

VIGO COUNTY COUNCIL
Minutes
Tuesday, March 23, 2010 at 5:00 P.M.
Council Chambers, Vigo County Annex

Pledge of Allegiance

Sheriff Jon Marvel called the meeting to order and led the Pledge of Allegiance.

Calling of the roll

Present: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

President Kathy Miller declared a quorum. In addition, Ms. Miller explained that there is old business to address and entertained a motion to amend the agenda to add Resolution 2010-04.

Motion: To amend the agenda by adding Resolution 2010-04, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Corrections to the journal of the preceding meeting, if needed

✓ *February 23, 2010*

Motion: To approve February 23, 2010 minutes as published, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Public comment

There was none.

Communications from elected officials of the County

There were none.

Communications from other officials or agencies

There were none.

Reports from standing committees

There were none.

Reports from select committees

There were none.

Ordinances relating to appropriations

Resolution 2010-04

Mr. Robert Effner, Vigo County Council Attorney, understands the issue to be what should be done with the proceeds from the sale of the Air Pollution building once it is sold, as well as Air Pollution Title V funds. Mr. Effner has been in contact with Michael Wright, Vigo County Attorney as well as the attorney for the Indiana Department of Environmental Management (IDEM). It is Mr. Effner's understanding that any monies for Title V has been administered through the State of Indiana and funneled through the County. He has been told that the building was purchased with 80% federal funds and 20% county funds. The IDEM attorney has advised Mr. Effner that the State of Indiana has Quit Claimed their interest in the Air Pollution building to Vigo County in which Mr. Effner has a copy of the Quit Claim Deed. It has been indicated by Michael Wright that the State has no intention of auditing the Title V funds, presumably, the funds from neither the building or the Title V fund. If that is the case, it is presumed that the County can use the funds as they wish. The State cannot assure that they will not audit in the future, however, there are no current plans to do so. Perhaps, if the Federal government decides to audit the State, the State would then audit the County's Title V funds. Mr. Effner suggested the funds not be put in a fund called "Title V funds." The monies that the State has provided in regard to Title V funds, have basically been reimbursements for work that the County has done, thus these are not true Title V funds at this point, just a reimbursement for monies that the County has expended. The State, who has administered the money for the building, has Quit Claimed their interest to the County and at this point has expressed no interest in auditing or seeking a refund of those funds.

Michael Wright, Vigo County Attorney, indicated that there has been interest in the building, but that it has not been sold at this time.

Councilman Brad Anderson suggested the Air Pollution Title V fund be dissolved and the monies be placed in the Air Pollution Non-Reverting fund. This would allow the funds for the sale of the building to be placed in that fund.

President Kathy Miller suggested that this be done at budget time since there is a current budget in Title V in which salaries are involved.

Mr. Anderson feels job descriptions need to be submitted. Since things have changed, it is not known what the remaining employees actually do. This has been requested several times by the Council and it still has not been done. This is something that needs to be on file in Human Resources.

Motion: To amend Resolution 2010-04, to place 100% of proceeds from sale of Air Pollution building into the Air Pollution NR Operating fund, **Action:** Amend, **Moved by** Mark Bird, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Motion: Approve Resolution 2010-04 as amended. **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Budget Adjustment Committee

Additional Appropriation Ordinance 2010-08

The Juvenile Center has several hours of overtime on the books. This occurred with the previous administration. It is requested that since there is new administration, the amount of overtime be paid to reduce or remove the overtime from the books. In addition it is agreed that the overtime or compensatory time will be handled in a timely manner. The Budget Adjustment Committee suggested the full amount be paid out to get everyone to a zero balance of overtime hours. Sheriff Marvel explained that mechanics have been put in place to correct the accumulation of comp time. When comp time is earned, it must be used within a specific amount of time. This is the same procedure being used in the Jail and is working well both in the Jail and the Juvenile Center. Andrea Moeller from the Juvenile Center agreed explained that a policy has been implemented and there has been no comp time accrued since the beginning of the year.

Motion: To approve, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation Ordinance 2010-09

An insufficient amount was approved in Unemployment in the Alcohol & Drug fund's budget. This request is to appropriate an additional \$13,000.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation Ordinance 2010-10

The Prosecutor's office is asking for an additional appropriation for Contractual Services within the Drug Task Force Seized Asset budget. The funds are needed to pay outstanding attorney fees regarding seized property.

Motion: To approve, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Darrick Scott.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Personnel Committee

Resolution 2010-05

The Prosecutor's office is requesting to refill a Caseworker position in the Prosecutor Title IV-D fund. This position is a grade 7 and is one that the State reimburses the County 2/3 of the salary and benefits.

Motion: Refill position according to the employee handbook rules, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Vigo County 2010 Salary Ordinance

Amend 2010 Salary Ordinance to exempt the Highway Department from the hiring freeze for the remainder of 2010, allowing them to maintain 44 employees within the established positions as follows: 1- Superintendent, 1-Asst Superintendent, 1-Office Manager, 1 Clerical Asst., 1-Stores Clerk, 1-Custodial, 5-Working Leader, 13-Maintenance Worker, 2-Laborer, 10-Operator, 4-Supervisor, 3-Mechanic, and 1-Sign Tech.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution 2010-6

Attorney Michael Wright received information that the bonding market was capable of effectuating a savings on some bonds that Vigo County currently has outstanding. This proposal would require the Jail to be sold to the Vigo County Building Corporation. The Jail would then be leased back to the County with the understanding that once the lease has been satisfied, the building will revert back to Vigo County. The amount of the bond to be issued is \$4.82 million which would produce a savings to Vigo County of approximately \$305,000. This would not extend the life of the bond.

Motion: To suspend rules, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Motion: To approve Resolution 2010-06, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Motion: To reinstate the rules, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Honorary resolutions

There were none.

Resolutions relating to fiscal policies of the Council

There were none.

First reading by summary reference of proposed ordinances and resolutions

President Kathy Miller assigned Request of Council for the April 27, 2010 meeting to committee for further review.

Appointments

There were none.

Adjournment

Motion: To adjourn, **Action:** Adjourn, **Moved by** Tim Curley, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.