

THE SHELBY COUNTY COUNCIL MET ON TUESDAY NOVEMBER 21, 2006. PRESENT WERE COUNCIL MEMBERS FUCHS, CARMONY, PARIS, SANDERS, SMITH, GRUBBS, RIGGINS AND THE AUDITOR.

REORGANIZATION OF COUNTY COUNCIL:

FOR THE PURPOSE OF FILLING THE VACANCY OF SHELBY COUNTY COUNCIL PRESIDENT THAT WAS CREATED UPON THE RESIGNATION OF SEAN EBERHART, WHICH WAS DUE TO HIS ELECTIONS TO THE INDIANA GENERAL ASSEMBLY HOUSE DISTRICT 57. DUE TO THE CLOSENESS TO THE END OF THE YEAR, AND MY TERM ON THE SHELBY COUNTY COUNCIL WHICH ENDS DECEMBER 31ST, THE NEED FOR A CONTINUITY OF THE OFFICE OF THE PRESIDENT UNTIL THE 2007 COUNTY COUNCIL REORGANIZATION IN JANUARY.

I MOVE THAT WE SUSPEND THE NORMALLY ACCEPTED RULES OF PROGRESSION OF OFFICE OF VICE PRESIDENT TO PRESIDENT AND FURTHER MOVE AND NOMINATE TERRY SMITH TO FILL THE UN-EXPIRED TERM OF PRESIDENT CREATED BY THE VACANCY. I WILL REMAIN UNTIL MY TERM EXPIRES ON DECEMBER 31ST, SECOND GRUBBS, VOTE 7-0.

MINUTES:

A MOTION TO APPROVE WAS MADE BY SMITH, SECOND FUCHS, 4-0-3(GRUBBS, SANDERS, CARMONY ABSTAINED).

O'NEAL STEEL ABATEMENT APPROVAL:

A MOTION TO APPROVE RESOLUTION 2006-14 AND THE AMENDED ABATEMENT WAS MADE BY CARMONY, SECOND PARIS, VOTE 7-0.

ADDITIONAL APPROPRIATIONS AND TRANSFERS:

PUBLIC DEFENDER GENERAL FUND TRANSFER/ADDITIONAL:

A MOTION TO APPROVE AN ADDIOTNAL IN THE AMOUNT OF \$5,800.00.

PLAT FUND ADDITIONAL:

A MOTION TO APPROVE AN ADDITIONAL IN THE AMOUNT OF \$1,850.00 TO 449-01-04-11 TO PURCHASE SHELVES FOR THE BASEMENT WAS MADE BY PARIS, SECOND CARMONY, VOTE 7-0.

CORONER GENERAL FUND TRANSFER/ADDITIONAL:

A MOTION TO APPROVE TRANSFERS IN THE AMOUNT OF \$500.00 FROM 100-07-03-92 TO 100-07-01-13 AND \$500.00 FROM 100-07-03-12 TO 100-07-01-13, \$300.00 FROM 100-07-03-94 TO 100-04-01-13 AND \$300.00 FROM 100-07-03-95 TO 100-07-01-13 WAS MADE BY CARMONY, SECOND PARIS, VOTE 7-0. AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$3,300.00 TO 100-07-04-11 WAS ALSO APPROVED.

COMMISSIONERS GENERAL TRANSFER:

A MOTION TO APPROVE A TRANSFER FROM 100-03-03-42 TO 100-30-01-23 WAS MADE BY FUCHS, SECOND CARMONY, VOTE 7-0.

CUM BRIDGE:

A MOTION TO APPROVE AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$10,000.00 TO 200-13-03-11 AND AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$22,500.00 WAS MADE BY GRUBBS, SECOND FUCHS, VOTE 7-0.

SUPERIOR COURT 2:

A MOTION TO APPROVE A TRANSFER IN THE AMOUNT OF \$1,200.00 FROM 100-38-02-41 TO 100-38-04-32, \$400.00 FROM 100-38-03-91 TO 100-38-01-36 AND AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$4,500.00 WAS MADE BY RIGGINS, SECOND GRUBBS, VOTE 7-0.

SUPERIOR COURT 1:

A MOTION TO APPROVE A TRANSFER OF \$278.53 FROM 100-37-03-92 TO 100-37-02-11, \$516.00 FROM 100-37-01-32 TO 100-37-04-32, \$93.64 FROM 100-37-03-91 TO 100-37-02-11, \$89.97 FROM 100-37-01-32 TO 100-37-03-61 AND \$1,000.00 FROM 100-37-01-16 TO 100-37-02-11 WAS MADE BY RIGGINS, SECOND FUCHS, VOTE 7-0.

PROBATION:

A MOTION TO APPROVE AN ADDITIONAL IN THE AMOUNT OF \$42,741.00 AND \$9,549.00 TO 413-01-01-01 TO FUND PAYROLL IN THE 414 FUND FOR THE BALANCE OF 2006 WAS MADE BY PARIS, SECOND CARMONY, VOTE 7-0.

SHERIFF DEPARTMENT:

A MOTION TO APPROVE A TRANSFER IN THE AMOUNT OF \$1,000.00 FROM 100-05-01-18 TO 100-05-01-17, \$500.00 FROM 100-05-01-30 TO 100-05-01-17, \$2,500.00 FROM 100-05-03-41 TO 100-05-01-17 WAS MADE BY GRUBBS, SECOND RIGGINS, VOTE 7-0. A MOTION TO TRANSFER \$3,000.00 FROM 100-05-03-41 TO 100-05-02-22 WAS MADE BY GRUBBS, SECOND RIGGINS, VOTE 6-1, (GRUBBS).

SHERIFF JAIL:

A MOTION TO TRANSFER \$1,200.00 FROM 100-32-01-18 TO 100-32-03-11, \$311.00 FROM 100-32-01-35 TO 100-32-03-11, \$640.00 FROM 100-32-01-42 TO 100-32-03-11, \$180.00 FROM 100-32-01-46 TO 100-32-03-11 WAS MADE BY GRUBBS, SECOND PARIS, VOTE 7-0.

A MOTION TO APPROVE A TRANSFER IN THE AMOUNT OF \$2,354.00 FROM 100-32-01-47 TO 100-32-03-11, \$4,000.00 FROM 100-32-01-48 TO 100-32-03-11, \$1,390.00 FROM 100-32-01-53 TO 100-32-03-11, \$2,500.00 FROM 100-32-01-50 TO 100-32-02-24 WAS MADE BY GRUBBS, SECOND RIGGINS, VOTE 7-0.

A MOTION TO APPROVE A TRANSFER IN THE AMOUNT OF \$20.00 FROM 100-32-01-22 TO 100-32-01-27 WAS MADE BY GRUBBS, SECOND CARMONY, VOTE 7-0.

A MOTION TO APPROVE A TRANSFER IN THE AMOUNT OF \$2,500.00 FROM 100-32-01-49 TO 100-32-01-17 AND \$2,000.00 FROM 100-32-01-39 TO 100-32-01-17 WAS MADE BY GRUBBS, SECOND CARMONY, VOTE 7-0.

A MOTION TO TRANSFER \$2,800.00 FROM 100-32-01-44 TO 100-32-02-21 WAS MADE BY GRUBBS, SECOND PARIS, VOTE 7-0.

AUDITOR TRANSFER:

A MOTION TO TRANSFER \$6,265.80 FROM 100-02-03-61 TO 100-02-01-17 TO PAY FOR THE AUDITOR ELECT AND FIRST DEPUTY TO TRAIN WAS MADE BY GRUBBS, SECOND PARIS, VOTE 7-0.

MISCELLANEOUS:**WELFARE DEPARTMENT MONTHLY REPORT:**

NO REPORT DUE TO THE RESIGNATION OF DIRECTOR, MARY MEDLER. COUNCILMAN PARIS SAID HE THOUGHT THAT MARY HAS DONE A GREAT JOB GETTING THINGS UNDER CONTROL AND TO DATE THEY ARE UNDER BUDGET.

ASSESSOR, TREASURER, AUDITOR TAX BILLING UPDATE:

MARY JO PHARES SAID THE REPORT TO THE STATE HAS BEEN SENT AND THEY WERE WAITING ON FEED BACK. MS. PHARES SAID THERE IS NO WAY THEY WILL BE COMPLETED BY DECEMBER. MS. PHARES SAID THAT DUE TO TRENDING THE STATE REQUESTED THAT THE COUNTY FAX AND COPY ALL DISCLOSURES TO THE STATE MONTHLY AND THAT THEY RE-FILE THESE BY FAXING BACK TO 2004, 2005 AND POSSIBLY 2003 EVEN THOUGH

IT HAS BEEN COPIED AND PROVIDED TO THE STATE. MS. PHARES SAID THERE ARE MANY CHANGES THAT WILL NEED TO BE ENTERED JUST AS REASSESSMENT. MS. PHARES STATED THAT THE COUNTY ASSESSOR HAS STATED THAT THERE IS NO WAY THEY WILL BE COMPLETED BY THE END OF THE DECEMBER.

THE TREASURER STATED THAT THEY HAVE COMPLETED THE MAIL FROM THE NOVEMBER 10 DEADLINE. THE AUDITOR NOTED THAT SHE IS ADVANCING THE FUNDS MONTHLY. THE AUDITOR NOTED THAT THERE WILL BE THREE NEW COUNTY ELECTED OFFICIALS WHO WILL TAKE OFFICE JANUARY 01 AND SHE DID NOT WANT THOSE OFFICE HOLDERS TO BE HELD RESPONSIBLE FOR SOMETHING THAT WILL NOT BE THEIR FAULT. THE AUDITOR NOTED THAT ALL 92 COUNTIES ARE AFFECTED BY THE SAME PROBLEM JUST AS WITH REASSESSMENT AND SOME OF THE DELAYS ARE NOT THE COUNTY'S FAULT BUT DELAYS DUE TO STATE IMPOSITION. THE AUDITOR STATED THAT THE POTENTIAL IS THERE THAT THE 2006 PAY 2007 TAX BILLING WILL BE DELAYED. COUNCILMAN PARIS SAID ACCORDING TO THE AIC WEBSITE WE ARE DISCUSSING THINGS THAT SHOULD HAVE BEEN ROLLED IN JULY.

COMMUNITY CORRECTIONS BAP REPORT:

JEANIE NEAL REPORTED IN 2005 3,684 BED DAYS TO HOUSE DOC INMATES AND 2006 2,663 BED DAYS UP TO DECEMBER 15. MS. NEAL REPORTED WITH THE \$128,940.00 POTENTIAL REVENUES GAINED IF THE JAIL COULD ACCOMMODATE DOC INMATES WITH THE BEDS THEIR PROGRAM MADE AVAILABLE AND THIS YEAR \$93,205.00 FOR 2006 BASED ON \$35.00 PER DAY PER OFFENDER. COUNCILMAN PARIS WANTED TO KNOW IF THOSE POTENTIALS ARE TURNING INTO REAL DOLLARS. COUNCILMAN PARIS SAID THE PROGRAM WAS FUNDED BASED ON IT BEING ABLE TO FUND ITSELF. COUNCILMAN PARIS WANTED TO KNOW IF THEY WERE MAXIMIZING THOSE DOLLARS.

SHERIFF DEBAUN SAID SO FAR THIS YEAR THEY HAVE COLLECTED \$790,864.00 FROM DOC AND THEY ESTIMATE COLLECTION OF \$700,000.00 PER YEAR. SHERIFF DEBAUN SAID THE PROBLEM IS HOW MANY INMATES THEY HAVE IN THE JAIL. SHERIFF DEBAUN SAID STARTING LAST YEAR THEY STARTING GETTING OVER THE AMOUNT TO INMATES VERSES BEDS AND THEY WERE OVER ABOUT 1/3 OF THE TIME LAST YEAR AND THIS YEAR THEY HAVE BEEN OVER ALL BUT 2 MONTHS OF THE YEAR.

SHERIFF DEBAUN SAID EVEN THOUGH COMMUNITY CORRECTIONS IS MAKING THEM MORE ROOM THEY STILL HAVE WAY TOO MANY COMMITMENTS. THE SHERIFF SAID DUE TO HOW THE INMATES ARE CLASSIFIED THEY DO NOT HAVE ENOUGH BEDS FOR EVERY INMATE AND ESPECIALLY THE FEMALE INMATES. THE SHERIFF SAID THE DEMOGRAPHICS OF THE JAIL HAVE CHANGED. THE SHERIFF SAID HE IS CONCERNED ABOUT CIVIL RIGHTS VIOLATIONS BECAUSE OF NOT HAVING BEDS AVAILABLE ALL THE TIME. THE SHERIFF SAID YOU HAVE TO BE CAREFUL OF HOW THE INMATES ARE TREATED BECAUSE OF THEIR RIGHTS. THE SHERIFF SAID THEY ARE DOING THEIR BEST TO KEEP THE INCOME UP BUT SOMETHING IS GOING TO NEED TO BE DONE THAT WILL NOT BE INEXPENSIVE. JEANIE NEAL SAID SHE COULD SUGGEST TO THE JUDGES THAT THEY REEXAMINE THE PROGRAM DUE TO THE DEMOGRAPHICS THAT HAVE CHANGED AND SHE WILL REPORT BACK TO THE COUNCIL.

HIGHWAY SECRETARY 2007 PAY:

COMMISSIONER WARNECKE STATED THAT THE COUNCIL IS LOOKING AT A REVISED JOB DESCRIPTION AND NOT A SALARY INCREASE AS ON THE AGENDA. COMMISSIONER WARNECKE SAID THIS SHOULD HAVE BEEN REVISED SEVERAL YEARS AGO AND WILL BE 100% FUNDED FROM HIGHWAY FUNDS. COMMISSIONER WARNECKE SAID THIS POSITION IS AS

MOST OF THE SPECIAL OCCUPATIONS (SO) AND ARE NON- EXEMPT AND IS ENTITLED TO OVERTIME. COMMISSIONER WARNECKE SAID IF YOU LOOK AT THE DUTIES THEY ARE QUITE EXTENSIVE AND DESERVING. COMMISSIONER WARNECKE SAID THE FUNCTION OF THE COMMISSIONERS OFFICE HAS CHANGED DRAMATICALLY AND THE JOB DESCRIPTION REFLECTS THOSE CHANGES. COUNCILMAN PARIS STATED HE DID NOT HAVE SUFFICIENT TIME TO REVIEW THE JOB DESCRIPTION. COUNCILMAN PARIS ASKED WHY THE POSITION WAS NOT FACTORED. COMMISSIONER WARNECKE SAID BECAUSE THIS POSITION IS A SO POSITION THOSE ARE NOT FACTORED AND EACH OFFICE SETS UP THEIR OWN SO POSITION AND SET THEM UP BASED ON THAT JOB AND FUNCTION. COMMISSIONER WARNECKE SAID THE POSITION WAS IN THE BUDGET AND HAS BEEN APPROVED AND THE MONEY IS THERE. COUNCILMAN PARIS SAID IT WAS SUBJECT TO APPROVAL OF THE JOB DESCRIPTION. COUNCILMAN PARIS SAID HE DID NOT LIKE THE WAY THIS PROCESS WAS DONE FROM THE BUDGET HEARING TO TODAY. COUNCILMAN PARIS SAID HE WAS CONCERNED ABOUT THE PAY, WHICH EXCEEDS SOME OF THE ELECTED OFFICIALS. COMMISSIONER WARNECKE SAID HE WAS AMAZED THAT THEY ABLE TO RETAIN EMPLOYEES BASED ON WHAT THEY ARE PAID.

COUNCILMAN PARIS SAID HE WAS CONCERNED ABOUT THE MESSAGE THIS WAS SETTING TO THE OTHER EMPLOYEES BECAUSE AN EXCEPTION WAS BEING MADE FOR ONE INDIVIDUAL. COUNCILMAN PARIS ASKED HOW THIS COMPARED TO OTHER POSITIONS IN OTHER COUNTIES. COMMISSIONER WARNECKE SAID IS WAS NOT RELEVANT TO OTHER COUNTIES. COMMISSIONER WARNECKE SAID THE DUTIES ARE FOR THE HIGHWAY AND THE COMMISSIONERS. COMMISSIONER WARNECKE SAID THE DUTIES ARE PRIMARILY FOR THE HIGHWAY DEPARTMENT.

THE AUDITOR STATED THAT THE SALARIES OF THE ELECTED OFFICIALS WAS SET BY THE WAGE AND SALARY STUDY AND THE FIRST DEPUTIES WERE SET AS A PERCENTAGE ALSO. THE AUDITOR STATED EVERY YEAR THE SALARIES FOR THE UPCOMING BUDGET IS PROVIDED BY THE HUMAN RESOURCE DIRECTOR.

THE AUDITOR STATED THAT ACCORDING TO THE 2007 WAGE AND SALARY STUDY ADOPTED BY THE COUNCIL IT STATES THERE IS A SET PROCEDURE IN PLACE TO REQUEST PAY INCREASES AND IT DOESN'T STATE THAT SO'S ARE EXEMPT FROM THIS POLICY.

MR. FLYNN STATED THAT NO SO HAS BEEN FACTORED IN THE LAST SIX YEARS. MR. FLYNN SAID THERE IS A FORMULA FOR THE PAY OF THE SO'S EITHER BY MANDATE OR A PARTICULAR BODY OR A PERCENTAGE OF SOME OTHER PERSON EXCEPT FOR THIS POSITION. THE PROBATION DEPARTMENT IS MANDATED.

THE AUDITOR NOTED THAT THE PAY WAS APPROVED BASED ON THE APPROVAL OF THE JOB DESCRIPTION. A MOTION TO APPROVE THE JOB POSITION DESCRIPTION WAS MADE BY FUCHS, SECOND RIGGINS, VOTE 6-1 (PARIS). COUNCILMAN PARIS SAID HE FELT THEY SET THE SALARY AND THEN WROTE THE JOB DESCRIPTION TO SUPPORT THE SALARY.

PROSECUTOR AND CLERK IV-D FUNDS:

KENT APSLEY STATED THAT ACCORDING TO THE HIRE DATE THE AMOUNT OWED TO THE COUNTY IS \$16,260.55 AND HE HAS SUBMITTED A CLAIM FOR THAT REIMBURSEMENT ON OCTOBER 24. MR. APSLEY SAID THAT EVERY MONTH HE WILL SUBMIT A CLAIM IN THE AMOUNT OF \$960.00 (AVERAGE) TO THE AUDITOR TO REIMBURSE THE COUNTY FOR THAT POSITION FROM THIS POINT FORWARD. MR. APSLEY STATED THAT HE HAS ALWAYS MAINTAINED THAT HE OWED THE COUNTY MONEY. THE CLERK WILL REPORT NEXT MONTH.

A MOTION TO ADJOURN WAS MADE BY CARMONY, SECOND GRUBBS,
VOTE 7-0.

Terry Smith
Scott J. Rouse
[Signature]

[Signature]
Wm. R. [Signature]
Robert W. Carmony

ATTEST:

Margaret L. Brunk
MARGARET L. BRUNK
SHELBY COUNTY AUDITOR