatch Committee. Motion carried 7-0.**

ADJOURNMENT

With no further business to come before the council, **Ralph Booker moved, seconded by Judith Stone, to adjourn the meeting at 11:22 am. Motion carried 7-0.**

Matt Hassel, President

Don Morrison, Vice President

John Benedict

Ralph Booker

Ward Byers

Rex Gilliland

Judith Stone

Attest: _____
Penny Lukenbill, Auditor