

**Owen County Council Regular Meeting  
February 11, 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, Patty Steward, Kristin Szczerbik, who arrived later, and Mike Wood. Nick Robertson was absent.

Guests: Chester H. Richardson III, Bob Siscoe, Jo Ann Ligon, Tami Snodgrass, Sheila Reeves, Denise Shaw, Donna Hardy

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

**IN THE MATTER OF APPROVAL OF MINUTES FOR JANUARY 14, 2008**

**Ms. Steward moved to approve the minutes as submitted to them. Ms. Franklin seconded the motion. The motion passed 5-0 with Ms. Szczerbik not present for the vote and Mr. Robertson absent.**

**IN THE MATTER OF APPROPRIATIONS AND TRANSFERS**

a. Owen County Prosecutor IV-D transfer request—there is not enough money in Computer Contract to cover the annual Contract.

**Mr. Neff moved to approve the transfer of \$19.28 from Title IV-D Office Supplies, 100-110-4213 to Title IV-D Computer Contract, 100-110-4333. Ms. Steward seconded the motion. Motion passed 5-0. (Motion # 8)**

Ms. Szczerbik arrived

b. Owen County Health Department—various requests—Speaking Sheila Reeves

The first request was for \$2,500.

**Mr. Neff moved to appropriate \$2,500 from the cash balance in the Tobacco Settlement Fund 253 to line item 4201 to pay toward Tobacco Cessation—additional appropriation resolution 2008-2. Ms. Steward seconded the motion. Motion passed 6-0. (Motion # 9)**

The second appropriation discussed concerned an amount to be appropriated to the Coal City project. The Coal City Sewer project group has developed a step by step process but the first step is to be released from the Regional Sewer District by IDEM—and that has not been accomplished. Therefore, they cannot move forward until released. Ms. Reeves reviewed the proposed project for the Council and \$2,500 has basically been promised to Coal City as one of the ways to use the Tobacco fund. The financing will help in pursuing a grant for a new sewer system. Council members believe it best to wait until appropriate issues are resolved before actually appropriating the money.

**Patty Steward moved to table allocating \$2,500 from 253-4240, Tobacco County Tire Clean Up, to Coal City at this time. Irma Jean Franklin seconded the motion. Motion passed 6-0. (Motion # 10)**

The third item concerned appropriating \$3,694.76 for various projects/supplies, emergency preparedness, working with local agencies and nursing.

**Ms. Franklin moved to table the \$3,694.76 request in the Tobacco Fund Preventative Health Measures, line item 253-4218. Ms. Steward seconded the motion. Motion passed 6-0. (Motion # 11)**

The next item brought before the Council concerned various appropriations within the Immunization Fund 178.

**Mr. Neff moved Additional Appropriation Resolution 2008-3 for a total of \$8,300.00 in the Immunization Fund 178 cash balance be allocated into the following line items within the 178 Fund-4331-\$500.00, 4322-\$500.00, 4321-\$500.00, 4240-\$2,500.00, 4171-\$300.00, 4115-\$3000.00 and 4213-\$1,000.00. Ms. Szczerbik seconded the motion. Motion passed 6-0. (Motion #12)**

Ms. Reeves requested that \$6,500 be appropriated in Food Registration Fund 280 from the cash balance to various operating costs.

**Ms. Szczerbik moved Additional Appropriation Resolution 2008-4 for a total of \$6,500.00 in the Food Registration Fund 280 cash balance be allocated into the following line items within the 280 Fund-4331-\$250.00, 4213-\$500.00, 4121-\$750.00, 4110-\$5,000.00. Mr. Hall seconded the motion. Motion passed 6-0. (Motion # 13)**

The request for \$1,000.00 in this Fund for part time help was not acted upon, therefore, tabled.

Ms. Reeves also presented the members with the current job description, health board members, and the 2007 annual report.

Ms. Szczerbik commented that because the fiscal year of the Health Department is different than the January-December of regular budget that perhaps the liaison could work closely with the department so they didn't have to come to more meetings than necessary.

Ms. Szczerbik recognized Sheila for the good work she does in the Health Department and for the information she provided to the Council members.

**IN THE MATTER OF PAST & FUTURE INSURANCE ISSUES AND COMPUTER ISSUES—**  
**Speaking** Angie Lawson and Tami Snodgrass

Ms. Lawson reviewed the items that were being held over from the June 2007 Lightning strike and recalled that Mr. Duling was present at the December meeting and related the conversations he had with the adjusters and was assured checks would be here in two weeks. Money was appropriated in the Rainy Day Fund to pay those bills. Nothing was paid on the computer side. She continued that there was information in their packets stating the County had exceeded what the policy allowed and there would be no more payments made. In fact, it stated the County had received more insurance money than it should have but the County would not be asked to reimburse the company.

Recently, Ms. Lawson received Notice of Cancellation from Bituminous that on March 8, 2008, they would no longer cover the County for property and liability insurance for all structures. The bottom line for the Council members to be aware of is that the \$10,000 they appropriated in good faith in December will not be forthcoming and, therefore, the Rainy Day Fund will not recoup that amount.

There are 3 insurance companies that will submit information to the Commissioners in a work session scheduled for February 29. However, none of the three want to submit information concerning property liability insurance with the current status of the grounding situation.

Mr. Wood stated that in defense of Mr. Duling he was only informing the Council members as to what he had been told. Mr. Duling was also acting in good faith by presenting to the members what he had been told. Mr. Wood wanted to publicly state that Mr. Duling had done everything he could have done towards this issue.

Commissioner Steve Williamson invited all Council members to attend the February 29 Work Session and make their concerns known.

Ms. Snodgrass stated that Certified IT had prepared a list of the computers that need to be replaced and the list had been presented to the members. She continued that several of the computers do not have Outlook which keeps those employees from receiving email through the Server. Ms. Snodgrass recommended that appropriations be approved to purchase the equipment but stipulate that the system does not go online until the ground issue is resolved.

Ms. Lawson commented that the other issue is that the installation of the machines has not been discussed. Certified IT is now on contract but in June when the machines were damaged, they were not on contract. There will be an hourly rate charge to put the new machines online. The charge will be reduced from \$95.00 to \$75.00. Twenty-two hours have been banked and Certified IT estimated it will take 3 hours per machine equaling approximately \$3,600.00.

Ms. Szczerbik requested a report stating how much money has been used in the EDIT Fund to pay towards computers. Ms. Lawson will provide that information to her through an email.

Mr. Wood stated he has a concern that bringing in computers and having them sit in offices until the grounding issue is resolved. He commented the project should be done in stages.

Ms. Franklin commented that she believes the project should be taken as a whole because it is so time-consuming to go from one office to another as a computer may go down.

Ms. Snodgrass stated that Outlook should be purchased immediately because there are so many computers that cannot receive email through the server.

Some of the machines that need to be replaced can be used as public terminals in the various offices.

Mr. Hall inquired about the age of the computers—especially in the Clerk’s office. Ms. Snodgrass explained that one or two are State computers and the one employee who uses the State Computer should also have access to a County Computer.

**Mr. Neff moved that Additional Appropriation Resolution 2008-5 in the amount of \$4,604.61 be allocated in the EDIT Fund 247 to pay toward purchase of Software and Hardware in line item 4305.10. The total is composed of \$3,618.89 for Office Outlook and \$985.72 for the Assessor’s server needs. Ms. Szczerbik seconded the motion. Motion passed 6-0. (Motion # 14)**

**IN THE MATTER OF OWEN COUNTY COMMISSIONERS’ GROUNDING ISSUE**—Speaking  
Commissioner President Wiley Truesdel and Commissioner Steve Williamson

Mr. Truesdel stated the Commissioners had reviewed the quotes and recommend that Capitol, a company from Fishers, Indiana be used for the outside grounding of the Courthouse and Security Center. Harvest Protection with be responsible for the inside grounding of both buildings.

Mr. Neff stated they could use the Rainy Day Fund.

**Ms. Szczerbik moved that Additional Appropriation Resolution 2008-1 in the amount of \$42,540.00 be allocated in the Rainy Day Fund 277 cash balance to pay toward the grounding of the Courthouse and Security Center in line item 4449.00. Mr. Neff seconded the motion. Motion passed 6-0. (Motion # 15)**

**IN THE MATTER OF OWEN COUNTY ECONOMIC DEVELOPMENT—TAX ABATEMENTS—**  
Speaking Denise Shaw

The members were provided with a packet pertaining to Tax Abatements. Ms. Shaw stated it is a matter of working with the Auditor to file paperwork on a timely basis.

Mr. Hall asked if the company moved out would the abatement stay with the real estate and become part of the new company. Ms. Shaw stated the proposal has been given to County Attorney Richard Lorenz for his review.

**Ms. Franklin moved to adopt the 10 year Economic Development Tax Abatement Application Policy Selection Criteria as proposed by Economic Development with the County Attorney's approval. Ms. Steward seconded the motion. Motion passed 6-0. (Motion # 16)**

Ms. Szczerbik suggested that there be a review in the policy relating to grammatical errors.

**IN THE MATTER OF DISCUSSION REGARDING THE FORMING OF A TASK FORCE TO STUDY THE DEPARTMENT OF FAMILY & CHILDREN FINANCIAL SITUATION**

The Task Force will consist of Debbie Dailey, Judge Frank Nardi, Judy Pittman, and Council persons Kristin Szczerbik and Nick Robertson. The person in charge of the committee will be Debbie Dailey.

**IN THE MATTER OF DISTRIBUTION OF CAGIT AND EDIT**

Mr. Wood read a letter from the State of Indiana regarding the excess amount balance to be distributed in January of 2008 less the December 31, 2004 balance distributed in 2007 requires an identity receiving a distribution of the excess balance to be deposited in the Rainy Day Fund.

The letter stated that the 2007 excess and CAGIT distribution report totaled \$184,351.85. He continued that it comes from two different sources—one is CAGIT and the other is CEDIT. \$129, 260.81 is the EDIT which had to be put into the Rainy Day Fund.

Ms. Lawson explained that the CAGIT money had been disbursed to the appropriate taxing units. However, she received an email from DLGF that the totals may not be correct so she notified the taxing units not to spend any of the money.

Once Ms. Lawson receives the new allocations she will email the members for their information.

Ms. Lawson stated that the Assessor rolled the Assessed Values to the Auditor's office. The process is that the State will not approve the County Budget until they have the assessed values. However, the work has been completed and as soon as the date, February 18, 2008, has arrived for the Form 11 appeals to be completed, she will send the AVs to the State. As soon as the budget and rates are approved by the DLGF, Ms. Lawson will travel to Indianapolis to obtain the information.

**IN THE MATTER OF THE 2008 LIAISON PROGRAM—Speaking Mike Wood**

Each member was presented with information pertaining as to whom would be assigned to the various departments. Surveys completed by various office holders were attached. The majority stated the program

is positive but it should be improved. Mr. Wood stated if the program is going to work, communication is of the essence between the liaison and office holder.

The committee of Mike, Patty and Anton proposed that there be a workshop starting at 1 p.m. prior to their May meeting which is set for 7 p.m.

Mr. Wood announced the following Council members have been assigned as liaisons:

Nick Robertson has been assigned the Commissioners, Cum Cap, EDIT, Lease Rental, Highway, Local Road/Streets and the Courthouse;

Mike Wood will work with the Auditor, EMS, Sheriff, Dispatch/911, Jail and Jail Housing and EMA;

Irma Jean Franklin has been assigned to the Assessor, EMS, Sheriff, Dispatch/911, Jail and Jail Housing;

Anton Neff will liaison with the Circuit Court, Commissioner Court, Drug Court and CASA, Clerk, Election/Registration/ Clerk's Perpetuation, Treasurer, and Building/Plan Commission;

Kristin Szczerbik will work with Probation, Juvenile Probation, Adult Probation, Administrative Fee, Community Corrections and the Recorder;

Patty Steward has been assigned the offices of Soil & Water, Extension, Health and Local Health Maintenance, Prosecutor, Prosecutor IV-D, Prosecutor Incentive and Pre-Trial Diversion;

Donnie Hall will liaison with Recycle, Veterans' Service Officer, Coroner, and Surveyor.

Mr. Neff suggested that when they have the workshop the schedule be grouped by liaison. Mr. Wood stated the committee will prepare a "checklist" for the liaison and department to keep the meeting "moving along".

The dates of August 20, 21, 22 were agreed to be the budget hearing dates instead on the first week in September.

### **IN THE MATTER OF COUNCIL COMMENTS**

Ms. Szczerbik presented information for review of Council members concerning establishing procedural guidelines and deadlines for Council requests by office holders and department heads. She submitted this information in the form of a motion 2/11/08 for consideration for amendment and/or affirmation by vote during the March Council meeting on 3/10/08.

Ms. Szczerbik's proposal included, with detail, such items as the procedure to request transfers/appropriations and placement on the agenda of the County Council, what matters may come before the Council, how to file a request, and filing deadlines.

She wanted to know if Owen County housed State prisoners, does the money go into the General Fund. Ms. Lawson explained that with the former sheriff and Council that money was put into a separate fund so if the Sheriff needed a refrigerator, for example, it could be purchased without the Sheriff having to appear before the Council or use General Fund dollars.

Concerning the homestead credit, Ms. Szczerbik questioned if the ordinance stated that the rebate would go to delinquent taxes and did it, in fact, go towards the delinquency. Ms. Lawson explained that the Commissioners had passed that ordinance and yes, if a taxpayer received a rebate and had a delinquency, the

rebate was applied to the delinquency. Ms. Lawson informed the members that approximately \$400,000 was returned to taxpayers in the form of rebates and about \$50,000 was applied to delinquencies.

Mr. Hall asked how much was received from the tax sale and how much did it cost the County. Ms. Lawson explained that the final figures have not yet been determined.

Ms. Snodgrass requested that if the Council members want their County email addresses set up, please let her or Angie know as Certified IT must be notified.

**IN THE MATTER OF ADJOURNMENT**

**Ms. Franklin moved to adjourn. Mr. Hall seconded the motion. Motion passed 7-0. Meeting adjourned at 9:40 p.m.**

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Donnie Hall

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Irma Jean Franklin

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Anton Neff

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Nick Robertson

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Patty Steward

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

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

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Michael Wood