

REGULAR MEETING

RUSH COUNTY COUNCIL

MARCH 8, 2017

The Rush County Council met in regular session on Wednesday, March 8, 2017 at 9:00 a.m. with Gerald Mohr, Warren Norris, Charles Smith, Janet Kile, Marvin Hedrick, Scott Barnes, Steve McCorkle, Jodi Harr, Auditor and Leigh Morning attorney in attendance.

Gerald Mohr called the meeting to order.

Minutes of the regular meeting of February 8, 2017 were approved on a motion by Steve McCorkle and seconded by Warren Norris. Motion carried. Minutes of the Executive Session held on March 3, 2017 were approved on a motion by Marvin Hedrick and seconded by Charles Smith. Motion carried.

YOUTH WORK CAMP

Chip West, Pastor of Main Street Christian Church, requested the council authorize waiving any fees in the Area Plan Office related to the Youth Work Camp that will be held July 9, 2017 through July 15, 2017. Youth from several states will be here to do light construction and painting of homes for the elderly, disabled and low income. Scott Barnes made the motion to waive the area plan fees. Marvin Hedrick seconded. Motion carried.

SOLID WASTE DISTRICT

Carole Yeend, Solid Waste District Director, notified the council the Smiley Avenue recycling location is now operational. The hours of operation are Tuesday through Saturday from 8 a.m. until 4 p.m. Secondly, tires can be dropped off at the county highway department Monday through Friday 7 a.m. until 4 p.m. There has already been several tires dropped off for recycling.

CLERK/ELECTION

Rush County Clerk, Angie Buckley, provided the council with information from Microvote regarding a needed software update for our voting machines/system. Our current Microvote system has not been updated since 2005. Angie is providing information for the council to review prior to the 2018 budget hearings. Steve Shamo from Microvote was also present. The current cost of the update is \$89,481.00. They understand county budgeting needs and can work with us to extend this over two budget cycles with no interest charged. He explained there is nothing wrong with our current system; however, the updated software provides higher security and addresses issues with election law changes. Council woman Janet Kile asked how long it would be before we would have to update the system again after this update. Shamo responded approximately fifteen years. There would be a four year warranty.

HEALTH DEPARTMENT

Marge Amos Supervisor Nurse of the Health department requested an additional appropriation in the Local Health Maintenance Grant fund in order to purchase a new health

department vehicle. Charles Smith made a motion to approve an additional appropriation in the amount of \$17,000.00 in Fund 1168 Health Maintenance Tobacco Fund. Steve McCorkle seconded. Motion carried.

HIGHWAY

County Highway Superintendent Jerry Sitton requested additional appropriations for the following funds:

- Fund 9107 Community Crossings Grant \$276,860.00. Bridge #170 project. Marvin Hedrick made motion to approve. Warren Norris seconded. Motion carried.
- Fund 1229 Special LOIT \$138,430.00. Bridge #170 project. Warren Norris made the motion to approve. Janet Kile seconded. Motion carried.
- Fund 1135 Cumulative Bridge \$156,500.00. Bridge Inspections. Charles Smith made the motion to approve. Steve McCorkle seconded. Motion carried.
- Fund 1176 Highway \$220,000.00. This will be used to purchase a new distributor. Marvin Hedrick made the motion to approve. Steve McCorkle seconded. Motion carried.

Sitton informed the council and thanked Wayne Marlatt for offering to get a second trailer for used tires and to transport the filled trailer to Peru.

AREA PLAN COMMISSION

Gregg Duke, Director of the Area Plan Commission, introduced himself. He invited the council to the Public Access training being held on March 28, 2017 at 6 p.m. in the assembly room of the courthouse.

He also stated that there are no fees for buildings in an Ag zone being used for Ag purposes; however, the land owner still needs to come to the planning office to inquire about zoning.

Councilman Hedrick requested that Duke send the council a monthly report of office activity. Duke will do.

AUDITOR

Jodi Harr, Rush County Auditor, requested permission for the following additional appropriations:

- Fund 2000 Adult Probation in the amount of \$22,462.00. Warren Norris made the motion to approve. Scott Barnes seconded. Motion carried.
- Fund 2502 Pre-Trial Diversion in the amount of \$5,000.00. Marvin Hedrick made the motion to approve. Janet Kile seconded. Motion carried.
- Fund 7109 K-9 Contribution Fund in the amount of \$20,078.01. Charles Smith made the motion to approve. Steve McCorkle seconded. Motion carried.
- Fund 4909 Law Enforcement Forfeiture Fund in the amount of \$2,648.00. Scott Barnes made the motion to approve. Warren Norris seconded. Motion carried.
- Fund 1110 County CERT Shares Fund in the amount of \$399,412.72. Steve McCorkle made the motion to approve. Scott Barnes seconded. Motion carried.

- Fund 1216 Auditor Ineligible Homestead Fund in the amount of \$3,123.92. Warren Norris made the motion to approve. Steve McCorkle seconded. Motion carried.

CARTHAGE LIBRARY BOARD

The Henry Henley Public Library Board requested the council to appoint Joe Whitfield to the Library Board for a four year term which will end January 31, 2021. Charles Smith made the motion to make the above appointment. Janet Kile seconded. Motion carried.

BANNER OF COUNTY COURTHOUSES

The banner with all of the county courthouses in the state of Indiana was presented to the commissioners at their last meeting. The banner was purchased with donations from the county council members and the commissioner members. It will be placed at the North entrance of the courthouse on the east side. The Centennial torch along with a plaque presented to Rush County for being one of the top ten courthouses in the state will also be placed there.

EMA

EMA Director Chuck Kemker was unavailable to attend this meeting so Councilman Steve McCorkle reported for him. The County Fire Chiefs Association has presented the commissioners the requested county communication specs. The request has been sent to four vendors for quotes. The approximate cost to the county will be \$130,000.00.

County Attorney Leigh Morning and Auditor Jodi Harr reported the county has not received the refund check from ECS for purchased radios that have not been received.

SHERIFF

Sheriff Jim Cowan gave an update on training and statistical information for the sheriff and jail departments. He has four correction officers scheduled for jail school. There are approximately 499 active warrants outstanding. Chief Deputy Dave Sliger is working on getting 2016 annual report finalized. Clarification was asked on the felony classifications. Level 1 is the highest felony charge with Level 6 being the lowest.

INCOME TAX INCREASE

County Attorney Leigh Morning asked for guidance on how the council wants to proceed with the lobbying efforts to get approval for the additional.0025 increase in the special local income tax rate for courthouse security and new jail construction. According to Rick Hall from Barnes & Thornburg, Senator Leising understands the need but is reluctant to approve it.

Councilman Steve McCorkle stated he would like the lobbying request to continue. We have not additional revenue to cover the costs. He has not had any calls relating to this matter. He asked Sheriff Cowan how many warrants are being held for community corrections violations. Cowan stated around thirty two. McCorkle also commented in order to continue services that are currently being provided, we must increase taxes.

Councilman Marvin Hedrick noted he has had several calls from tax payers who are opposed to the increase. He is not in favor of continuing lobbying efforts or increasing the

income tax. He feels this would make Rush County have one of the highest local income tax rates in the state. He is not sure that we have much support at the state house to get this approved. Regarding the issue of the state making us comply with a new jail, Hedrick stated he disagrees. He has heard that for years. As long as we are taking steps to make improvements, we will be ok. He also asked why the state passing legislation to help fund isn't the mandates they are placing on county law enforcement. His final questions was why can't we make the cuts to the jail project to get the final cost to where we want it to be.

Councilman Scott Barnes has not had any calls regarding this issue. His question to the council is how do we comply with the state and not build a new jail. If we make cuts to the proposed jail, his concern is that we will be having this same discussion in ten years and be in the same position we are in now. He also feels like we will pay for community corrections regardless of where they are located.

Councilman Charles Smith noted part of the problem with the increase is the misinformation that is circulating throughout the county as to what the new rate will be. He feels people would be more in favor of an income tax increase rather than a property tax increase. He asked how the council can control how much of the new rate will go to the courthouse security renovation. He is not in favor of the total increase going to the new jail project.

County Attorney Leigh Morning stated she feels that at some point the county is going to have a federal lawsuit filed against them. She noted that the commissioners and the council are taking steps on the improvements; however, the money to continue with operational cost and Judge Northam's request for courthouse security renovations. She would like to see the environmental issues on the new jail property resolved prior to requesting a re-design of the entire project. She has explained to Senator Leising the courthouse security concerns along with what both Judges would like to see happen. She also explained to her what other counties are doing for courthouse security. Leigh does not know what bill this request will be tacked onto. She noted the state says they are paying \$35.00 per day for a level 6 felon being housed by a county.

Councilman Gerald Mohr noted that if this additional income tax does not get approved, the county will have to request issuance of property tax bonds to pay for the courthouse security renovations. There are currently no funds to do these improvements. Mohr then asked county commissioner Paul Wilkinson if there were any changes being made to the new construction plans and if they had an estimate on the cost of requested courthouse security measures.

Commissioner Paul Wilkinson noted the cost of the new jail construction was reduced by \$1.2 million prior to the finding of contaminated soil. The requested legislation change is not to expand the new jail project. It is only to cover the current cost and findings. The soil has to be removed not built on top of. Senator Leising has agreed to help the county find funding for soil removal. He believes the problems with the jail and the courthouse buildings has snow balled over a long period of time. The commissioners are still committed to supporting the lobbying efforts for an increase to local income tax. Craig Custer asked what the estimated cost of the courthouse renovation is. Wilkinson commented the cost is not known at this time. A study to estimate the cost will be an estimated \$75,000.00. The commissioners have approved roof repairs in order to at least protect the shell of the courthouse. Custer commented it does not

help that you do not have a cost of the project. Commissioner Wilkinson's final comment was that the goal of the commissioners is to safely maintain the courthouse. Councilman Mohr asked if the commissioners had obtained an estimate on securing the doors at the courthouse. Wilkinson stated they are working on getting this quote.

The increase in the Special LIT rate from .6 to .85 will bring an additional \$900,000 per county attorney Leigh Morning. Councilman Hedrick does not think that will still be enough to the increased operational expenses of the jail. Commissioner Mark Bacon stated he does not believe it will take that much of the additional income for the operations of the new jail. Bacon also noted he believes without coming up with some new industry in the county, increasing the income tax rate is the only way to get this project done. Also that there is no need to decrease the size of the new jail when we already have enough to almost fill it now.

David Hiner commented it seems like the county is using the courthouse security improvements as second to the new jail. Would it help to change the focus at the state legislature to courthouse security with additional amount for the jail project second? He also asked what the proposed security changes to the courthouse are. The public has not been informed of this. Leigh Morning explained it has been emphasized to the state legislators that the bare minimum security measures as the courthouse would be to secure all entrances to the courthouse.

Clarification was given in that the rate would be increased from .6 to .88. It is also being investigated as to whether there are funds available to assist with security measures at the courthouse related to the building being a historical landmark.

Steve McCorkle made the motion that the council is in favor of the increased income tax and wishes for the lobbying to continue. Scott Barnes seconded emphasizing the courthouse security as the main purpose. Scott Barnes, Steve McCorkle, Warren Norris, Charles Smith, and Gerald Mohr voted yes. Janet Kile and Marvin Hedrick voted no. Motion carried.

Councilman McCorkle stated the county needs to develop a five year plan and that the council stated in February that they would start discussing priorities at the March meeting. Councilwoman Janet Kile and Commission Wilkinson both agreed that the council and commissioners need to start having joint workshops to discuss planning for the future. Wilkinson also noted the state legislature is continuing the trend of lowering taxes and controlling county finances. The commissioners and council need to keep pushing the state to stop this trend.

FIVE MINUTE BREAK

WORKSHOP DISCUSSION

It was determined areas to discuss should be economic development, public safety, funding of county ambulances, and revision of county employees work hours and pay. The commissioners and council will meet for a workshop on Friday, March 24, 2017 at 8:30 a.m. This is a public meeting but there will be not time allowed for public input.

MISC

- Warren Norris will attend the March 20 commissioner meeting
- Scott Barnes will attend the April 3 commissioner meeting
- Leigh Morning will draft a press release regarding the request for an increase in income tax.

Steve McCorkle moved to adjourn. Scott Barnes seconded the motion. Motion carried.

/s/Gerald Mohr
Gerald Mohr, Chairman

/s/Warren Norris
Warren Norris

/s/Charles Smith
Charles Smith

/s/Janet Kile
Janet Kile

/s/Marvin Hedrick
Marvin Hedrick

absent
Scott Barnes

absent
Steve McCorkle

ATTEST:

/s/Jodi Harr
Jodi Harr, Auditor