

THE SHELBY COUNTY COUNCIL MET AT 7:00 PM ON TUESDAY JUNE 15, 2004. PRESENT WERE COUNCIL MEMBERS EBERHART, SMITH, KASTER, PARIS, CARMONY AND THE AUDITOR. COUNCIL MEMBERS MCCLAIN AND RIGGINS WERE ABSENT.

MINUTES:

THE APRIL MINUTES WERE TABLED UNTIL JULY. THE MINUTES FOR MAY WAS MOTIONED FOR APPROVAL BY CARMONY, SECOND KASTER, VOTE 4-0-1 (PARIS ABSTAINED).

ADDITIONAL APPROPRIATIONS:

ADULT PROTECTIVE SERVICES:

A MOTION TO APPROVE THE FOLLOWING BUDGET WAS MOTIONED FOR APPROVAL BY PARIS, SECOND CARMONY, VOTE 5-0.

MR. APSLEY STATED THAT HIS BUDGET DOES NOT HAVE WORKMEN'S COMPENSATION INCLUDED BECAUSE HE WAS UNAWARE THAT THIS NEEDED TO BE INCLUDED FOR THE 2004-2005 FISCAL YEAR. MR. APSLEY SAID HE WOULD TRY TO AMEND THE BUDGET AT A LATER DATE TO INCLUDE THIS EXPENSE.

A MOTION TO APPROVE SALARY ORDINANCE 2004-07 WAS MADE BY PARIS, SECOND CARMONY, VOTE 5-0.

VICTIMS ASSISTANCE:

THE PROSECUTOR NOTED THAT THE COUNTY'S PORTION HAS INCREASED BY \$6,700.00 FOR THE FISCAL YEAR 2004-2005. THE PROSECUTOR STATED THAT HE HAS INCREASED THE SALARY TO START AT \$30,000.00 AND THIS ALSO INCLUDES A COST OF LIVING INCREASE, AND STEP INCREASE AS SUGGESTED BY THE HUMAN RESOURCES FOR 2005 BUDGET YEAR. A MOTION TO APPROVE WAS MADE BY PARIS, SECOND CARMONY, VOTE 5-0.

KENT STATED THE REQUESTED SALARY INCREASE WAS TO KEEP QUALIFIED PEOPLE IN THE POSITION. MR. APSLEY SAID THE POSITIONS PAY WAS COMPARABLE TO THE PROBATION DEPARTMENT AND COMMUNITY CORRECTIONS. THE POSITION REQUIRES A BACHELORS DEGREE. IN THE PAST NO ONE HAD A DEGREE OR ANY SPECIAL QUALIFICATIONS FOR THIS POSITION.

A MOTION TO APPROVE SALARY ORDINANCE 2004-08 WAS MADE BY PARIS, SECOND CARMONY, VOTE 5-0.

CUM CAPITAL:

A MOTION TO APPROVE AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$5,000.00 TO 161-01-04-62 FOR MAINTENANCE OPERATIONS WAS MADE BY KASTER, SECOND PARIS, VOTE 5-0.

EDIT:

A MOTION TO APPROVE \$30,000.00 FOR THE CITY/COUNTY PARK (241-01-03-76) WAS MADE BY KASTER, SECOND SMITH, VOTE 4-1, (PARIS).

NORTHWEST SEWER PLAN:

THE COMMISSIONERS WANTED TO CLARIFY LAST MONTHS REQUEST WAS FOR THE NORTHWEST SEWER DISTRICT AND NOT THE GWYNNEVILLE SEWER PROJECT. A MOTION TO APPROVE THE CORRECTION WAS MADE BY CARMONY, SECOND PARIS, VOTE 5-0.

COMMUNITY CORRECTIONS:

A MOTION TO APPROVE AN ADDITIONAL APPROPRIATION FOR \$7,500.00 FROM PROJECT INCOME TO COMMUNITY CORRECTIONS FOR WORKMEN'S COMPENSATION WAS MADE BY CARMONY, SECOND PARIS VOTE 5-0.

COURTHOUSE RENOVATION:

A MOTION TO APPROVE \$10,000.00 TO COURTHOUSE RENOVATION FOR EXPENSES AS NEEDED, AND AS APPROVED BY THE BUILDING CORPORATION, AND COMMISSIONERS WAS MADE BY PARIS, SECOND SMITH, VOTE 5-0.

CUM BRIDGE:

A MOTION TO APPROVE \$55,000.00 FOR EMERGENCY BRIDGE REPAIRS WAS MADE BY CARMONY, SECOND SMITH, VOTE 5-0.

TRANSFERS:

A MOTION TO APPROVE A TRANSFER FROM 161-05-04-11 TO 161-07-04-52 TO PURCHASE A SERVER FOR EMAIL WAS MADE BY PARIS, SECOND CARMONY, VOTE 5-0. THE COST WILL BE SPLIT BETWEEN THE SHERIFF, CITY AND THE COUNTY.

CUM CAPITAL:

A MOTION TO APPROVE \$15,000.00 FOR THE PROFESSIONAL BUILDING ROOFING WAS MADE BY KASTER, SECOND PARIS, VOTE 5-0.

MISCELLANEOUS:

A MOTION WAS MADE BY SMITH, SECOND KASTER, VOTE 5-0 TO REDUCE THE FOLLOWING HEALTH INSURANCE APPROPRIATIONS.

GENERAL	100-30-01-23	246,903.11
RECORDER'S PERPETUATION	157-01-01-24	1,141.76
REASSESSMENT	166-01-01-23	6.00
HIGHWAY	201-04-41-23	101,953.07
HEALTH	213-01-01-74	23,036.52
EDIT	241-01-01-14	42.50
DRUG FREE COALITION	409-01-01-23	32.00
VICTIMS ASSISTANCE	418-01-01-23	14.75
PRE-TRAIL DIVERSION	419-01-01-23	9,752.00
COMMUNITY CORRECTIONS	421-01-01-24	18,195.54
ADULT PROTECTIVE SERVICES	422-01-01-22	6,858.55
PLATT BOOK FUND	449-01-01-15	1,841.24

COUNCIL PRESIDENT EBERHART SAID THE REASON IS BECAUSE THE 605 FUND BALANCE HAS BEEN OVER FUNDED, AND DIDN'T FEEL THERE WAS A NEED TO KEEP FUNDING THE 605 FUND FROM THE OTHER FUNDS. THE ONLY BALANCE TO BE LEFT IS ENOUGH TO FUND LIFE INSURANCE AND AD&D.

BECKY KIMES, KENT APSLEY AND THE AUDITOR SAID THAT THE GRANTS SHOULD NOT BE REDUCED BECAUSE THERE MIGHT NOT BE ADDITIONAL FUNDING IN THE FUTURE FOR THIS EXPENSE OR FUTURE FUNDING REDUCTIONS. IT WAS ALSO STATED THAT THE EXTRA FUNDS WOULD HAVE TO BE RETURNED TO DOC.

DISCUSSION OF PROPERTY TAX CYCLE:

COUNCIL PRESIDENT EBERHART REQUESTED THIS ISSUE STAY ON THE AGENDA FOR THE REST OF THE YEAR FOR MONTHLY DISCUSSION.

THE AUDITOR STATED THAT THE AUDITOR AND TREASURER DESERVED THE SAME COURTESY OF EXPLAINING THEIR PART IN THE 2002/2003 TAX BILLING, AS WAS PROVIDED TO THE COUNTY ASSESSOR LAST MONTH.

THE AUDITOR STATED THAT THE COUNTY ASSESSOR SAID LAST MONTH THAT SHE WAS FINISHED WITH THE 2003/2004 ASSESSMENTS AND HAD INTERFACED WITH THE AUDITOR.

THE AUDITOR EXPLAINED THAT AS OF TODAY THE COUNTY ASSESSOR, AND ADDISON TOWNSHIP ASSESSOR STILL HAD THE DATA ENTRY OF MOBILE HOMES THAT NEEDS TO BE ENTERED.

THE AUDITOR STATED THAT DATA ENTRY OF PERSONAL PROPERTY IS NOT A STATUTORY REQUIREMENT OF THE AUDITOR AND BECAUSE OF STAFFING, AND THE LACK OF USE, AND AVAILABILITY OF THE FLOAT THE ASSESSORS WOULD HAVE TO TAKE THEIR RESPONSIBILITY OVER.

THE AUDITOR STATED THAT THE INTERFACE WAS NOT SUCCESSFUL. THE FILES PROVIDED TO THE AUDITOR TO INTERFACE WERE LAST YEARS FILES. SO THE INTERFACE HAD TO BE COMPLETED AGAIN.

THE AUDITOR STATED THAT THE AUDITOR'S OFFICE DOES NOT REQUEST UNNECESSARY REPORTS TO BALANCE THE TWO OFFICES AFTER INTERFACING, AND HAD THESE REPORTS NOT BEEN REQUESTED FROM THE COUNTY ASSESSOR THE AUDITOR'S OFFICE AND THE ASSESSORS OFFICE WOULD NOT HAVE KNOWN UNTIL TOO LATE THAT THERE WAS A PROBLEM.

THE AUDITOR STATED THAT THE 2003/2004 PERSONAL PROPERTY WAS ENTERED AND SHE WAS WAITING ON THREE REAL ESTATE ABATEMENT VALUES FROM THE ASSESSOR'S OFFICE. THE AUDITOR NOTED THAT LAST MONTH COUNCILMAN CARMONY STATED THAT THE COUNTY ONLY HAD ONE ABATEMENT. THE AUDITOR STATED THAT ALL ABATEMENTS ARE PROCESSED IN THE AUDITOR'S OFFICE NO MATTER IF IT IS A CITY OR COUNTY ABATEMENT AND THAT THERE ARE 60 ABATEMENTS FOR 2002/2003.

THE AUDITOR NOTED THAT LAST SPRING A MEETING WAS HELD TO DISCUSS TAX BILLING AND PROVISIONAL BILLING. THE AUDITOR NOTED THAT THE TAX PROCESS STARTS IN THE ASSESSORS OFFICE FIRST AND THE AUDITOR'S OFFICE CANNOT PROCEED UNTIL ALL DATA IS RECEIVED FROM THE ASSESSOR'S OFFICE. THE COUNTY ASSESSOR STATED AT THAT MEETING THAT SHE SHOULD BE DONE WITH THE DATA FOR US (THE AUDITOR'S AND TREASURER) TO MAIL TAXES OUT IN TWO INSTALLMENTS ONE IN SEPTEMBER AND ONE IN NOVEMBER.

THE AUDITOR STATED THAT THE INITIAL TIME FRAME FOR COMPLETION WAS SET BY THE ASSESSOR. THE AUDITOR NOTED THAT THE COUNTY'S EQUALIZATION STUDY WAS NOT APPROVED BY THE STATE TAX BOARD UNTIL AUGUST. THE FORM 11'S WERE NOT MAILED UNTIL THEN AND THE 45 WAITING PERIOD DID NOT CONCLUDE UNTIL ONE OF LAST FEW DAYS OF SEPTEMBER.

THE AUDITOR SAID THAT IN AN EFFORT TO STAY AHEAD OF THE ASSESSOR SHE REQUESTED IN JUNE 2003 OUTSTANDING APPEALS FROM THE ASSESSOR AND WAS TOLD THERE WERE NONE FOR 2002/2003 AND REQUESTED ASSESSMENT INFORMATION ON PROPERTIES WITH ABATEMENTS AND WAS TOLD IT WAS NOT AVAILABLE AT THAT TIME. THE AUDITOR NOTED THAT THE ASSESSOR DID NOT INTERFACE WITH HER FOR 2002/2003 UNTIL OCTOBER, APPEALS WERE STILL SCHEDULED UNTIL THE MID PART OF DECEMBER

THE AUDITOR STATED THAT THE CONSULTANT FOR THE ASSESSOR BROUGHT \$13,632,280.00 IN APPEALS TO HER OFFICE IN LATE DECEMBER OR EARLY JANUARY FOR THE 2002/2003 TAXES. IN REGARDS TO PERSONAL PROPERTY ABATEMENTS THAT INFORMATION HAD TO BE REVIEWED SEVERAL TIMES BY THE FIELD REPRESENTATIVE AND AN AREA SUPERVISOR DUE TO CONFLICTING INFORMATION PROVIDED TO THE COUNTY.

THE AUDITOR SAID LAST MONTH THE ASSESSOR STATED THAT SHE HAD NOTHING TO DO WITH ABATEMENTS IN HER OFFICE. THE AUDITOR SAID IN ORDER TO CALCULATE THE ABATEMENT PERCENTAGE AMOUNT SHE HAS TO HAVE THE ASSESSMENT VALUE, WHICH IS AN ASSESSOR FUNCTION.

THE AUDITOR STATED THAT IF YOU LOOK AT THE TIME FRAME ALLOWED BY THE STATE THAT THE AUDITOR AND TREASURER FINISHED UP 4 WEEKS AHEAD OF SCHEDULE. THE AUDITOR STATED THAT IF HER OFFICE HAD ANY RESPONSIBILITY IN THE DELAY OF THE 2002/2003 TAX BILLING SHE WOULD TAKE FULL RESPONSIBILITY FOR HER ACTIONS.

THE AUDITOR ALSO STATED THAT A FEW YEARS AGO THE COUNCIL WANTED TO CLOSE THE BUDGET HEARINGS BECAUSE THE AUDITOR DID NOT HAVE THE ASSESSED VALUES FOR TAX RATES. THE AUDITOR EXPLAINED THAT THE COUNCIL HAS NEVER HAD THAT INFORMATION BY BUDGET HEARINGS BECAUSE THE ASSESSOR HAS NEVER MET HER STATUTORY DEAD LINE SINCE SHE HAS BEEN IN OFFICE.

THE AUDITOR EXPLAINED THAT THE ASSESSED VALUES ARE DUE BY LAW TO HER FROM THE ASSESSOR JULY 01 OF EACH YEAR AND IN TURN THE AUDITOR CERTIFIES THE NET AV TO THE TAXING UNITS AUGUST 01 OF EACH YEAR. THE AUDITOR STATED THAT SHE HAS ALWAYS HAD TO PROVIDE ESTIMATES BECAUSE THE INFORMATION IS NOT PROVIDED TO HER OFFICE USUALLY UNTIL LATE SEPTEMBER OR OCTOBER.

THE AUDITOR STATED THAT IF THERE ARE CONCERNS ABOUT THE TOWNSHIP ASSESSORS CAUSING DELAYS, THAT THE DEPUTY ASSESSORS ARE ALWAYS PAID AFTER THEY REPORT TO HER THAT THEY HAVE TURNED IN THEIR PERSONAL PROPERTY TO THE ASSESSOR. THE AUDITOR NOTED THAT LAST YEAR THERE WAS NO INDICATION THAT CHECKS WERE HELD BECAUSE OF INFORMATION NOT TURNED IN TIMELY BY THE TOWNSHIP ASSESSORS.

THE AUDITOR STATED THERE IS A LACK OF COMMUNICATION, AND QUESTIONED IF ANY OF THE COMMISSIONERS OR COUNCIL FOLLOWED UP WITH THE ASSESSOR. THE AUDITOR STATED THAT SHE HAD NO FOLLOW UP INFORMATION FROM THE ASSESSOR.

COUNCILMAN PARIS NOTED HE UNDERSTOOD THAT THESE ISSUES WERE GOING TO BE DISCUSSED IN A DIFFERENT FORUM. COUNCILMAN PARIS NOTED THAT STATUTORY REQUIREMENTS ARE SET BY STATUE JULY 01 FOR THE ASSESSOR AND AUGUST 01 FOR THE AUDITOR.

COUNCILMAN PARIS SAID COMMUNICATION IS A NECESSITY AND WE NEED TO FIGURE OUT HOW TO GET BACK ON TRACK AND TO LEAVE PERSONAL ISSUES OUT OF THIS. THE AUDITOR SAID IN TWO AND HALF YEARS THERE WILL BE A NEWLY ELECTED AUDITOR AND NO MATTER WHAT THEY ARE PAID OR HOW QUALIFIED THEY ARE THEY WILL NOT BE ABLE TO COMPLETE THEIR JOB FUNCTIONS UNTIL THE ASSESSOR'S AND TREASURER'S OFFICE IS COMPLYING WITH THE STATUE AND FUNCTIONING SOFTWARE IF PROVIDED.

COUNCILMAN CARMONY ASKED THE AUDITOR IF WHAT SHE HAS EVER DONE TO ADDRESS THESE ISSUES. COUNCILMAN CARMONY STATED IT COMES DOWN TO WHAT AUTHORITY THE COUNCIL HAS TO SOLVE THIS PROBLEM, AND HE HAS NEVER RECEIVED ANY CALLS.

COUNCILMAN CARMONY RECOMMENDED THAT THE AUDITOR TAKE THIS TO THE COMMISSIONERS. THE AUDITOR STATED THAT COMMISSIONER WARNECKE IS THE ONLY ONE WHO HAS SHOWN ANY INTEREST OR CONCERN IN ADDRESSING THE PROBLEM.

COUNCILMAN EBERHART ASKED WHAT WE NEED TO FOCUS ON, AND HOW TO ASSIST WITH THE PROBLEM, AND HOW WE WILL DISCUSS THESE ISSUES. THE AUDITOR STATED THEIR NEEDS TO BE COMMUNICATION, AND COUNTY GOVERNMENT NEEDS TO WORK TOGETHER COLLECTIVELY.

THE AUDITOR STATED THAT NOT ALL OF THE OFFICES ARE ON THE SAME TAX BILLING CYCLE. THE AUDITOR STATED THAT IN DISCUSSION WITH HUMAN RESOURCES THERE COULD BE A CHART THAT SHOWS THE WORK FLOW OF EACH DEPARTMENT SO STAFF MEMBERS CAN MOVE ON TO ASSIST OTHER OFFICES AS NEEDED.

COUNCILMAN CARMONY ASKED WHAT THE AUDITOR HAS DONE TO DISCUSS THIS WITH THE COMMISSIONERS, AND SHE STATED THAT SHE WAS HERE DOING THIS NOW, AND COUNCILMAN CARMONY SAID HE FELT SHE WAS TOO LATE. THE AUDITOR STATED THAT TO HER KNOWLEDGE NO ONE FOLLOWED UP ON THESE ISSUES EITHER, AND SHE WAS HERE NOW TO GET IT FIXED.

THE AUDITOR STATED THAT SHE HAS NO AUTHORITY TO HAVE AN OFFICE ACT IN ANY WAY. COUNCILMAN PARIS STATED THAT IT IS NOT HER JOB TO TELL THE COUNCIL THAT THE ASSESSOR NEEDS SOFTWARE.

COUNCILMAN PARIS PROPOSED THAT A MEETING IS CALLED TO RESOLVE THE ISSUES. COUNCILMAN PARIS NOTED THAT HE TRIED COORDINATING THE MEETING ONCE BEFORE. COUNCILMAN CARMONY NOTED THAT CRITICISM IS NOT VALID UNLESS YOU PROVIDE A SOLUTION, BECAUSE IT WILL MAKE THE PROBLEM WORSE.

THE AUDITOR STATED SHE WAS HERE WITH A RESOLUTION. THERE IS A COMMUNICATION PROBLEM, AND WE NEED TO DISCUSS HOW WE CAN WORK TOGETHER, AND NOT AGAINST EACH OTHER. COUNCILMAN PARIS SUGGESTED THE COMMISSIONERS SPEARHEAD THE MEETING WITH COUNCIL MEMBERS, EITHER A CLOSED OR AN OPEN DOOR MEETING.

THE TREASURER SAID SHE WOULD LIKE TO SEE THE COUNTY GET BACK ON TRACK. THE TREASURER ALSO NOTED SOFTWARE ISSUES. COUNCILMAN EBERHART SUGGESTED A FLOW CHART OR SCHEDULE FOR THE NEXT TAX CYCLE TO KEEP US ON TRACK.

COUNCILMAN SMITH SAID HE HAS HEARD OF MANATRON SOFTWARE PROBLEMS AND WANTED TO KNOW IF A NEW SOFTWARE CONVERSION WOULD ASSIST WITH THE PROBLEM. THE AUDITOR AND TREASURER NOTED THAT THIS WAS NOT A SOLUTION AT THIS TIME AND COULD CREATE OTHER PROBLEMS THAT COULD CAUSE EVEN LONGER DELAYS.

COUNCILMAN KASTER SAID THAT AFTER 16 YEARS ON THE COUNCIL THERE APPEARS TO BE DIFFERENT KINGDOMS, AND NO ONE IS GOING TO TELL THEM (THE ELECTED OFFICIALS) WHAT TO DO. COUNCILMAN KASTER SAID THIS MIND SET NEEDS TO BE CHANGED

HOWARD AYERS SAID HE DID NOT SEE THIS AS CRITICISM, AND SAID THAT HE HAS HEARD 60 TO 75% OF WHAT THE AUDITOR HAS SAID OF HER OFFICE BEING BLAMED FROM OTHER COUNTY RESIDENTS. MR. AYERS SAID IT WAS HIGH TIME THAT THIS IS ADDRESSED AND THAT THE PROBLEMS GOT AIRED OUT.

A MOTION TO ADJOURN WAS MADE BY PARIS, SECOND CARMONY, VOTE 5-0.

NAY

AYE

Sean R. Eberhart
Terry Smith
Robert J. Paris
Robert W. Carmony

ATTEST:

Margaret L. Brunk

MARGARET L. BRUNK
SHELBY COUNTY AUDITOR