

COUNTY COUNCIL REGULAR MEETING – NOVEMBER 12, 2024

The meeting was called to order by Council President, Pamela Burton.

A. Call the Meeting to Order

1. Roll Call

The following members were present: Ron Deer, Ron Bates, Jonathan T. Myers, John Mallers, John Ditmars, and Melinda Griesemer.

2. Invocation

Mr. Bates gave the invocation.

3. Pledge of Allegiance

Mrs. Burton led the Pledge of Allegiance. Mrs. Burton also wanted to recognize all veterans (yesterday was Veterans’ Day) and asked for a special blessing for them and their families.

4. Approval of 11/12/24 Agenda

Mrs. Burton added item F7 – *Brief Discussion on the Possibility of Retaining Outside Counsel for Council in 2025* to the agenda.

Mr. Ditmars made a motion to approve the agenda as amended. Mr. Mallers seconded the motion, which unanimously carried.

5. Public Comments (limited to 5 minutes per person)

There were no public comments.

B. Approval of Ordinance 2024-11 (Second Reading): An Ordinance Granting Recorder’s Request to Use Monies from the Recorder’s Perpetuation Fund to Pay Operating Expenses, the Recorder’s Office Salaries, PERF, Social Security, and Medical Plan Expenses in 2025

Mr. Ditmars made a motion to approve Ordinance 2024-11 as presented on second reading. Mr. Deer seconded the motion, which unanimously carried.

C. Routine Matters – Consent Agenda

By a single motion, the Board approves the following items, which may include Salary Ordinance Amendments, Additional Appropriations, Reductions, and Transfers. Any items listed on the consent agenda may be removed by a Council member and moved to the regular agenda.

Mr. Mallers made a motion to approve the following requests as presented. Mr. Deer seconded the motion, which carried unanimously.

1. *Approval of 10/14/24 Special Meeting Minutes/ Adoption of Special Taxing (Binding) Units’ Budgets*

2. *Approval of 10/14/24 Regular Meeting Minutes*

3. Voting System Reimbursement (#8148)

(a) From: 8148.31200.00000.0908 Printing	\$ (2,200.00)
To: 8148.40100.00000.0908 Office Equipment/Furniture	\$ 2,200.00

4. Weights & Measures (#1157-0121)

(a) From: 1157.31200.00000.0121 Printing	\$ (140.00)
To: 1157.25100.00000.0121 Wearing Apparel	\$ 140.00

5. Auditor’s Ineligible Deductions (#1216)

(a) From: 1216.31000.00000.0102 Professional Services	\$ (100.00)
To: 1216.31500.00000.0102 Travel & Training (new)	\$ 100.00

6.	<u>Animal Shelter (#4008)</u>		
	(a) From: 4008.22100.00000.0219	Vehicle Maint Supplies	\$ (5,826.00)
	To: 4008.31000.00000.0219	Professional Services	\$ 5,826.00
	(b) From: 4008.36001.00000.0219	Building Repair & Maint	\$ (340.00)
	To: 4008.44000.00000.0219	Office Equipment	\$ 340.00
7.	<u>93.354 Crisis CoAgSchool 21-22 (#8247)</u>		
	(a) From: 8247.11400.00000.0210	Part Time	\$ (5,000.00)
	From: 8247.19900.00000.0210	Overtime	\$ (5,541.54)
	To: 8247.24100.00000.0210	Educ & Pub Info Materials	\$ 10,541.54
8.	<u>93.069 CRI BP1 2024-2025 (#8200)</u>		
	(a) From: 8200.42000.00000.0210	Operating Equipment	\$ (392.00)
	To: 8200.21600.00000.0210	Operating Supplies	\$ 392.00
9.	<u>Sheriff's Narcotic Seizure Fund (#4902)</u>		
	(a) AA: 4902.32000.00000.0289	Dues & Subscriptions	\$ 17,555.00
10.	<u>VASIA Guardianship Fees (#4203)</u>		
	(a) AA: 4203.36102.00000.0454	Contractual Services	\$ 4,500.00
11.	<u>GAL/CASA (#1213)</u>		
	(a) AA: 1213.31500.00000.0274	Travel & Training	\$ 2,000.00
12.	<u>CASA User Fee (#4917)</u>		
	(a) AA: 4917.44000.00000.0361	Office Equipment	\$ 1,000.00

D. Salary Ordinance Amendments, Additional Appropriations, Reductions, and Transfers:

1. Circuit Court (#1001-0131)

Shena Johnson, Court Administrator, was present to request an additional appropriation to pay for interpreter services, which continues to be a significant expense. She reviews all of the invoices to make sure they are correct, noting she has found some errors and is waiting for corrected invoices. She added this line item is used for all of the courts.

Brief discussion was held regarding how the interpreters are used and the costs associated with them. Mrs. Johnson said there are not very many companies out there that provide these services; there are a lot of languages being covered.

Mr. Jonathan T. Myers made a motion to approve the request as presented. Mr. Bates seconded the motion, which unanimously carried.

(1a) AA: 1001.31300.00000.0131 Interpreter Services \$ 40,000.00

2. 16.585 Drug Court Adult 22-26 (#8252)

Mrs. Johnson was also present to appropriate this grant for 2025. She noted this grant pays for three positions, including their benefits. She is requesting a 5% salary increase for the Peer Mentor Coordinator and Peer Recovery Specialist positions and a 4% increase for the Program Therapist to match what we are paying other Program Therapists within the County.

Mr. Mallers made a motion to approve the request as presented. Mr. Jonathan T. Myers seconded the motion that carried unanimously.

(2a) AA: 8252.11438.00000.0138	Peer Mentor Coordinator	\$ 56,175.00
(2b) 8252.11438.00000.0138	– Peer Mentor Coordinator – Annual salary of \$56,175.00; max bi-weekly pay of \$2,160.06	
(2c) AA: 8252.11439.00000.0138	Peer Recovery Specialist	\$ 47,187.00
(2d) 8252.11439.00000.0138	– Peer Recovery Specialist – Annual salary of \$47,187.00; max bi-weekly pay of \$1,814.88	
(2e) AA: 8252.16921.00000.0138	Program Therapist	\$ 84,300.00
(2f) 8252.16921.00000.0138	– Program Therapist – Annual salary of \$84,300.00; max bi-weekly pay of \$3,242.31	
(2g) AA: 8252.14200.00000.0138	Fica-Social Security	\$ 14,360.00
(2h) AA: 8252.14300.00000.0138	PERF	\$ 21,020.00
(2i) AA: 8252.14400.00000.0138	Emp Group Health Insurance	\$ 43,500.00

3. 21.027 ARPA Elevated Blood Lead (#8953)

Betsy Swearingen, Director of Health, was present to request an additional appropriation to purchase a lead paint analyzer for home lead risk assessments. She explained this is an XRF machine (gun) that detects lead based paint in residential and commercial buildings; there is also software included to assist with the reporting.

Brief discussion was held regarding the process of lead testing and what happens if it is detected.

Mr. Deer made a motion to approve the request as presented. Mr. Bates seconded the motion, which carried unanimously.

(3a) AA: 8953.42000.00000.0210	Operating Equipment	\$ 10,861.11
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4. 20.600/20.608 LEC CHIRP 24/25 (#8218)

Mrs. Burton stated this request is to reimburse various police agencies that have worked under the CHIRP (Comprehensive Highway Injury Reduction Plan) Grant. She noted this used to be called OPO and DUI grants.

Amy Thompson, First Deputy Auditor, confirmed that various police agencies, such as City of Greenwood, City of Franklin, and the Sheriff's Office participate in these grant programs and then reimbursed from the grant. The County is the pass-thru agency for this grant.

Mr. Jonathan T. Myers made a motion to approve the requests as presented. Mr. Mallers seconded the motion, which unanimously carried.

(4a) AA: 8218.19500.00000.0612	Grant Reimb for Personnel	\$ 36,800.00
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5. Adult Probation Adm Fees (#2001)

6. Juvenile Probation Adm Fees (#2051)

7. Supplemental Juv Prob Services (#2151)

Mrs. Burton stated Angela Morris, Court Services Director, had called her to let her know she was unable to attend the meeting. Mrs. Burton read aloud the letter submitted for these requests.

Mrs. Thompson added all of these funds are fee funds. Years ago, the prior administration had an agreement to move salaries from fee funds to the General Fund and then reimburse the General Fund from the fee funds. This was done due to the fee funds not being stable enough to sustain cash balances to cover the costs of personnel.

Brief discussion was held regarding this process.

Mr. Jonathan T. Myers made a motion to approve the requests as presented. Mr. Mallers seconded the motion, which carried unanimously.

(5a) AA: 2001.12015.00000.0282 Reimb for Personnel Expenses \$ 60,502.00

(6a) AA: 2051.12015.00000.0281 Reimb for Personnel Expenses \$ 9,989.00

(7a) AA: 2151.12015.00000.0296 Reimb for Personnel Expenses \$ 29,991.00

8. Pretrial Diversion Program (#2509)

Lance Hamner, Prosecutor, was present to request a low-speed vehicle to transport his Deputy Prosecutors to and from the Courthouse. He stated that most Courthouse Annex Buildings house the Prosecutor's Office so these employees can walk to court each day, so they don't have to drive and get reimbursed. Mr. Hamner gave statistical data on if his deputy prosecutors turned in mileage reimbursement requests, which they are allowed to do by law, the estimated annual cost would be around \$5,400.00. His solution is to purchase a small electric cart, similar to a golf cart, but it has heat, air, and a covering. The monies being used are from a discretionary fund.

Ms. Griesemer asked if this can be driven on snow and ice.

Mr. Hamner replied yes; it is just like a little car.

Mrs. Burton stated currently there have not been any mileage reimbursements. She then asked how many employees this cart will hold and what about security, safety, storage, and maintenance.

Mr. Hamner replied it will hold 4 employees. He also conveyed where their building is currently located, they have two bays where maintenance currently stores a few mowers (small tractors) and there is plenty of room to park this cart. He added he has already talked to the Commissioners, and they were in agreement of raising his credit card limit in anticipation of these request being approved.

Mr. Mallers inquired about any other costs associated with this purchase, such as additional electricity or maintenance (such as batteries or tires going bad).

Mr. Hamner answered it would be de minimis; it is an electric vehicle and just needs to be charged. The vendor indicated maintenance would almost be non-existent. He also added that the one-mile round trip from his office to the courthouse would be more efficiently done in this than in a car.

Mr. Deer inquired if there was currently a car allocated for the Prosecutor.

Mr. Hamner replied yes; however, there are 17 Deputy Prosecutors. It is utilized more for longer trips. This cart will be cheaper, quicker, and takes up little space. He stated again the funds being used for this purchase are from his diversion fund.

Ms. Griesemer asked if the cart needed to be plated; she was thinking it would since it would be driven on the roads.

Tiffany Costley, Assistant County Attorney, was present and stated there are requirements that would need to be followed from the City of Franklin.

Mr. Hamner conveyed he has already spoken to the attorney for the City of Franklin, and he doesn't foresee any issues.

Mr. Mallers questioned if there was just going to be this one cart or will there be more purchased later.

Mr. Hamner replied he is going to start with one and see how it goes. If it goes as well as he thinks it will, he plans on purchasing more. He added he has other funds (forfeiture money) available he can utilize for those purchases.

Mrs. Burton questioned why the money is not needed in Part Time and if this money is not spent, what happens to it.

Mr. Hamner answered they won't be using it by the end of the year; they have been trying to get law students to work part time but haven't had any luck. He then stated the money reverts back; it stays in this fund.

Mr. Ditmars asked if employees have been turning in mileage reimbursement requests for these half a mile trips.

Mr. Hamner replied no; however, they are allowed to do it and by statute it is required to be paid. If they did turn in mileage, it would be a nightmare for the Auditor's Office to process them.

Mrs. Burton recalled they used to do it several years ago, but they didn't turn it in on a regular basis- it was done annually and was a complete nightmare.

Mr. Hamner added it started after the flood and when they were relocated to a different, temporary location, several miles away, across from Walmart.

Mr. Jonathan T. Myers asked for an explanation of the discretionary part again.

Mr. Hamner stated the diversion money is to be used at the Prosecutor's discretion to assist the Prosecutor's Office in any and all functions, but mainly for salaries and equipment and things like that; however, it does have to be appropriated by the Council before it can be expended. By statute it has to advance the Prosecutor's Office.

Additional brief discussion was held regarding the usage of the cart, mileage reimbursement, insurance coverage, and the sources of the funding.

Ms. Griesemer made a motion to approve the request as presented. Mr. Mallers seconded the motion that unanimously carried.

<i>(8a) From: 2509.11400.00000.0286 Part Time</i>	<i>\$ (15,000.00)</i>
<i>To: 2509.47600.00000.0286 Low Speed Vehicle</i>	<i>\$ 15,000.00</i>

E. Other Business

1. Approval of Interlocal Agreement with the Town of Bargersville: Amendment and Addendum to Interlocal Cooperation Agreement Concerning Road Maintenance

Mrs. Burton commented that this request was tabled from their October meeting because the Commissioners had some issues with it.

Kevin Walls, Commissioner, was present to request approval of an interlocal agreement with the Town of Bargersville. He gave a brief explanation on the background of the annexation of roads and the grant opportunity that Bargersville has for road maintenance; this agreement will allow Bargersville to take back control of a portion of State Road 144.

Adam Gadberry, County Attorney, was also present via zoom, and added this process will also get the ball rolling for Bargersville to take back more control of some roads long term.

Mr. Ditmars made a motion to approve the request as presented. Mr. Jonathan T. Myers seconded the motion, which carried unanimously.

2. Appointment to the Public Safety Communications Advisory Board (E911)

Heath Brant, 911 Director, was present to request an appointment of who the Council would like to represent them on the Public Safety Communications Advisory Board.

Mrs. Costley stated the current appointee is Ron Deer. She then stated this is an appointment by the Council and it doesn't have to be a member of the Council per the County's ordinance.

Mr. Deer commented that it has been an experience, and he has enjoyed it, noting he has learned a lot. However, it is up to the Council, and if they would like to appoint another Council member, then he understood.

Mrs. Burton asked Mr. Deer if he was willing to continue serving on this board.

Mr. Deer replied yes; he didn't have anything else to do next year.

Mr. Mallers made a motion to reappoint Ron Deer to the Public Safety Communications Advisory Committee Board. Mr. Bates seconded the motion, which unanimously carried.

F. Old & New Business

1. Approval of Ordinance 2024-12: Amended Annual Salary Ordinance

Mr. Gadberry was also present for this request. He explained this salary amendment is based on the actions taken by the Council at their prior meeting. The new suggested policy is to have the salary ordinance amendments done the following month they are approved so that the correct verbiage and exhibits can be prepared.

Mr. Mallers made a motion to approve Ordinance 2024-12 as presented. Mr. Ditmars seconded the motion, which unanimously carried.

2. Commissioners (#1001-0122)

Commissioner Walls and Commissioner Brian Baird were both present to request a title change for one of their positions from *County Coordinator/ADA/Title VI* to *County Administrator*.

Mr. Bates asked if any responsibilities have changed.

Mr. Walls replied it is a reclassification of that job, noting it has been under classified for years.

Mrs. Burton stated she has reviewed all of the paperwork submitted by the Board of Commissioners and Waggoner, Irwin, Scheele & Associates (WIS) and is in agreement with everything, but then she reviewed all of the processes and prior discussions the Council has had regarding similar matters. Therefore, she stated she was unable to support this request at this time, unless someone can explain to her that she is missing something.

Mrs. Costley clarified the reason for this request and the reclassification is because there were duties that were omitted on the prior job description and the experience level/education requirement needed updated. She has reviewed all of the job descriptions that have been brought to her attention and these two (*County Coordinator and Deputy Treasurer*) were the only two that she found had detrimental changes that needed to be rectified. She has also been in continuous contact with someone at WIS to have consistent oversight. She also noted that all Elected Officials were given the same opportunity for review of their department's job descriptions.

Discussion was held regarding reclassification of positions versus correcting a classification due to omissions in the job description. Job descriptions are the responsibility of the Elected Official. Additionally, it was discussed who should be making these decisions (job classifications) since the County doesn't have an Human Resource (HR) position.

Mrs. Costley commented that the Commissioners recently hired a third-party consultant to do an HR audit. Since the County does not have a designated HR department, and there are many departments that do different roles in HR, it was suggested that the first step would be to have an audit done so we can improve our functions and processes – we don't know, what we don't know.

Mrs. Burton stated she wanted to get back to the exact request being presented to them now, which is to change a job title based on the information WIS presented saying this job has been classified incorrectly for years and they want to correct it now as opposed to waiting until the next budget cycle. Is that the request?

Mr. Walls replied yes.

Some additional discussion was held regarding the job classifications and if this is approved now, would it open the door for more to come asking for the same thing. Mrs. Costley stated that job descriptions need to be updated on a regular basis; however, if there are specific job requirements or educational requirements, there is a possibility the job classification needs to be reviewed.

Mr. Jonathan T. Myers made a motion to approve the title change as presented. Mr. Bates seconded the motion. The motion carried six to one; Mrs. Burton voted nay.

1001.12830.00000.0122 – County Coordinator/ADA/Title VI – change title to “County Administrator”

3. Treasurer (#1157-0103)

Michele Graves, Treasurer, was present to request a title change from *Deputy Treasurer* to *Bookkeeper – Deputy Treasurer*. Mrs. Graves stated she appeared before the Council in April and again in July regarding this request, but she did not do a good enough job explaining to Council what had happened. She didn't explain the circumstances good enough for them to get from point A to point B. When the job descriptions were initially submitted in 2018, she didn't know enough about the Treasurer's Office and positions to catch this; however, in 2023 when departments were asked to review job descriptions, she and her new Chief Deputy caught the problem. Basically, what has happened is that they have had a county employee do work that they were not getting paid for. This is what makes this different from other requests. Some of the requests are just updates versus errors. These two job descriptions had very blatant errors in them, and they needed to be reviewed. She talked to the Commissioners, and they agreed it needed to be reviewed. The information was submitted to WIS and she included their findings with her letter request, which shows it was wrong and what it should be. She then apologized for not getting this point across to the Council previously. She feels like this correction needs to be fixed immediately. What happens if there is a vacancy in this job, and they can't advertise for the employee they need, listing the correct job duties and educational background. It is a big problem, but it has been identified, and now she is requesting it to be corrected.

Mrs. Burton asked for further discussion but commented that those discussions would be identical to those they just had regarding the Commissioners' title change request.

Mrs. Costley agreed.

Mr. Ditmars asked if the specific correction lies within the job description itself and the work that is being performed.

Mrs. Graves stated she inherited this job description and didn't review it correctly; it did not list bookkeeping duties that her bookkeeper does.

Mr. Ditmars then stated the correction to the job description only would address the issue if the position is advertised when that time comes.

Mrs. Graves replied it also corrects the education requirements.

Mrs. Costley added the bookkeeping duties are not entry level; previous experience in bookkeeping was what was left off.

Mrs. Burton stated her vote will be the same as it was for the Commissioners. It is not that she doesn't agree with it, it is just the timing of it.

Mr. Jonathan T. Myers made a motion to approve the title change as presented. Mr. Deer seconded the motion, which carried six to one; Mrs. Burton voted nay.

1157.11223.00000.0103 – Deputy Treasurer – change title to “Bookkeeper-Deputy Treasurer”

4. Approval of Sheriff's Salary Contract for 2025

Duane Burgess, Sheriff, was present to request approval of his 2025 Sheriff's Salary Contract. He stated this has been reviewed by legal and approved by the Commissioners. The amount reflects what was approved at budget time.

Mr. Ditmars made a motion to approve the request as presented. Mr. Mallers seconded the motion, which unanimously carried.

5. Approval of the 2025 Council Meeting Schedule

Mr. Mallers made a motion to approve the 2025 Council Meeting Schedule as presented. Mr. Bates seconded the motion, which carried unanimously.

6. Discussion Regarding Board Appointments for 2025

Mrs. Burton asked what type of discussion is needed.

Mrs. Thompson replied she just wanted to make sure the Council wants these board appointments advertised again.

Mrs. Costley also asked if the Council wanted the applicants to be in attendance either in person or via zoom.

It was the consensus of the Council members to advertise the positions and ask the applicants to appear either in person or via zoom at their December 2024 Council meeting.

7. Brief Discussion on the Possibility of Retaining Outside Counsel for the Council in 2025

Mrs. Burton stated they have all received a memo from the County Attorneys regarding their scope of work to the Council. Nothing has changed; however, there could be a disagreement between the Council and other Elected Officials, and an outside legal opinion may be needed. She would like the Council to research and give thought to having an outside counsel on retainer should the need arise. She had emailed the President of the Council Association with some questions regarding this matter and will report back once he responds.

Mr. Jonathan T. Myers stated they have been served well by the County Attorneys and there is no specific need to have outside counsel, but there could be a need at some point in time and they need to be prepared. He would like to find someone local to have a retainer incase conflicts should appear.

Mrs. Costley conveyed their scope of work has not changed.

Mr. Gadberry voiced their intention is not to change the structure of how their legal department is run. They currently provide a ton of cost savings to the taxpayers by providing assistance to the Council with the many things they need such as ordinances, resolutions, reviewing interlocal agreements and tag teaming with bond counsel on the bond documents. If they want to hire outside counsel, it should really only be as a retainer, for when a conflict

arises. If the intent is for outside counsel to attend meetings and answer questions that arise, that could lead to duplicative efforts and costs. Only when a conflict would occur, would it behoove the Council to have outside counsel to represent their best interests. No decision needs to be made tonight.

Mrs. Burton stated this would be discussed again at their next meeting and asked everyone to do some research and think about this.

Mr. Gadberry stated he would not be at the December meeting, so this would be his last meeting. He expressed it has been a pleasure serving this body and wishes them the best of luck in the year 2025.

The Council members thanked Mr. Gadberry for his service and wished him good luck as well.

G. Adjournment – Next regular meeting December 9, 2024

There being no further business, Mr. Mallers moved to adjourn. Mr. Bates seconded the motion, which carried unanimously.

November 12, 2024 – Regular Meeting Minutes



Pamela Burton, Council President



John Mallers, Council Vice-President



Ron Deer, Council Member



Ron Bates, Council Member



Jonathan T. Myers, Council Member



John Ditmars, Council Member

Melinda Griesemer, Council Member

Attest:


Elizabeth A. Alvey, Johnson County Auditor