

Steuben County Council  
March 23, 2015  
Meeting Minutes

The Steuben County Council met in special session on Monday, March 23, 2015 at 9:00 a.m. The meeting was held at the Steuben County Community Center Building, 317 S Wayne Street, Suite 2H, Angola, IN. Present were President Richard Shipe, Jim Getz, Dan Caruso, Wil Howard, Ken Shelton, Linda Hansen and Ruth Beer. Auditor Kim Koomler and Chief Deputy Auditor Lori Hickey were also in attendance.

President Rick Shipe called the meeting to order.

President Shipe opened the meeting by stating that the county council will continue their discussion regarding the request for additional funds for the Steuben County Humane Society. Richard Shipe thanked everyone for attending the meeting. The request was made by the shelter and the commissioners have passed it on for council approval of \$44,530.00 to be appropriated from either the CEDIT or Rainy Day fund. Jim Getz asked to address the county council and stated that as a council we have an obligation to the taxpayers of Steuben County and he stated that he is totally, fully and utterly on the side of the Humane Shelter. However, Getz stated that he and Lynne Liechty attended the Fremont Town Council meeting this past week where this subject was being deliberated. The City of Fremont said they did not have the funds this year so they would consider the request in their 2016 budget hearings. Getz said he wants the taxpayers of Steuben County to know that he has a Fremont address and the folks that also have Fremont addresses are still taxpayers of Steuben County and he would like for the Humane Shelter Board to look at continuing service to the Town of Fremont and to the entire county until the end of this year in order to give them time to place the funds into their respective budgets.

Wil Howard stated that he has spent numerous hours researching and gathering information on the Humane Shelter's request. Howard stated that he has been contacted by many people, by email, telephone and in person. Howard said the Shelter's demand is challenging to the county council because we are in the middle of a budget cycle. The Shelter has made a demand to us, and I use that word intentionally because we have received ultimatums. Howard has reviewed the financial data found the Shelter has been running in a \$20,000.00 deficit over the last two (2) years. The Shelter is calling for operating revenue of \$349,023.00 which represents a 54% increase over the 2014 budget and slightly more than that over the 2013 budget. The increase in dollars is basically equal to the amount that the shelter has requested from the municipalities. Steuben County's portion of the total request represents an increase of 370% above the original allocation of \$18,000.00. The amount the commissioners have approved and passed on to county council for approval still represents a 247% increase. The shelter's 2013 and 2014 expenditure statements reflect a consistent increase of 5.9% per year. If the shelter were to receive full funding from all municipalities including the county, they would realize roughly a \$100,000.00 net income over 2014 expenditures. However, if they had similar income to what they have had in recent years and their expenditures remain roughly the same, they would have a deficit in the area of \$21,000.00 to \$22,000.00. The shelter does have an immediate need to support their deficit position. However, they don't have a need to pad the coffers by \$100,000.00.

Howard said the shelter is providing Steuben county residents a needed service and by all appearances they are doing a pretty good job of it. So we as County officials need to ask ourselves, can we afford to be without their service? Can we as a county provide the same service for same amount of funding they are requesting? Can Steuben County do without the services of the humane shelter altogether? All questions we need answers to. However, to demand funding and make threats isn't the way to get what you need. The City of Angola has agreed to an increase which was accepted by the humane society board and the Town of Fremont offered a slight increase which was turned down by the board. Councilman Caruso proposed a 100% increase up to \$36,000.00. Given what City of Angola has provided, Town of Fremont has offered and what Councilman Caruso has set forth; the total funding increase would solve your immediate deficit spending problem. The Shelter may have depleted their cash reserve, but that isn't what we are here to address today. Howard said that doesn't mean that he is not in support of seeing the Humane Society shore-up their financial responsibilities but during the mid-budget cycle, no. That is something the Commissioners could probably address at budget time.

Ruth Beer stated that she thinks the biggest difference between the County Government and the Humane Shelter right now is the level of service that we have asked to be provided for us. Beer said she appreciates the passionate people working and volunteering their time at the shelter. Beer stated that she appreciates how those individuals have taken it from a dog pound and elevated it to a humane shelter. You should all be very proud of yourselves for that. County Government didn't ask you to do that, it is something you chose to do yourselves because it is the right thing to do. The services should be all inclusive to everyone within the county, everyone's tax dollars are involved and everyone should be covered.

Dan Caruso stated that he thinks county council should address the immediate needs of the shelter during the mid-budget cycle. The long term planning needs should be addressed during budget process each year. Caruso said he is very passionate about the shelter on a personal level however what we are charged with today is immediate budgetary need. Caruso restated his position that it would be prudent on council to additionally appropriate \$36,000.00. Caruso also stated that the Shelter has not provided county council with an outline for the use of the proceeds over and above the \$36,000.00. Caruso said reaching beyond the short term deficit needs would be inappropriate at this time.

Linda Hansen stated that with her background as County Auditor and in the spirit of respect for what you have all done. There is no question how much I am committed to the shelter and what they do for the animals in our community. But in the spirit of respect for what it is in the budget cycle that we could have all sat down together like we did with past Humane Shelter Board administration and worked out an agreement in 2010. That agreement isn't working any longer but I wish we could have done that last April or May so we wouldn't have to be in this situation today where it feels like it is us against them and it really isn't. We all care about the animals and the people that work out there. We need to come up with a solution out of respect for where the county is in our financial cycle. Not knowing what the future holds with the state continuing to reduce our revenue stream. Hansen said the allocation we pay to the shelter cannot be described as a "fee for services". The allocation is a lump sum amount provided to a not-for-profit organization to assist them with their overall expenses. We can't approach this as a fee based amount. Hansen stated that the Shelter should write a letter to the Commissioners and Council requesting more money be allocated to them for the 2016 budget year. Hansen said she feels the shelter could have done a much better job of communicating their needs to the county.

Ken Shelton commented that he understands the concerns of the other council members. Shelton said he has a different view of this situation. The terms demand and ultimatum are being used in a way that gives the perception we are looking at the people of the humane shelter as the villains and that isn't the case. People in excess of 40 years have donated continuously their money and their time and have established the Humane Society of Steuben county as a not-for-profit. Shelton said his understanding is that is an IRS designation which opens the door for them to have an opportunity to have generous benefactors donate money to them and reap the benefit of tax deduction. If they apply for grants, they are required to have a not-for-profit designation. Therefore, Shelton said he views them as a not-for-profit for those purposes and not for that county government has to subsidize. Shelton is not in favor of subsidizing private enterprises. Shelton said the humane shelter is coming to us at this point stating that their expenses are over \$300,000.00 and they aren't able to support themselves any longer. The shelter is asking for a pro-rata share of 1/2 of their operating expenses from each entity as a fee for services. They are a not-for-profit providing a service to Steuben County and their private funds are drying up. So, now they are in need of additional funding to help support their operations. That doesn't mean they should be labeled as a bad organization. Shelton stated that county council has an opportunity to listen to the overwhelming majority of those people that contacted us, yet I fear there is that inclination for the elected officials to once again say we know what is better for you and how to run your organization. If their organization fails due to poor management, that's on them. If they bill what they feel is a fair price for services to the county, that's on us. If we give up the services we have today, we are still going to have that need. Can we do it for less, or the same? If we can't then why do we want to flush it. The fee they are proposing today is for now, we have time to go out and find something else. In my opinion we aren't supposed to tell them what they can charge, or how to do their job and how to run their business. I don't want Steuben County Government to be in a private enterprise business that the humane shelter is providing. I think it would cost the county a lot more than what they are asking for.

Richard Shipe thanked council members for their comments. Shipe said he doesn't think anyone would disagree that the Humane Shelter does a wonderful job with what they have to work with. The question is what can we afford to fund in good faith as a stop-gap measure for 2015 and any funding for 2016 will have to go through the budget cycle in August and September. We can make any guarantees past the end of this budget year.

Jim Getz made a motion to appropriate an additional \$27,000.00 to be paid from the CEDIT to fund the Humane Shelter through the end of 2015 and Council can revisit any increase during the 2016 budget process. Getz stated that this additional funding is over and above the \$18,000.00 we have already appropriated. Getz added the stipulation that the Shelter must service all the citizens of Steuben County. Ruth Beer seconded the motion and stated that she believes this is a good faith effort by Steuben County Government that we want to work together with the Humane Shelter. Wil Howard said this new money will put the shelter at a 150% increase. The motion carried with a vote of six (6) ayes and one (1) nay.

Additional: \$27,000.00 to: 1112-000-3000.19 Humane Society

Brett Hays, Community Corrections was present to submit his request for appropriation. Ruth Beer made a motion to approve, Linda Hansen seconded. The motion carried with a vote of seven (7) ayes.

Additional: \$12,825.00 to: 9117-255-3000.01 Community Transition

Gary LeTourneau, Communications Director, came before county council to request the following additional appropriations to the Statewide 911 Fund. The funds are needed to purchase the Statewide 911 computer software for the Spillman Rip-and-Run module. Auditor Koomler advised council the fund has sufficient surplus to support the additional requests. Wil Howard moved to approve the additional, Ruth Beer seconded and the motion carried with seven (7) ayes.

Additional: \$4,690.00 to: 1222-000-2000.04 Computer Software

Jim Getz asked what kind of time frame he expects the money to cover in overtime hours. LeTourneau stated that it could last between 4-6 months but it depends upon how many of his employees submit their vacation requests. Jim Getz moved to approve the request for additional overtime funding. Ken Shelton seconded and the motion carried with seven (7) ayes.

Additional: \$30,000.00 to: 1222-000-1000.40 Overtime

Jen Sharkey, Highway Engineer was present to request for additional appropriation of Major Moves Highway Funds. The purpose of the additional funding is for the Maple Street Project in the Town of Orland. Dan Caruso made a motion to approve the additional. Ruth Beer seconded and the motion carried with seven (7) ayes.

Additional: \$260,000.00 to: 1176-008-4000.01 Construction/Hwy--Maple Street Project

Emmett Heller, Highway Superintendent, was present to submit a request for transfer of funds within the MVH Highway fund. The amount of \$23,660.00 needed to fund the full-time mechanic position. Linda Hansen moved to approve the transfer. Ken Shelton seconded and the motion carried with seven (7) ayes.

Transfer: \$23,660.00 from: 1176-533-1000.16 Part-time Mechanics  
to: 1176-533-1000.15 Mechanic

Allen Wheat, Circuit Court Judge, Transfer Requests: \$1,500.00. Ken Shelton made the motion to approve the transfer of funds for circuit court overtime. Wil Howard seconded and the motion carried with seven (7) ayes.

Transfer: \$ 1,500.00 from: 1000-232-3000.04 Pauper Counsel Transcripts  
to: 1000-232-1000.40 Overtime

Sheriff Tim Troyer came before the County council to request approval of the Restatement of the Steuben County Police Retirement Plan (S216) effective retroactive to January 1, 2015. Troyer said the plan documents must be approved and submitted to the Internal Revenue Service by April 15, 2015 in order to be in compliance with the IRS. Auditor Koomler stated that she will submit the documents to legal counsel for his review immediately and recommended Council approve the documents and authorize President Shipe to sign contingent upon Attorney Don Stuckey's approval. Jim Getz moved to approve contingent on Don Stuckey's approval. Dan Caruso seconded and the motion carried with seven (7) ayes.

Auditor Koomler presented Resolution No. 03-2015-02 Grant Procedures. The Resolution sets out the process necessary for any department head or elected official to request state and federal grants. Linda Hansen moved to approve, Jim Getz seconded and the motion carried with seven (7) ayes.

### **Resolution No. 03-2015-02 Steuben County Grant Procedures**

WHEREAS, the Steuben County Commissioners and County Council deem it necessary for all Grant Applications within the County be reviewed and approved before submittal. This includes but is not limited to Federal, State, and Local Grants that may be available and/or become available.

WHEREAS, each applicant will follow the procedures set forth as outlined in the Grant Application Procedures.

#### **COUNTY GRANT APPLICATION**

These steps are required BEFORE your application is submitted to the State or Federal Government.

1. The County Grant application must be completed and signed by the office holder or department head.
2. An application submitted by an organization or individual other than a county department must be completed and signed by the appropriate person in charge.
3. The application as well as the official grant request must be delivered to the Auditor to be placed on the County Commissioners and County Council Agenda no less than seven (7) calendar days prior to the meeting.
4. If the Grant requires a Budget it must also be presented along with the request application.
5. The Grant application will be considered by the Commissioner and Council.

6. The Commissioners shall approve or deny the application for all grants for supplies and other services and charges. The Commissioners and Council shall approve or deny the applications for all grants for personal services.

NOTE: The official grant application must show County Auditor's Office, Full Address, IN + zip as the address for notices and payments.

After Grant Application:

1. If the Grant is awarded to the County and/or Applicant; a copy of the Award Letter and all other related documentation must be provided to the Auditor's Office.
2. Any communication, correspondence, or changes made between the Applicant and Grantor will be provided to the Auditor's Office. There will be no exceptions to this requirement.
3. It is the responsibility of the County Department or Applicant to comply with the Grantor's reporting requirements. Final reports will be given to the Auditor.

WHEREAS, any Department, Organization or Individual who fails to comply with these requirements may be denied Grant approval.

This Resolution shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Passed and adopted by the Steuben County Commissioners, Steuben County, State of Indiana, this 2<sup>nd</sup> day of March, 2015.

Passed and adopted by the Steuben County Council, Steuben County, State of Indiana, this 23<sup>rd</sup> day of March, 2015.

Monthly Auditor Treasurer Report was approved by a motion from Wil Howard. Ruth Beer seconded and the motion carried with seven (7) ayes.

Ruth Beer moved to approve the February 10<sup>th</sup> meeting minutes. Linda Hansen seconded and the motion carried with seven (7) ayes.

Auditor Koomler advised council that the transfer of \$300,000.00 from County General unappropriated funds into the Rainy Day Fund has been completed.

Hugh Taylor, Public Defender, submitted a request for additional appropriations of \$3,000.00 at the February council meeting. Mr. Taylor was unable to be present to explain his request. Ken Shelton moved to approve, however the motion died for lack of a second. Council President asked to have Mr. Taylor present at their March meeting to present his request.

President Shipe opened the floor for discussion of the Supplemental PD fund request carried forward from their February meeting. Ken Shelton stated that Hugh Taylor is not able to be at today's meeting because he recently had surgery. Shelton made a motion to table the request until Hugh Taylor is able to be present to discuss his request. Wil Howard seconded and the motion carried with seven (7) ayes.

President Richard Shipe advised council that further discussion and a decision before the July 1, 2015 deadline as to whether the county council wants to move forward with LOHUT. Shipe stated that LOHUT funding would help fix our roads and improve the county economic development. Shipe stated that he spoke with Dick Dodge regarding LOHUT and asked if the Economic Development Commission (EDC) would like to weigh in on the LOHUT funding option. The EDC has written a nice letter in response to the proposed tax, but has not sent it yet. Mr. Dodge took exception to LOHUT and prefers a local option gas tax instead. After a long discussion, Dick Dodge suggested council get all counties, cities and towns in the surrounding area to write letters to their legislators requesting the local option gas tax funding. Dan Caruso has crunched some numbers with regard to a gas tax. Caruso said ¼ of a cent per gallon tax would raise more money than the LOHUT tax. Caruso feels that if Steuben County can get the legislators to pick up the discussion in the next year or two it is a worthwhile endeavor. Caruso said this is a multi-year process at best, and for Steuben County to get any attention on the state level we will need to have a collaborative effort with the surrounding communities. Caruso stated that we need to use the tools we already have in place with Major Moves funds. We can show the state we are utilizing the money to maintain our infrastructure. Then they may be more open to allowing a local option gas tax.

Jennifer Sharkey, Highway Engineer asked if the gas tax would be a local tax or an additional tax at the state level. Caruso said this would be a local tax. Caruso proposed to form a committee to work with our state legislators and others from our local communities to pick up the conversation on gas tax one more time. In the meantime, he proposes that since the county has gotten most of the work done at the county park we wanted to accomplish, we do not appropriate any more money to the park projects over a two

year period of time. The remaining funds that haven't been spent at the county park of the original \$3,000,000.00 should be appropriated and dedicated to go to Jennifer Sharkey's list of road repair maintenance projects plan. We can write in other things that we want to do with that county park project into a CEDIT Plan rather than use any more Major Moves money on the county park. Richard Shipe said that would be a discussion we should have with the county commissioners. Shipe recommended that Dan Caruso get on the next commissioner meeting agenda.

Linda Hansen stated that her feeling has always been, how can Steuben County Government insert ourselves into tax payer's pockets when we are sitting here with major moves money not being spent. Hansen said she has a problem with that. It was always intended for roads. Hansen said she was here from the beginning and that's what the intent was. If we have the ability to fund our roads without having to tap the tax payer's one dime more then why aren't we. When we are the point when major moves money is depleted and not being used for roadways anymore, then we look at LOHUT. Jim Getz agreed that the LOHUT discussion be put on hold until we exhaust all of our other options first. Getz stated that he hasn't had one person contact him that is in favor of LOHUT. Ruth Beer is not opposed to having a public discussion but if Mr. Caruso is willing to take on the task to bring the gas tax discussion to the Commissioners then we should do that. Caruso agreed to take the discussion before the Commissioners regarding allocation of major moves funding for road repairs.

President Shipe asked council members for their thoughts on whether the county council should consider funding a new Human Resources position for Steuben County. Shipe stated that the topic has been touched on a few different times but nothing has been decided. Linda Hansen stated that the auditor has taken the initiative to cross-train a deputy on payroll and to try to incorporate this same person into that human resource arena. Hansen said she thinks county council and commissioners should allow Kim a chance to implement her plan. If the mechanics of human resources are being done properly with the help of our HR consultant Kent Irwin then there is no reason our department heads and elected officials can't be trained to handle their own HR issues. The department heads and office holders need to be the ones to take responsibility. County Government is unique in that so many department heads want the sanctity of their offices preserved they are not willing to conform to one set of procedures. Hansen said everybody can be trained to know what to do. Hansen also mentioned the situation with wage and hour tracking. We already have two departments that don't want to comply with the implementation of a new timekeeping system. So we already have some not willing to jump on board and the expense for new software and hardware would be a waste. Richard Shipe said Tami Sumney has inquired with other IT Directors throughout the state on the purchase of time clocks and new timekeeping programs and she has gotten many negative comments. Most have said the main problem was they can't get everyone to use the new system and if you don't have something in place to make it mandatory then you are wasting your time and money. Ruth Beer stated that at the last Department Head meeting it was stressed that they felt they need help with HR issues. Beer said they felt the HR duties are above and beyond their job. Beer said the employee handbook covers HR responsibilities and procedures and maybe we just need to spell it out more clearly in the handbook. Beer said she has asked her departments if they feel an HR position would benefit them and she has received mixed responses. Hansen said that we just need to make sure we are in compliance with wage & hour laws and State Board of Accounts. Hansen stated that she and Auditor Koomler have spoken with LaGrange County & Posey County who have both recently added an HR position. Hansen said it is a very delicate balance to bring in someone from private sector and expect them to work with government payroll that has very specific functions and you also have 25 department heads who want to run their offices individually. Auditor Koomler concurred. Koomler said she has Erin Wray currently reviewing procedures regarding workman's compensation and FMLA compliance. In addition, Ann Brant is cross-training on payroll as well as taking on a variety of administrative assistant duties for payroll, accounts receivable, insurance, accounts payables and tax billing. Koomler said her staff is available to assist department heads and elected officials to run their own offices in compliance with the personnel policy as needed. Koomler stated that she is confident that Steuben County is in compliance with time keeping requirements as well as assisting with administering the human resource functions for our department heads and employees.

Correspondence received: Steuben County Soil & Water Conservation District; Elect RX-2014 Analysis; Highway Engineer reports for March 5 and 16, 2015; Humane Society; Town of Fremont; John Calloway letter re: Tri-State Airport;

Ruth Beer moved to adjourn.

Rick Shipe called the meeting to a close.

Steuben County Council

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Richard Shipe

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Jim Getz

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Dan Caruso

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Wil Howard

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Ken Shelton

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Linda Hansen

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Ruth Beer

Attest: \_\_\_\_\_  
Kim Koomler, Auditor