

DELAWARE COUNTY COUNCIL MEETING
APRIL 26, 2016 9:00 A.M.
DELAWARE COUNTY COMMISSIONERS COURTROOM
CALL TO ORDER
PLEDGE
AGENDA POSTED
ROLL CALL

ORIGINAL

Present: Councilman Alexander, Councilwoman Chambers, Councilman Jones, Councilwoman Lasater, Councilman Matchett, Councilman Nemyer, Councilman Quakenbush, Auditor Steve Craycraft, Attorney Don Dunnuck

APPROVAL OF MARCH 22, 2016 MINUTES

MOTION: Councilman Quakenbush motioned to approve March 22, 2016 minutes.

SECOND: Councilman Jones

MOTION PASSED UNANIMOUSLY

ORDINANCES

SECOND READING

AN ORDINANCE TO CREATE AN INVESTMENT POLICY AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS
FOR MORE THAN TWO (2) YEARS BUT NOT MORE THAN FIVE (5) YEARS

ORDINANCE 2016-008

MOTION: Councilman Jones made a motion to approve the second reading of Ordinance 2016-008, To Create an Investment Policy Authorizing the Investment of Public Funds.

SECOND: Councilman Nemyer

Councilman Jones asked to be assured once again that if Delaware County needs the monies that have been invested they can get to the monies.

Councilman Quakenbush does not think the county monies should be tied up for that long. Quakenbush said it does not make sense to borrow monies from the bank. This ordinance has a sunset law of 4 years. The highest rate for five years that Quakenbush found was \$100,000 at 1.7%. Quakenbush wondered why monies could not be borrowed from surplus money for short term from the Treasurer instead of the bank.

Ms. Carrie Dye, Treasurers Office said she did not know if State Statute allowed borrowing monies short term. Penalty would take place if monies was pulled out early. Dye said 25% of monies is all that can be invested, .30% is the best interest at this time that Delaware County is getting. In December 2015 quotes had been received by Mutual Federal. A five year tear would be 2% for \$3 million.

Mr. Gary Campbell, Treasurer said he must go by Statute and State law protects the money.

Councilman Jones said there was an opportunity in which Council could have borrowed monies from the Highway if it was paid back by the end of the year.

President Matchett believed it could be borrowed from EDIT too.

Ms. Dye said CD are usually a fixed term, Jumbo CD's are the best at this time. As long as monies are invested within four years, it can be invested for four.

April 2016 County Council

Alexander asked the risk.

Ms. Dye said it is 100% insured and can be taken from account at any time with penalty. Funds are in reserves. Statute says they can invest up to five years.

Ms. Dye said it is monies can be withdrawn at any time however interest would have a penalty.

Dunnuck said CD'S are fixed terms. Dunnuck explained the ordinance.

Councilman Nemyer confirmed that 100% is insured at a higher rate then what the county is currently getting.

A report will be given to Council monthly from the Treasurer on investments. The Treasurer does not need to come before Council to invest monies. Once a new Treasurer is elected then they would need to come before Council.

Motion PASSED UNANIMOUSLY

TRANSFERS AND FINANCIAL AGENDAS

Ms. Gale Bicknell, Bookkeeper read requests aloud.

MOTION: Councilman Nemyer motioned to approve \$300 for Prosecutor 137.

SECOND: Councilwoman Chambers

Favorable recommendation from Finance Committee

Motion PASSED UNANIMOUSLY

MOTION: Councilman Alexander motion to approve for discussion purposes Circuit Court 1000-5-138-00000 for \$21,100.

SECOND: Councilman Nemyer

No recommendation from Finance Committee

Ms. Amanda Yonally, Juvenile Magistrate, presented information and stats regarding the increase of workload due to Meth and Heroin cases within Delaware County. Child in Need of Services (CHIN) cases are up due to parental cases. Cases must be kept on track. The employee must be trained and be an expert in the area. Drug problems are draining revenues.

Councilmembers had questions regarding benefits and the cost of a new person. Councilmembers said requests should not be coming mid-year but at budget time. Council said the Prosecutor, Sheriff and Courts all need more staff. The right time is during budget time.

Dowling said it is next to impossible to hire someone part-time due to the experience that they need to work in the courts.

Ms. Lana Scroggins, Office Administrator, said the position had been eliminated in 2008 but now they need the position back.

Councilman Quakenbush called for the question.

All Councilmembers answer "I" for the call to the question.

Motion PASSED UNANIMOUSLY

April 2016 County Council

Councilman Jones changed his vote to no.

All other members understood what they were voting on.

Ms. Yonally thanked Council for approving to hire one person.

Ms. Denise Smith, Taxpayer asked about if Delaware County had drug courts.

Judge Kim Dowling said they are working toward steps on treatment of addiction and do have drug courts.

MOTION: Councilman Jones made a motion to hire two full time Merit Officers, a part-time to be hired to train to take over office position, one Investigator and one Assistant Prosecutor and one advanced EMT. A distribution from the State will take place and funding has to be found.

SECOND: Councilman Nemyer

Alexander said costs need to be identified and published.

Councilman Jones said the cost would be \$900,000.

Mr. Jason Rogers, EMT Director said they have brought positions to Council regarding the needs.

Sheriff Dudley said statistics reports are sent to Council regarding their needs. When the economy is bad, crime goes up. There have been three killings during the last few weeks.

Matchett said they would need the amount, line items and vote.

Councilwoman Lasater asked Mr. Rogers, Sheriff Dudley and Prosecutor what their immediate needs are.

Mr. Jason Rogers requested three positions but would take one, Mr. Jeff Arnold, Prosecutor asked for an Investigator and Deputy Prosecutor and Sheriff Dudley is in need of two employees.

Councilman Jones requested a Special Meeting be called.

President Matchett said line items would be needed.

Councilman Quakenbush said this discussion is not on the agenda and Council should go back to agenda.

NAYS: Councilman Alexander, Councilman Matchett, Councilman Quakenbush, Councilwoman Chambers, Councilwoman Lasater

YEAS: Councilman Jones, Councilman Nemyer

MOTION FAILED

MOTION: Councilman Nemyer motioned to approve \$2112.45 CASA FUND 1212-251-5-00000
 SECOND: Councilman Alexander
 Favorable recommendation from Finance Committee
 Motion PASSED UNANIMOUSLY

Ms. Scroggins gave the specific reason why the salary catch-up is taking place. The salary ordinance is always followed.

Councilman Quakenbush said catch-ups is something that do not have to be done.

Councilwoman Lasater asked if there is support that no "future catch-ups" will be approved.

Continued conversation took place regarding procedures not being followed, hiring procedures, and explanation to new hires.

Mr. Rick Spangler, HR Director, said he does not have authority unless Council and Commissioner give the authority to HR to follow procedures.

MOTION: Councilman Jones motioned to approve \$18,500 for Cumulative Bldg Fund 1136.
 SECOND: Councilman Nemyer
 Councilman Jones requested that a Commissioner should attend the meeting.
 Motion PASSED UNANIMOUSLY

Council had some questions regarding the Security Key fobs.

Councilman Jones requested that a Commissioner should attend the Council meeting. Jones had some questions regarding Key fobs.

Ms. Pam McCammon, Insurance Specialist said Attorneys and runners pay for Key fobs.

MOTION: Councilman Jones motioned to approve \$150,000 for Cumulative Bridge Fund 1135.
 SECOND: Councilman Nemyer
 Councilman Quakenbush asked about monies being taken out of county general fund to supplement bridge budget.

Ms. Angie Moyer, Project Manager, said this is for a new tandem for the Bridge Crew. Moyer said she is willing to help out because she will invest \$50,000, per year, toward equipment for surplus with the Bridge Crew.

Motion PASSED UNANIMOUSLY

MOTION: Councilman Nemyer motioned to approve \$50,400 for EMS Capital Improvements 4910-263
 SECOND: Councilman Alexander
 Mr. Rogers presented information at the Finance Meeting.

Quakenbush said this is not Capital Improvement. This was not to purchase a vehicle. That should be buildings.

April 2016 County Council

Mr. Rogers said they are part of the fleet and are not ambulances. How is this not?

YEAS: Councilman Alexander, Councilman Jones, Councilman Matchett, Councilman Nemyer, Councilwoman Chambers, Councilwoman Lasater

NAYES: Councilman Quakenbush

Councilman Jones said Commissioner King told the news media that every time Commissioners ask for monies it was denied and Council states it does not have monies.

MOTION: Councilman Jones motioned to approve Highway for \$1,200,000.

SECOND: Councilman Nemyer

Councilman Quakenbush said in 1982 the truck was overhauled. This is a need that the Highway has needed for several years.

Mr. Robert Jesse, Highway Superintendent, explained what the new machine will do and it will also cut the labor cost in half. This will start 2017 paving out in the right way; this should have been done a long time ago. Paving has started for 2016.

Motion PASSED UNANIMOUSLY

MOTION: Councilman Nemyer motioned to approve \$11,885 for Prosecutor Pretrial Diversion/Deferral 2502.

SECOND: Councilman Alexander

Favorable recommendation from Finance Committee

Mr. Jeff Arnold, Prosecutor, said this is not out of County General.

Motion PASSED UNANIMOUSLY

RAINY DAY 1186-317

MOTION: Councilman Jones made a motion to approve \$20,000 Rainy Day 1186-317.

SECOND: Councilman Nemyer

This will be 80% reimbursed.

Motion PASSED UNANIMOUSLY

TRANSFERS

Councilman Jones asked that Council is provided with date of hire, name of employee and department for new employees. This was discussed in Finance Meeting and he requested that Mr. Jammie Bane, Health Director and Mr. Mike King, Clerk attend the Council meeting. Jones said he will not support any approval without names of new hires.

Councilman Nemyer asked that the front page of transfer agenda be approved all at once. See below.

Ms. Bicknell, Bookkeeper said Highway MVH 1176 was withdrawn.

Councilman Quakenbush asked about catch-ups?

MOTION: Councilman Nemyer motioned to approve the front page transfers.

SECOND: Councilman Alexander

Nemyer asked about the Master Commissioners position.

Ms. Scroggins said this will bring the Master Commissioner up to pay. Procedures were followed. Ms. Scroggins said the monies out of the Master Commissioners spot will allow the new person to take over the position Ms. Scroggins is leaving. Scroggins requested that her sick time is paid out since others have been paid out. What is the county policy of paying out sick time?

Mr. Spangler said department heads make that decision. It is the way the game is played.

Councilman Jones said employees have been paid outside of handbook. This can be done but Council does not have the authority. The Commissioners have the authority. Discussion has been taken place but Commissioner have approved the pay.

Councilwoman Lasater asked the policy for pay out on sick time and who makes the decision?

Mr. Spangler said it is not to be paid out; according to the handbook, however, most department heads get it approved for the pay. Mr. Spangler does not have authority to tell a department head that they cannot be compensated. If Council and Commissioners give the authority for Mr. Spangler to go by the handbook, Spangler will follow the procedures. Council said this is an ongoing problem.

Councilmembers discussed employees being paid out and not going by handbook. Why is there a maximum amount of payout if it is not being paid? How can we go against the handbook?

Ms. Scroggins feels she should be paid out for sick time because other employees have been approved.

Mr. Steve Craycraft, Clerks Office said some offices have adopted their own policy and handbooks. Some employees are maxed out on sick days due to not being sick and being honest about it.

The Commissioners are responsible for the handbook, Councilman Jones said.

Ms. McCammon said electronic handbooks are available in Human Resources office. Ms. McCammon said she agrees with Ms. Scroggins and with Mr. Craycraft, however right now if the handbook is being followed then sick time is not paid out. Vacation and compensation days are paid out and there are more employees that did not get paid out for sick time then have. The person that was paid out should not have been paid out sick time but neither Mr. Spangler nor Ms. McCammon have the authority to deny someone. They are only following the handbook as they have been asked to do.

Ms. Scroggins said work service and timesheets should be turned in when they leave to verify the days they have. Job openings shall be on the State website too. If others get it paid and it is not right then it needs to be stopped.

Mr. Don Dunnuck said sick time is to compensate the employee if they are sick. It is not a bonus or a vacation. The Commissioners should be educated regarding this. Year to year, up to 30 sick days can be carried over.

Councilman Quakenbush said this should be in an ordinance.

Councilwoman Lasater suggested going to paid time off.

MOTION: Councilman Jones motioned to compensate Ms. Scroggins and if the Commissioners take the...

There is a motion on the floor, Mr. Craycraft mentioned.

NAYS: Councilman Jones, Councilman Quakenbush

YEAS: Councilwoman Chambers, Councilwoman Lasater, Councilman Alexander, Councilman Nemyer, Councilman Matchett

Ms. Scroggins said she has 5 weeks of vacation too so she does not want a claim to be denied regarding this thinking it is her sick-time.

Councilman Quakenbush said the challenge is to the Human Resource Director to get clarification and to involve the Commissioners regarding this matter. If not, Quakenbush will ask Mr. Dunnuck, Council Attorney to create an ordinance regarding this matter. Some are getting paid for sick-time and some are not, this cannot continue to take place.

Councilman Alexander said he wants to know when this had been done.

Mr. Spangler said he can address this to all employees if he has Council support.

No answer from Councilmembers.

MOTION: Councilman Nemyer motioned to approve transfer of Community Corrections Project Income 2501 (see below).

SECOND: Councilman Alexander

Motion PASSED UNANIMOUSLY

MOTION: Councilman Alexander motioned to approve transfer of Board of Health 1159 (see below).

SECOND: Councilman Nemyer

Councilman Jones asked Mr. Spangler if it is the Personnel Department intent to provide Council with date of hire, name of employee and department for new employees.

Mr. Spangler said there are only two employees in Human Resources and they have started the new payroll system. This will be done when it can be done. Some information Council is entitled to and some information Council is not.

Motion PASSED UNANIMOUSLY

Mr. Dunnuck said his opinion is, if a department head hires a person and Council does not like that person, local government still has to be funded. Council can do away with the position, however.

COMMITTEE REPORTS

Tax Abatements-none

Appointments-none

Personnel-

MOTION: Councilwoman Chamber motioned to approve the below employees.

SECOND: Councilman Jones

Motion PASSED UNANIMOUSLY

MEMORANDUM

TO: DELAWARE COUNTY COUNCIL

FROM: RICK SPANGLER

DATE: 04/26/2016

RE: SUMMARY OF ADJUSTMENT REQUESTS

Individual	Line Number	Department	Requesting Dept. Head	Requested Change/Action	Effective Date
Hollens, Timothy	1000-138-5-00000-C107	Circuit Court 2	Judge Dowling	100% Pay Request	05/19/2016
Marshall, Samone	1176-202-5-1000-A111	Highway	Robert Lessee	100% Pay Request	04/26/2016
Jessee, Robert	1176-202-5-1000-B101	Highway	Robert Lessee	90 Day Pay Increase	04/01/2016

ORIGINAL

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget:		
SECTION 1, THEREFORE: Be it ordained by the County Council of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered		
FINANCIAL AGENDA FOR COUNTY COUNCIL MONTH OF 4/26/2016		
COUNTY GENERAL		
PROSECUTOR 137		
OTHER SERVICES AND CHARGES		
311 Legal Services	300.00	300.
TOTAL	300.00	300.
CIRCUIT COURT 1000-5-138-00000		
PERSONAL SERVICES		
Salaries and Wages		
A146 Assistant Court Reporter	20,800.00	20,800.
Juvenile court Base Pay \$31,811.		
TOTAL	20,800.00	20,800.
TOTAL COUNTY GENERAL	21,100.00	21,100.
OTHER		
CASA FUND 1212-251-5-00000		
PERSONAL SERVICES		
Salaries and Wages		
A104 Volunteer Coordinator	361.18	361.18
171 FICA	27.63	27.63
172 PERF	41.54	41.54
CAPITAL OUTLAYS		
441 Computers/Technology	1,682.10	1,682.10
TOTAL	2,112.45	2,112.45

CUMULATIVE BLDG FUND 1136		
SUPPLIES		
220 Operating Supplies	1,500.00	1,500.
OTHER SERVICES AND CHARGES		
311 Contractual Services	17,000.00	17,000.
TOTAL	18,500.00	18,500.
CUMULATIVE BRIDGE FUND 1135		
CAPITAL OUTLAYS		
1135-400-5-00000-442 Vehicle Purchase	150,000.00	150,000.
TOTAL	150,000.00	150,000.
EMS CAPITAL IMPROVEMENTS 4910/263		
CAPITAL OUTLAYS		
444 Squad Vehicle	37,900.00	37,900.
443 Equipment for Squad	5,500.00	5,500.
443 Haz Mat PP Equipment	7,000.00	7,000.
TOTAL	50,400.00	50,400.
HIGHWAY		
CAPITAL OUTLAYS		
1176-202-5-30000-440	1,200,000.00	1,200,000.
TOTAL	1,200,000.00	1,200,000.
PROSECUTOR PRETRIAL DIVERSION/DEFERRAL, 2505 25a2		
103 Deputy Prosecutor	5,000.00	5,000.
115 Deputy Prosecutor	5,000.00	5,000.
FICA	765.00	765.
PERF	1,120.00	1,120.
TOTAL	11,885.00	11,885.

RAINY DAY 1186-317		
OTHER SERVICES AND CHARGES		
317 Aerial Photography (Pictomerty)	20,000.00	20,000.
TOTAL	20,000.00	20,000
Councilman Alexander	<i>[Signature]</i>	
Councilwoman Chambers	<i>[Signature]</i>	
Councilman Jones	<i>[Signature]</i>	
Councilwoman Lasater	<i>[Signature]</i>	
Councilman Matchett	<i>[Signature]</i>	
Councilman Nemmer	<i>[Signature]</i>	
Councilman Quakenbush	<i>[Signature]</i>	
Auditor Craycraft	<i>[Signature]</i>	

ORIGINAL

WHEREAS: It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget:		
SECTION 1, THEREFORE: Be it ordained by the County Council of Delaware County, Indiana, that for the expenses of said municipal corporation for the following additional sums of money are hereby appropriated and ordered set apart out of the several funds for the purposes herein specified subject to the laws governing the same.		
TRANSFER AGENDA FOR COUNTY COUNCIL MONTH OF 4/26/2016		
CLERK 125		
PERSONAL SERVICES		
Salaries and Wages		
104 Head Bookkeeper/Accounting	-25,414.00	-25,414.00
104A Head Bookkeeper/Accounting	25,414.00	25,414.00
116 B Dep Clerk Support	-21,672.00	-21,672.00
116C Dep Clerk Support	21,672.00	21,672.00
TOTAL	0.00	0.00
COMMUNICATION CENTER 124		
PERSONAL SERVICES		
Salaries and Wages		
118A Communication Tech	-27,397.76	-27,397.76
118B Communication Tech	27,397.76	27,397.76
B109 Communication Tech	-27,762.00	-27,762.00
C109 Communication Tech	27,762.00	27,762.00
TOTAL	0.00	0.00
CIRCUIT COURT DEPT 1000-5-138-00000		
PERSONAL SERVICES		
Salaries and Wages		
165 Juvenile Probation Secretary	-21,916.59	-21,916.59
A 165 Juvenile Probation Secretary	21,916.59	21,916.59
C107 Master Commissioner	-9,411.00	-9,411.00
A128 Court Administrator	9,411.00	9,411.00
128 Court Administrator	-26,609.00	-26,609.00
A128 Court Administrator	26,609.00	26,609.00
A172 Jury Administrator	-18,007.00	-18,007.00
B 172 Jury Administrator	18,007.00	18,007.00
TOTAL	0.00	0.00
FAMILY SUPPORT 4-D 237		
PERSONAL SERVICES		
Salaries and Wages		
103B-IV-D Assistant	-23,527.00	-23,527.00
103C IV-D Assistant	23,527.00	23,527.00
TOTAL	0.00	0.00

after
mtg
↓
- 19,143
19,143

OTHER		
COMMUNITY CORRECTIONS Project Income 2501		
SUPPLIES		
2501215500000211 Office supplies	-630.00	630
CAPITAL OUTLAYS		
2501215500000445 Office furniture	630.00	630
TOTAL	0.00	
BOARD OF HEALTH 1139		
PERSONAL SERVICES		
Salaries and Wages	-24,117.70	24,117.70
112A Registrar	24,117.70	24,117.70
105A Environmental Health Sp	-29,857.00	29,857.00
105B Environmental Health Sp	29,857.00	29,857.00
113A Assistant Registrar	-22,933.00	22,933.00
113B Assistant Registrar	22,933.00	22,933.00
TOTAL	0.00	
HIGHWAY MVH 1176		
PERSONAL SERVICES		
Salaries and Wages		
Part-time help 1176-202-5-20000-170	-6,368.40	6,368.40
Highway Foreman 1176-202-5-20000-106	6,368.40	
TOTAL	0.00	
Councilman Alexander <i>Alexander</i>		
Councilwoman Chambers <i>Mary Chambers</i>		
Councilman Jones <i>M. Jones</i>		
Councilwoman Lasater <i>Jane Lasater</i>		
Councilman Matchett <i>Matchett</i>		
Councilman Nemy <i>Nemy</i>		
Councilman Quakenbush <i>Quakenbush</i>		
Auditor Craycraft <i>Craycraft</i>		

MOTION: Councilman Nemyer motioned to approve financials, transfers and to amend salary ordinance.

SECOND: Councilman Alexander
Motion PASSED UNANIMOUSLY

OTHER/NEW BUSINESS

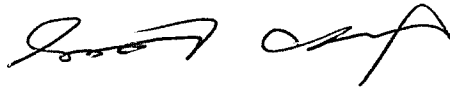
Mr. Spangler said the salary ordinance needs to be addressed. It should be clearer and easier for department heads. Spangler is available at any time for Council. Mr. Spangler invited any Council to submit recommendations or suggestions regarding handbooks. A request came in from an employee regarding payout for comp time.

Quakenbush mentioned a letter that recently was in the newspaper regarding "will Muncie become isolated?"

ADJOURN

MOTION: Councilman Alexander
SECOND: Councilman Quakenbush
All Council members were in favor to adjourn.

Councilman Alexander



Councilwoman Chambers



Councilman Jones



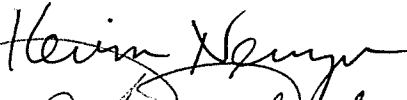
Councilwoman Lasater



Councilman Matchett



Councilman Nemyer



Councilman Quakenbush



Auditor Craycraft

