

**Owen County Council Regular Meeting  
December 10, 2007 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: Tami Snodgrass, Bob Siscoe, Jo Ann Ligon, Sheila Reeves, Cris Lunsford, Greg Denny, Chester Richardson III, Kenneth Anderson

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

**IN THE MATTER OF APPROVAL OF MINUTES FOR NOVEMBER 14, 2007**

**Mr. Neff moved to approve the minutes as prepared. Ms. Steward seconded the motion. The motion passed 6-1. Ms. Szczerbik was opposed.**

**IN THE MATTER OF APPROPRIATIONS OR TRANSFERS**

**a. Commissioners—issue with unpaid insurance—Speaking Commissioner Steve Williamson and Insurance Agent Julian Duling.**

Mr. Duling explained that the total claim for lightening damage at the courthouse last June was \$68,826.50 and of that claim \$50,874.76 has been paid leaving an approximate balance of \$18,000. The portions paid related to the computer system and the company also paid almost \$24,000 for vaccines that were claimed, but not insured. The invoices for HICOM who repaired the phones and ECS for sirens remain to be paid.

Mr. Duling explained the procedures which have transpired in the last several weeks concerning what he has done and what remains to be done in order to obtain a check for the claims. Mr. Duling's understanding was that the telephone company stated they would sue the County if payment was not immediate. He proposed that, if possible, the Council appropriate the payment of the claims to HICOM and ECS and within two weeks he should have the insurance check for 75% of the remaining \$18,000 which will be given to the Auditor who will then reimburse the fund from which the claims were paid. The County will be responsible for the remaining \$4,500. In retrospect, Mr. Duling reminded the members that the payment of almost \$24,000 for vaccines, which should not have been paid, would have been more than enough to cover the \$18,000 difference.

Since the two invoices in question only total \$9,643.75, Mr. Neff inquired as to why there was a total of \$18,000 in unpaid invoices. Ms. Lawson explained the remainder due is for Certified IT for their work on the updates, new equipment, and services they provided on a much needed and appreciated basis.

Ms. Szczerbik asked why the vaccines were not insured. Mr. Duling explained that one county may have a million dollars worth and another may not have any. However, he explained he had not been made aware this County had any vaccines to insure until the June lightening strike and the medicine was turned in on an insurance claim. Now that Mr. Duling is aware of the situation, it will be covered in the future. It will probably be an additional \$300.00 or so added to the premium.

**Mr. Neff moved to appropriate a total of \$9,643.75 in the Rainy Day Fund to pay HICOM Telephone \$5,555.00 for a bill from June 23<sup>rd</sup> lightening strike and ECS for the Siren Encoder in the amount of**

**\$4,088.75 and reimburse the Rainy Day Fund with the insurance money. Ms. Franklin seconded the motion. Motion passed 7-0. (Motion # 83)**

Mr. Hall asked if they took money from River Boat to originally fund the Siren System was there any money left from that. He also wanted to know if there was money for maintenance for next year. Ms. Lawson replied she was not in charge of the Siren system.

Mr. Duling stated he would be contacting the insurance company tomorrow and getting the check back to the County just as quickly as possible. He also commented he had been asked about lightening losses. He is aware the Commissioners are trying to get the courthouse and jail grounded. In his research he has found two or three companies that may do the internal wiring bids but there is only one company in the State, Capital, that does the external part.

b. Commissioners—transfer to cover legal expenses—Speaking Commissioner Williamson

He asked for transfer of funds to pay for legal services.

**Ms. Franklin moved to transfer \$956.00 within the Commissioners' budget from the General Fund line item Care of Patients 100-130-4398 to Commissioners' Legal Services 100-130-4131 to pay for Legal Services. Mr. Robertson seconded the motion. Motion passed 7-0. (Motion # 84)**

c. Commissioners—transfer to cover Registration & Conference

**Mr. Robertson moved to transfer \$796.98 from Commissioners' Workman's Comp line item 100-130-4343 to Registration and Conference 100-130-4116. Ms. Steward seconded the motion. Motion passed 6-1 with Ms. Szczerbik opposed. (Motion # 85)**

d. Treasurer—multiple transfers—Speaking Tami Snodgrass

Ms. Snodgrass explained her requests for transfers included allowing her to balance various line items such as Registration & Conference, Repair of Equipment, and Office Supply. Also she would be able to purchase a laptop computer to be used in the office as well as remotely during the busy tax season. She plans to purchase two additional PC's—1 for the Auditor's office and 1 to be used as a public terminal for credit card payments. Remaining funds will be used to purchase battery backups, various software upgrades and 1 shelving unit.

**Nick Robertson moved to transfer from the following accounts—103-4113.00, deputy treasurer, \$1,827.94; 102-4114.00, clerical assistant, \$2,441.24; 103-4331.00, printing, \$63.14; 103-4371.00, night deposit, \$30.00; 103-4391.00 dues and subscriptions, \$126.90 totaling \$4,489.22 to 103-4326.00, registration & conference, \$324.11; 103-4232.00, repair of equipment, \$131.25 and 103-4213.00 office supply, \$4,033.86 totaling \$4,489.22. Ms. Szczerbik seconded the motion. Motion passed 7-0. (Motion # 86)**

e. Clerk—additional in Clerk's Perpetuation Fund—Speaking Harley Melton

Mr. Melton requested an additional of \$600.00 in the Clerk's Perpetuation fund to be able to have enough money in his part time payroll account.

**Mr. Neff moved to appropriate \$600.00 in the Clerk's Perpetuation fund 256, for record keeping line item 4201. Mr. Robertson seconded the motion. Motion passed 7-0. (Motion # 87)**

f. Recycle—trash pickup additional appropriation—Speaking Patty Steward in the absence of Bob Clark who could not be here this evening

Ms. Steward explained this is to pay for the dumpsters that were located at the County Home during the recent auction.

**Mr. Robertson moved to appropriate \$3,100.00 from the cash balance in the Recycle Fund 081 to trash pick-up line item 4393. Ms. Steward seconded the motion. Motion passed 7-0. (Motion # 88)**

g. EMS—2 transfers—Speaking Cris Lunsford

Mr. Lunsford requested transfers in order to meet the shortfall in the contractual services account.

**Mr. Neff moved to approve transfers in the EMS Fund 216 from EMS 216-000-4123.00, PERF to 216-000-4300.00, Contractual Services in the amount of \$4,786.52 as well as \$2,484.00 from 216-000-4176.00, Workman's Comp to 216-000-4300.00, Contractual Services totaling \$7,270.52. Ms. Franklin seconded the motion. Motion passed 7-0. (Motion # 89)**

Mr. Hall asked about the new ambulance and Mr. Lunsford responded it went into service 2 weeks ago and Mr. Neff commented that next year they will continue their rotations.

e. Health Dept. Master Tobacco Appropriation & Immunization Fund—Speaking Sheila Reeves

Ms. Reeves requested an additional appropriation from the cash balance in the Master Tobacco Fund 253 for related tobacco projects in response to a letter from Mr. Dave Newgent, who is the director of the Owen County Tobacco Prevention and Cessation program. The request from the Immunization Fund 178 is to reimburse the FICA and nurse/payroll.

**Mr. Robertson moved to appropriate \$2,500.00 from the cash balance of the Master Tobacco Fund 253 to 253-4201, tobacco related projects. The motion was seconded by Ms. Franklin. Motion passed 7-0. (Motion # 90)**

**Mr. Robertson moved to appropriate \$1,366.25 from the cash balance in the Immunization Fund 178 to 178-4115, Nurse/Payroll as well as \$104.53 to FICA 178-4171. Mr. Neff seconded the motion. Motion passed 7-0. (Motion #91)**

f. Extension—office supply transfer—Speaking Patty Steward for Mr. Mark Evans who was out of town

**Ms. Franklin moved to transfer \$56.84 from the Extension Fund 100-123-4213, office supplies to 100-123-4378, copy machine service agreement. Mr. Robertson seconded the motion. Motion passed 7-0. (Motion # 92)**

g. Reassessment—various transfers—Speaking Kenny Anderson

Mr. Anderson explained he would like to make 3 transfers from the Reassessment Fund 254 to County Assessor 100-109. The first being \$500.00 for office supplies, the second to attend meetings and conferences, and the third would be used for equipment.

The difficulty with this request is that there cannot be a transfer from one Fund to another Fund. These requests were denied and Mr. Anderson will return to the Council in January.

g. Sheriff—Multiple additional appropriations--Speaking Sheriff Richardson & Greg Denny.

Sheriff Richardson explained there are inmates being housed at DOC at \$60.80 per day. There are 8 females at Clay County at \$35.00 per day. He is requesting money be transferred to safe keeper expenses to pay a \$5,000 bill.

**Mr. Neff moved to appropriate \$5,000.00 from the cash balance of Jail Housing Fund 157 to Jail Housing 157-4356 to cover cost of inmates housed at DOC. Mr. Robertson seconded the motion. Motion passed 7-0. (Motion # 93)**

Sheriff Richardson requested \$3,719.90 from Jail Housing to Jail Housing utilities.

**Mr. Robertson moved to appropriate \$3,719.90 from the cash balance of Jail Housing Fund 157 to 157-4351, Jail Housing Utilities. Ms. Steward seconded the motion. Motion passed 7-0. (Motion # 94)**

Sheriff Richardson requested \$5,453.37 from Jail Housing to pay for computer software.

**Mr. Neff moved to appropriate \$5,453.37 from the cash balance of Jail Housing Fund 157 to 157-4325 Computer Software expenses. Mr. Robertson seconded the motion. Motion passed 7-0. Motion # 95)**

Sheriff Richardson requested \$14,374.80 for inmate medical shortfall. The Sheriff and Ms. Lawson explained that the monthly payment was made but it was more than the budgeted amount. Line item 132-4356 is in the red and an appropriation is needed and when appropriated by the Council, it will be reflected and balanced by an erroneous payment.

Mr. Neff led the discussion reviewing that \$55,000 had been appropriated in 2006 for the 2007 budget in that particular line item. Total costs for the Advanced Healthcare inmate medical program were \$69,463.78. Ms. Franklin asked if the Sheriff approved of this method of taking medical care of inmates and he responded that he did.

**Mr. Robertson moved to appropriate \$14,374.80 from the cash balance of the EDIT Fund 247 to line item 247-4310 Inmate Medical Expense and will be reflected as an erroneous payment. Mr. Neff seconded the motion.** During further discussion, Mr. Hall asked why they should not take the money from Jail Housing. Sheriff Richardson explained that if they did that, he would have to lay off 2 employees.

**Mr. Wood called for the vote. Motion passed 6-1. Mr. Hall was opposed. (Motion # 96)**

Sheriff asked for the following transfers—from the photography, office supplies, Sheriff's Merit Board, tires, repair of equipment, uniforms, and gas, oil & lube accounts to inmate meals.

**Mr. Robertson moved to transfer \$312.83 from 105-4221, photography; \$513.44 from 105-4213, office supplies; \$71.04 from 105-4112, Sheriff's Merit Board; \$190.09 from 105-4223, tires; \$23.46 from 105-4232, repair of equipment; \$95.11 from 105-4242, uniforms; \$7,950.00 from 105-4222 gas, oil & lube to 105-4392, inmate meals for a total of \$9,155.97. Ms. Franklin seconded the motion. Motion passed 7-0. (Motion # 97)**

**IN THE MATTER OF COUNCIL DISCUSSION REGARDING ORDINANCE 2007-44—CAPITAL PROJECT BOARD—Speaking Councilman Neff**

**Mr. Neff moved to adopt Ordinance 2007-44 which is an ordinance prohibiting the Capital Project Board from reviewing, revising, and reducing the budget, tax rate and tax levy of each political subdivision located in Owen County, Indiana. Mr. Robertson seconded the motion. Mr. Robertson seconded the motion. Motion passed 7-0. (Motion # 98)**

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

Ms. Steward commented that the Budget Minutes had not yet been approved and it was time to take action on them. It took extra time to prepare the minutes and there some changes requested. These were then emailed to the members for their consideration.

Mr. Neff stated that at one point during the budget hearings a poll by show of hands was taken concerning how to approach raises. The first two questions were a polling of how to proceed. He would like the record to show that on the first question—do we give raises—his response was yes. On the second question—would it be a percentage or flat rate and he was for a percentage. He suggested that if any other member wished to have his/her choice reflected in the minutes, now was the time to do so.

Mr. Neff believed that two people voted in favor of percentage raises being himself and Mr. Wood, but the third person is unknown and asked if anyone would like to declare his/her preference. He thought it may have been Ms. Szczerbik but she commented she was for a flat rate and did not think it was necessary to take that step.

**Ms. Franklin moved to accept the 2008 Budget Minutes as presented to them. Ms. Steward seconded the motion.** Ms. Szczerbik commented that the Minutes stated Volunteers in Mission; it should have been Volunteers in Medicine. Mr. Wood called for the vote. **Motion passed 6-1 with Ms. Szczerbik opposed. (Motion # 99)**

Mr. Wood asked for other comments from Council and Mr. Neff believed they should take action on the creating the Committee or Task Force with respect to Compensation of employees and officers. They are now 30 more days closer to next year's budget hearings.

Ms. Szczerbik mentioned she had brought this issue before Mr. Lorenz to see if it could be discussed at the upcoming Strategic Planning Retreat to be held December 19. She does not want to have this talked about without taking some action.

Ms. Franklin commented that the monthly revenue statement reflects a positive amount in the general fund and she was pleased because she has witnessed in years past that there have been negative amounts. She also commented that she will personally discuss with the Auditor, Treasurer, and Assessor the possibility of their employees earning less money than those who have additional available funds such as Probation to give raises to those employees. She stated she would be shocked if that was indeed the situation, but that might be a possible option.

Mr. Neff asked if since we are in the "black" will the State allow the Council a little more "wiggle room" to work with budgets.

Ms. Franklin also commented that if money is taken from specific funds for raises, it is always a possibility that that money may not be available in a following year. She continued she is a firm believer in allocating raises first and tell the department heads to cut their budget in other areas if necessary.

Mr. Wood agrees to set a committee from the Council and other Departments concerning raises. He continued that at the January meeting there will be reorganization and they will begin to discuss how to form the committee. He also suggested that he is somewhat disappointed with the liaison program implemented this year and would like input.

Mr. Hall wanted to know if anyone had known there had been one lightning strike per year for the last 5 years. Ms. Franklin commented there probably was knowledge of the lightning problem but there was no

money to do anything about it and Mr. Wood then commented that the jurisdiction for this issue belongs to the Commissioners

Mr. Hall also stated he has a hard time with the Sheriff asking for vehicles and when they appropriated \$95,000 to buy brand new vehicles, he now understands that one of them has been under water and has 26,000 miles but it saved about \$10,000. The question becomes how much will it cost to get the car up and running.

Ms. Szczerbik commented that if the Sheriff comes to the Council for money to repair this vehicle, he will be held accountable.

Mr. Wood and Ms. Franklin both commented that as a Council they ask department heads to be creative and if this works, fine and if not, they won't do it again.

There was more discussion about the liaison program and it was suggested that a survey be distributed to department heads before the January meeting. Also it was discussed to rotate Council members with department heads so each may become familiar with other offices.

**IN THE MATTER OF ADJOURNMENT**

**Ms. Franklin moved to adjourn. Ms. Steward seconded the motion. Motion passed 7-0. Meeting adjourned at 9:33 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

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