

**Owen County Council Regular Meeting  
JANUARY 14, 2008 at 7:00 p.m.  
Commissioners' Room 2<sup>nd</sup> Floor of the Owen County Courthouse  
60 S. Main Street  
Spencer, IN 47460**

Present: Irma Jean Franklin, Donnie Hall, Anton K. Neff, Nick Robertson, Patty Steward, Kristin Szczerbik, and Mike Wood

Guests: Wiley Truesdel, Bob Siscoe, Chester Richardson III, Tami Snodgrass, Debbie Dailey, Stephanie Raventos, Judge Nardi, Donna Hardy, Donna McElroy

**MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG**

**IN THE MATTER OF REORGANIZATION FOR THE 2008—Election of President and Vice**

Auditor Angie Lawson called the meeting to order for the purpose of electing officers for 2008.

**Mr. Nick Robertson moved to nominate Mike Wood for President. Ms. Irma Jean Franklin seconded the motion.**

**Mr. Anton Neff moved to close nominations. Mr. Robertson seconded the motion but no vote was taken.**

Ms. Lawson called for the question. Ms. Szczerbik asked Mike if he wanted to do it again. He stated he would.

**The motion to elect Mike Wood president for 2008 passed 6-1 with Mr. Wood abstaining. (Motion # 1)**

Mr. Wood assumed the office of President and asked for nominations for Vice President.

**Mr. Robertson moved to nominate Patty Steward for Vice President. Mr. Neff seconded the motion.**

**Ms. Franklin moved to close nominations, Mr. Hall seconded the motion. The vote was 7-0 to close nominations.**

**Mr. Wood called for the question. The motion to elect Patty Steward Vice President passed 6-1 with Ms. Steward abstaining. (Motion # 2)**

**IN THE MATTER OF APPROVAL OF MINUTES FOR DECEMBER 10, 2007**

**Ms. Steward moved to approve the minutes as transmitted to them. Ms. Franklin seconded the motion.**

Under discussion, Mr. Wood called attention to the fact that Mr. Julian Duling was not signed in as a Guest at the December meeting. Mr. Wood wanted it noted that Mr. Duling was at the meeting. Ms. Lawson explained that only those who sign the "sign in" sheet are listed as Guests in the Minutes. Mr. Wood stated that he will try to have everyone present sign the Guest list.

**The motion passed 6-1 with Ms. Szczerbik opposed because she had not had the opportunity to read them.**

**IN THE MATTER OF OWEN COUNTY COMMISSIONERS—Issue with Grounding at Courthouse and Jail and issue with past service officer—Speaking Commissioner Wiley Truesdel**

Mr. Truesdel stated the jail is not a problem, it merely needs to be hooked up. He continued that the Courthouse is a major problem. He is not willing to accept bids from anyone until specs are written by an engineering company so the companies will know exactly what the specs are before bidding on the project.

Mr. Truesdel stated the Commissioners are not in the business of writing electrical specs for the Courthouse. He continued that he has contacted two engineering firms and they will come to look at the courthouse to give an estimated cost but he wants to have the approval of the Council to hire an engineering firm to draw up the appropriate plans.

**Mr. Robertson moved to call for a vote of support for the Commissioners' request of allowing up to \$5,000 to hire an engineering firm to write the specs for grounding at the Courthouse. Mr. Neff seconded the motion.**

Discussion: Ms. Steward commented this will help as far as insurance is concerned. Mr. Wood reminded the members that when Mr. Duling was at the last meeting, he indicated this should help with claims. Sheriff Richardson commented he wanted to make sure the jail wouldn't be left out and Mr. Truesdel told him that only the hook-up was needed and those plans would also be included.

**Mr. Wood called for the vote. The motion passed 7-0. (Motion # 3)**

There was no discussion concerning an issue with past service officer.

**IN THE MATTER OF APPOINTMENTS TO PTABOA BOARD—Speaking Assessor Kenny Anderson**

**Mr. Neff moved to re-appoint Cynthia Lawn, a Level II Assessor-Appraiser, and Cheryl Borders as the other appointee, to the PTABOA Board. Ms. Steward seconded the motion. Motion passed 7-0. (Motion # 4)**

**IN THE MATTER OF AN APPOINTMENT TO ALCOHOLIC BEVERAGE BOARD**

**Mr. Robertson moved to re-appoint Reggie Johnson to the Alcoholic Beverage Board. Ms. Franklin seconded the motion. Motion passed 7-0. (Motion # 5)**

**IN THE MATTER OF THE OWEN COUNTY DEPARTMENT OF FAMILY & CHILDREN—Speaking Debbie Dailey, Director**

Ms. Dailey provided handouts from which she discussed the purpose of the department and various spreadsheets numbered 1, 2, 3, and 4.

Ms. Dailey stated her goals for this evening are to provide the members with information concerning the role the Department of Child Services plays in the community, the services they provide and how those services are funded as well as the current financial status of the department.

She is requesting direction and input from the Council regarding the financial status of the DCS. She introduced Stephanie Raventos, Doris Parlett, Judge Nardi and Donna McElroy as persons that may help answer questions, if necessary.

Ms. Dailey stated that each county is required by Indiana law to carry out the visions of the law. She continued with the duties and responsibilities in the juvenile code as required by the law.

She explained that the services are paid for out of the Family and Children Fund and there are also services paid from this fund for placement services, ordered by the court, for children who are on probation. She continued that the services ordered by the court are funded primarily through county taxes which have a separate tax rate from the general tax fund.

To offset and supplement costs, there are federal and state funds available. The federal funds total approximately \$56,000 for Owen County.

Currently, Owen County is experiencing a cash flow issue due increased expenditures because of an increase number of children receiving services. At the end of 2007 they provided services to 94 children, 54 of whom had been adjudicated CHINS (Children In Need of Services), 17 under informal adjustment, and planning for 23 adoption assistance. They were also paying placement and services for 17 juvenile delinquents.

Their cash balance of the end of 2005 was \$890,000 plus and now it is approximately \$66,000. They have outstanding obligations of \$174,483 and the 2008 projected expenditures are \$975,000. The approved tax rate is not supporting increased expenditures. Timely payments of expenditures are also not being made. Their budget for this year is \$975,500 and to pay bills she should have at least half of that available. (Spreadsheet #1)

Ms. Dailey continued that her concerns include there could be a penalty by service providers if not paid in a timely manner and an institution could refuse to take a placement of a child if there are outstanding obligations. The 2008 tax rate will support paying projected expenditures but does not allow for a 12/31/08 cash balance to support timely payment of bills first 6 months of 2009 awaiting June tax disbursement.

She believes there are several things in place that will address the financial situation. They are looking to the families and the community to provide assistance when the CHINS has been dismissed and DCS no longer provides services. They don't want abuse to occur again. Locally they had doubled their case manager staff over the last 18 months—from 3 to 6. The State has a goal of reducing out of home placements, increasing relative placements and looking at reducing the length of stay out of the home. The State is also evaluating the Directors, Supervisors, and Case managers and if the reductions are not being made, that affects their evaluations.

As the staff has increased Ms. Dailey believes that they can better manage the increased number of reports and investigations in children having care. One of their staff has been assigned to increase the number of Licensed Foster Homes. The State rate of pay per day for a child placed in a Foster Home is \$25.00 as opposed to an institution that receives \$95 to \$100 per day. By assigning a child to Relative Care, it is assumed that they can move more quickly on permanency for the children.

She has assigned a case manager to review the cases from the last two years to ascertain if they have received all of the monetary benefits to which they are entitled.

The options Ms. Dailey placed before the members included:

1. a temporary advance between funds—transfer/borrow funds from a county fund , to be paid back by end of year the transfer was approved from the levying and collection of property and special taxes (Spreadsheet # 2)
2. a one-time 6 month extension allowed by Statute and county must have funds available to support the request (Spreadsheet # 3)
3. a request for a temporary loan—selling of Bonds or Tax Anticipation Warrants and the loan cannot exceed the revenues of the current fiscal year (Spreadsheet # 4)

4. a request for a short term loan from a lending institution which is paid back by debt repayment tax levy in 1-10 years but the Family & Children tax levy must increase to support ongoing expenditures and allow for a cash flow between tax disbursements (also Spreadsheet # 4)

Mr. Wood opened the floor for Council members to ask questions.

Mr. Neff referred to Spreadsheet 3, the extension of temporary loan for 6 months as allowed by statute, where the separate levy would be avoided if one of the cash funds from the County would be used. He asked if the Department can operate in the “red” as long as long as they balance and Ms. Lawson stated the State Board of Accounts explained that they have to be “in the black” on December 31. Mr. Neff commented that the larger problem is that a loan is not the problem solver.

Ms. Dailey explained she became the Owen County Director in 2006 while retaining her Brown County duties and it has taken her some time to grasp the financial situation of this Department. She continued that the previous Director had requested a tax rate increase in 2005 for 2006 for \$298,000, but the Council kept it at the 2005 amount so it was cut by almost \$180,000. Mr. Wood explained the budget was approved by the State which remained the same as the previous year, however, the levy is controlled by the Council.

Ms. Dailey continued that at that time there was \$189,000 which was more than enough to carry through to the first and second tax distribution. However, she said they increased the number of children from 23 to 54 and the drug use, especially meth, has increased. They now have 13 children whose parents have had their parental rights petitioned to be terminated and they are all because of meth.

Mr. Neff recalled that if there had been a tax levy increase it would not have been for 5% but rather substantial at 20 to 30%. He continued that there is the possibility that this year the Legislature is discussing havingz the State take over welfare so his question was if that happens how will that impact the situation.

The response from Ms. Dailey was that she didn’t know how the State would take on that kind of debt. If it happens it could be January 09 or even 2010.

Mr. Wood commented that in his recent discussion with Ms. Dailey he thought it might be in the best interest to establish a Task Force to meet with the Department for strategy purposes. He continued that Fund 283 Psych Fund, there is a cash balance of \$109,000 but what can be spent from that fund is specific. There is another Fund 242, Welfare Trust, with \$133,263 in it.

Ms. Dailey stated there has been clarification from the State Board of Accounts as to how they can get approximately \$100,000 from the Welfare Trust Fund into the Family and Children Fund and will work with Angie concerning this issue.

Mr. Wood asked Judge Nardi what was the percentage of refund from the parents. The Judge explained there are a couple things involved. Two groups are involved—the neglected children and the juvenile offenders. He stated that in most cases he has to appoint attorneys for both parents who probably don’t have jobs and even if he orders them to pay, they won’t be getting much money back because if they are working, it is for minimum wage at 20-30 hours per week. He continued that if he orders services to be re-paid, they cannot go in and attach the check if there is a disabled child. Also, he cannot order them to repay if that would create a hardship.

The answer to Mr. Wood’s question cannot be given a dollar amount because of all the variables involved with the children.

Mr. Lawson inquired about the difference between this and what is in the Commissioners’ budget and Judge explained that was for secure detention purposes not long term treatment for placement.

Mr. Hall asked if there was research conducted and it was determined that kids from surrounding counties were living on property owned by that county in this county and being paid for in this County, could the other county be asked for reimbursement. The Judge explained that if a juvenile from Monroe County robbed a bank in Owen County, he could send the person back to Monroe and visa versa. The County is responsible for the juvenile who commits a crime and resides in that county.

Ms. Szczerbik commented that the two primary things she has heard Ms. Dailey express concerning the \$100,000 shortfall compared to the previous years is the 20 plus CHINS cases with which they are working and doubling their staff from 3-6. She asked if there were any other things Ms. Dailey could point to that would add to that list of why there is a shortfall or cash flow issue.

Ms. Dailey reiterated what was said earlier about the Council keeping the same tax rate as opposed to what was requested which was tripled at that time. There was a request for a slight increase for 2007 and the tax rate requested for 2008 was also increased. She told the Council that when she begins to prepare her budget for 2009 she will be requesting a tax rate increase.

Ms. Szczerbik stated that what is confusing to a lot of people is that the service is done under the umbrella of a State Agency and mandates but yet the funding for the portion that pays for the services received by the children is paid by the local County. Ms. Szczerbik continued that the State pays the salaries, office rent and utilities and the county pays for the direct services to the child. She also stated that they should keep in mind that anytime they are discussing an increase or burden on the taxpayers, they as a Council have the responsibility to look at it carefully and deliberately and not just accept at face value as is perhaps suggested by DLGF and some other people at the State that is the way it is and that's what is necessary, so do it. However, they don't do that as far as a tax levy goes so there is a roundabout way to service the children of the county in a most efficient way and best way without sacrificing anything that is necessary. In doing that the cost of the services should be weighed.

Some things Ms. Szczerbik would like to see and understand and know so it can be explained to others is that it is not being wasteful and excessive which, she stated, are the words heard again and again in other Counties, is to show Council members the numbers as have been shown here (in Ms. Dailey's reports) that the increase in the CHINS cases and also hearing from Judge Nardi his explanation of what types of things are involved in the cases.

She suggested if the Council is going to put together a committee, she wants to really see that hammered out and explained so that tax payers who have to carry the burden understand that this is necessary and excessive. She believes they have a responsibility to explain that to the people who are paying it.

She stated she is absolutely in support of anything that is necessary as she has children herself and she used to be a Victim Advocate and she started a Victim Advocate program for the whole state. At this point, Ms. Szczerbik stated she didn't think they needed to do anything at tonight's meeting or for a little while. She did commend the Department for coming here tonight.

Judge Nardi also stated that it is difficult to know how many children for whom to plan. One year may be better or worse than another. Ms. Lawson asked the Judge to explain how the attorneys he is required to assign to these cases are being paid and he stated it comes out of the Court's budget—not the Department's budget.

Mr. Neff asked for the next step. Mr. Wood suggested, once again, his proposal to establish a Task Force. Mr. Wood believed 2 Council members would be sufficient. The Task Force will consist of Debbie Dailey, Judge Nardi, a Foster Parent, a Farm Bureau member. Kristin Szczerbik and Nick Robertson from the Council volunteered.

## **IN THE MATTER OF SIGNING RESOLUTIONS PASSED AT DECEMBER'S MEETING**

The Resolutions for additional appropriations that were approved for various departments at the December meeting were signed.

## **IN THE MATTER OF THE INSURANCE CHECK SUPPOSED TO BE HERE BY THIS MEETING**

Ms. Lawson informed the members that the insurance check that Mr. Duling stated at the December should have been received in two weeks has not yet arrived.

## **IN THE MATTER OF CERTIFIED IT**

Ms. Lawson reminded the members that if the total amount for the entire year was paid, the County could save \$798.72. Mr. Neff asked if the interest rate received at the bank is less than 2%. Ms. Lawson answered no. Ms. Lawson asked if they wanted to save the money or pay month to month. Mr. Neff commented that the interest would probably make as much as might be saved.

**Mr. Neff moved to pay Certified IT on a monthly basis. Ms. Franklin seconded the motion. The motion passed 7-0. (Motion # 6)**

## **IN THE MATTER OF APPOINTMENTS, RE-APPOINTMENTS, AND CONTINUING ON BOARDS BY THE COUNCIL**

Mr. Wood announced the appointments made by the Council as follows:

Alcohol Beverage Board—Reggie Johnson—annual appointment  
Community Correction Advisory Board—Kristin Szczerbik—4 year term  
County Emergency Advisory Council—Mike Wood—President of County Council  
Chamber/Economic Development Corporation—Irma Jean Franklin  
Local Emergency Planning Council—Mike Wood  
Plan Commission—Anton Neff—4 years  
Board of Zoning Appeals—Patty Steward—4 years  
Owen County Public Library—Council has 2 appointments—Don Taylor, Frank Cottengim  
PTABOA—Cindy Lawn and Cheryl Borders

## **IN THE MATTER OF LAISION PROGRAM**

Mr. Wood stated the Committee will review the surveys that have been returned and report back at next meeting. From a quick review of the materials, he commented that it appears those responding with comments are positive but the main concern is there needs to be more participation and communication from the Council members. Mr. Wood stated that was his original intent when this program was implemented. He asked the members to make better effort to communicate with the departments. The committee consists of Patty Steward, Anton Neff, and Mike Wood.

Mr. Neff asked about having another May budget discussion but they will discuss that at a later meeting.

## **IN THE MATTER OF THE WAGE COMMITTEE**

Mr. Wood suggested that Patty Steward, Anton Neff, the Auditor, Angie Lawson, the Judge, Frank Nardi, a Commissioner and perhaps another office holder be considered for this committee. He would like for this committee to meet with each and every department.

Ms. Szczerbik commented she would very much like to be on this committee because she believes she could bring a different perspective since she is new as a Council member. Mr. Neff advised that the meetings would be public and also this is a fact finding committee and not a policy making committee. There will a point in time when the entire Council will be brought together.

Ms. Steward commented that this will be an ongoing process and not a quick fix for one year. Mr. Neff commented that sub committees can also be formed.

Ms. Szczerbik commented that she would like in the future to hear more about why people would like to be on a particular committee.

**IN THE MATTER OF COUNCIL COMMENTS**

Ms. Szczerbik commented she had read in the Commissioners’ minutes about the Coal City Project grant where the Coal city residents believe they have \$2500 when in reality it has not yet been appropriated. Ms. Lawson explained when Coal City is ready to apply for the Grant they will come to the Council for the appropriation at the appropriate time.

Ms. Szczerbik introduced discussion about the possibility of having a policy manual as she noted some other counties have. She thinks if the Council’s goal is to make things move forward they need to have the best communication possible. She is working on writing a policy handbook for the Council.

**IN THE MATTER OF COUNCIL MONTHLY MEETINGS**

**Mr. Robertson moved to have the Council continue to meet on the 2<sup>nd</sup> Monday of each month at 7 p.m. Patty Steward seconded the motion. Motion passed 7-0. (Motion # 7)**

**IN THE MATTER OF ADJOURNMENT**

**Mr. Robertson moved to adjourn. Mr. Neff seconded the motion. Motion passed 7-0. Meeting adjourned at 9:10 p.m.**

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Donnie Hall

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Irma Jean Franklin

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Anton Neff

\_\_\_\_\_  
Nick Robertson

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Patty Steward

\_\_\_\_\_  
Kristin Szczerbik

Attest: \_\_\_\_\_  
Angie Lawson

\_\_\_\_\_  
Michael Wood