

THE SHELBY COUNTY COUNCIL MET ON TUESDAY AUGUST 19, 2008 AT 7:00 P.M. PRESENT WERE COUNCIL MEMBERS SMITH, FUCHS, DEBAUN, CARMONY, SANDERS, GRUBBS, BRUNK, AND THE COUNTY AUDITOR.

MINUTES:

MOTION TO APPROVE THE MINUTES FROM JULY 14, 2008 (SPECIAL MEETING) MADE BY FUCHS SECOND BY BRUNK, APPROVED 4-0-2 (GRUBBS, SMITH)

MOTION TO APPROVE THE MINUTES FROM M JULY 15, 2008 MEETING MADE BY SANDERS SECOND BY DEBAUN, APPROVED 6-0 (CARMONY NOT IN YET)

ADDITIONALS / TRANSFERS:

HIGHWAY:

COUNTY COMMISSIONERS REQUEST TO TRANSFER \$30,000.00 FROM 0201-531-04-4044 (OTHER ROAD EQUIP) TO 0201-531-02-1231 (GASOLINE), \$800.00 FROM 0201-531-03-1242 (WORKMEN'S COMP) TO 0201-530-01-1632 (OVERTIME OFFICE) AND \$2,000.00 FROM 0201-531-03-1242 TO 0201-533-01-1631 (OVERTIME GRADE ALL). MOTION TO APPROVE MADE BY FUCHS SECOND BY SANDERS APPROVED 6-0

INNKEEPERS:

REQUEST TO TRANSFER \$4,000.00 FROM 0194-000-03-1811 (ADVERTISING) TO 0194-000-04-4000 (EQUIPMENT) THIS IS TO PURCHASE A NEW COMPUTER, THIS IS ALSO A NEW APPROPRIATION NUMBER. MOTION TO APPROVE MADE BY GRUBBS SECOND BY BRUNK APPROVED 6-1 (DEBAUN)

COMMUNITY CORRECTIONS:

REQUEST ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$1,380.23 IN FUNDS 0437-000-02-1100 (SUPPLIES), \$13.15 IN FUND 0437-000-03-1101 (SERVICES) AND \$1,106.62 (EQUIPMENT) MOTION TO APPROVE MADE BY DEBAUN SECOND BY FUCHS, APPROVED 6-1 (SANDERS)

REQUEST ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$9,000.00 IN FUND 4439-000-04-1000 (MOTOR VEHICLES) MOTION TO APPROVE MADE BY DEBAUN SECOND BY FUCHS, APPROVED 6-1 (SANDERS)

HEALTH DEPT.:

REQUEST TO TRANSFER \$585.00 FROM 0213-000-03-1263 (BOOK BINDING) TO 0213-000-02-1211 (OFFICE SUPPLIES) MOTION TO APPROVE MADE BY GRUBBS SECOND BY BRUNK, APPROVED 7-0

REQUEST TO TRANSFER \$785.00 FROM 0213-000-01-1877 (WORKMEN'S COMP) TO 0213-000-02-1221 (GAS/TRUCK REPAIR) AND \$2,000.00 FROM 0213-000-03-1223 (MILEAGE & PARKING) TO 0213-000-02-1221 (GAS/TRUCK REPAIR) MOTION TO APPROVE MADE BY GRUBBS SECOND BY SANDERS, APPROVED 7-0

PROBATION:

REQUEST FOR ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$2,900.00 IN FUND 0414-000-04-4011 (OFFICE EQUIPMENT). MOTION TO APPROVE MADE BY DEBAUN SECOND BY BRUNK, APPROVED 7-0

RECORDER:

REQUEST FOR ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$250.00 IN FUND 0139-000-04-4011 (ID SECURITY PROTECT) MOTION TO APPROVE MADE BY BRUNK SECOND BY GRUBBS, APPROVED 7-0

REQUEST FRO ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$12,284.42 TO PAY MAINTENANCE FEES. BRUNK BROUGHT UP THAT THERE IS NOT ENOUGH MONEY IN THE FUND TO DO AN ADDITIONAL. BRUNK MADE A MOTION TO APPROPRIATE FROM THE GENERAL FUND AND THEN IF SHE GETS THE MONEY BACK IN THE 0157 THEN IT CAN REIMBURSE THE GENERAL FUND 0100-102-03-6300 (OFFICE EQUIPMENT) SECOND BY SANDERS. DEBAUN ASKED IF THE COUNTY ATTORNEY HAS LOOKED AT. BRUNK REVISED HER MOTION TO APPROVE PENDING APPROVAL FROM THE COUNTY ATTORNEY. APPROVED 7-0

SHERIFF:

SHERIFF REQUEST FOR AN ADDITIONAL APPROPRIATION IN FIREARMS TRAINING IN THE AMOUNT OF \$7,500.00 FOR FUND 0154-000-02-1100 (SUPPLIES – FIREARMS)

SHERIFF REQUEST FOR AN ADDITIONAL APPROPRIATION IN CONTINUING EDUCATION IN THE AMOUNT OF \$100.00 IN FUND 0428-000-01-2400 (TRAVEL EXPENSE) AND \$100 IN FUND 0428-000-01-9200 (TUITION AND FEES) MOTION TO APPROVE MADE BY SANDERS SECOND BY GRUBBS, APPROVED 7-0

-SHERIFF REQUEST TO TRANSFER \$44,000.00 FROM 0100-105-01-1822 (RETIREMENT) TO 0100-105-02-2200 (GASOLINE) MOTION TO APPROVE MADE BY SANDERS SECOND BY DEBAUN, APPROVED 7-0

MISCELLANEOUS:

SHERIFF IRS RETIREMENT PLAN:

RECEIVED A LETTER STATING THERE HAS BEEN AN AMENDMENT TO THEIR RETIREMENT PLAN. THIS IS REQUIRED BY THE IRS AND IS CALLED THE 415 LIMITS. IN THIS LETTER THEY ASSURE THERE WILL BE NO IMPACT ON THE BENEFITS PAYMENT OR RETIREMENT PLAN. IF WE DON'T SIGN THIS OUR STATUS WILL BE DROPPED BY THE IRS. I HAVE MENTIONED THIS TO MR. DEPRez BUT WITH THE SHORT TIMING SHERIFF BOWLBY HAS TALKED WITH HOWARD WILLIAMS (SHERIFF'S ASSOCIATION ATTORNEY) AND HAS NO PROBLEM WITH THIS. MOTION TO APPROVE MADE BY DEBAUN SECOND BY SANDERS, APPROVED 7-0

COUNTY PROSECUTOR:

MR. APSLEY PRESENTED TO THE COUNCIL TO A REQUEST. HE CURRENTLY HAS AN OPENING IN HIS OFFICE FOR A COMIT I POSITION AND HAS ADVERTISED IT. THIS POSITION IS THE HIGHEST OF THE COMIT CATEGORY AND WILL NEED AN ASSOCIATES DEGREE AND PRIOR LEGAL EXPERIENCE. WITH THIS SALARY RANGE HE IS HAVING A DIFFICULT TIME FINDING IT HARD TO BE COMPETITIVE. WHAT I'M ASKING THE COUNCIL TO DO IS TO ALLOW HIM TO HIRE THIS PERSON A SALARY HIGHER THEN THE BASE HIRE IN RATE. THIS WILL BE NO ADDITIONAL COST TO THE COUNTY OR TAX PAYERS; THE PERSON WHO STEPPED OUT IS ALREADY AT A 10 YEAR SALARY. DEBAUN ASKED IF THE COMIT II PEOPLE THAT YOU HAVE NOW ALREADY MAXED OUT. APSLEY ADVISED THAT THE TWO PEOPLE THAT HAVE APPLIED FOR THIS ONE IS ALREADY MAXED OUT AND ONE IS REAL CLOSE. MOTION TO APPROVE MADE BY DEBAUN SECOND BY BRUNK, APPROVED 7-0

EMERGENCY MANAGEMENT:

WILLOW PARK FLOOD:

AMY DILLON AND MIKE SCHANTZ PRESENTED TO THE COUNCIL TONIGHT INFORMATION ON WILLOW PARK. WHAT YOU HAVE IS A POWER POINT PRESENTATION WITH PICTURES. WE HAVE PRELIMINARY NUMBERS FOR THE WILLOW PARK BUY OUT. YOU ALSO HAVE THE DNR REQUIREMENT TO ELEVATE THEIR HOME AND REBUILD. THERE ARE FOUR PHASES TO THE BUYOUT PROCESS

- PHASE I – EVALUATE THE OPTIONS, HAVE TOWN MEETING, EXAMINE SITUATION, OUTLINED STRATEGIES
- PHASE II – SUBMIT LETTER OF INTENT TO THE STATE HOME LAND SECURITY (THIS ALLOWS THE RESIDENCE TO SEEK LONG TERM HOUSING, EVEN IF WE ARE NOT ABLE TO DO THE PROJECT, FEMA WILL ALLOW 18 MONTHS OF LIVING ASSISTANCE), GOES TO FEMA AND IF APPROVED WE MOVE ON WITH THE PROJECT, THIS IS A 75% - 25% MATCH GRANT. THE COUNTY IS RESPONSIBLE FOR THE 25%.
- PHASE III- PRESS RELEASE, TOWN MEETING, APPRAISALS, PROPERTY OWNER ACCEPTS OFFER, CLOSING AND REIMBURSEMENT
- PHASE IV. – OPEN THE AREA TO GREEN SPACE (SODDING AND RESEED)

CURRENTLY WE HAVE 13 OWNERS AND ONLY TWO OF THE PROPERTY OWNERS HAVE ALREADY MITIGATED AND THERE WOULD BE NO BUY OUT ON THOSE PROPERTIES. WE HAVE HAD A LOT OF OPTIONS TO HELP MAINTAIN THIS GREEN SPACE.

THIS WHOLE PROCESS WILL TAKE AROUND 12 – 18 MONTHS TO COMPLETE.

MOTION TO SUPPORT THE WILLOW PARK BUY OUT MADE BY SANDERS SECOND BY BRUNK, APPROVED 7-0

PLAN COMMISSION:

AMY DILLON CAME BEFORE THE COUNCIL TONIGHT ASKING FOR THE COUNCIL TO APPROVE THE HIRING OF A FULLTIME DEPUTY DIRECTOR TO HELP OUT. CURRENTLY SHE HAS THE MONEY IN HER BUDGET FROM THE PART TIME PERSON THAT LEFT FOR A FULL TIME POSITION AND FEELS THAT THIS WOULD BE ENOUGH MONEY TO PAY THIS FULL TIME POSITION FOR THE REST OF THE YEAR. THIS PERSON WOULD HELP WITH ZONING AND PLANNING AND ALSO FILL IN BY HELPING WITH INSPECTIONS WHEN DAVE IS OUT. THERE IS A LOT OF WORK THAT HAS BEEN NEGLECTED AND SHE HAS NOT BEEN ABLE TO GET DONE AND HAS WORKED LIKE THE ZONING VIOLATIONS COMPLAINTS (13 NEW COMPLAINTS HAVE BEEN FILED SINCE APRIL) AND HAVEN'T BEEN ABLE TO TAKE CARE OF THEM, ANNUAL REPORT, RETURN PHONE CALLS, IF ONE PERSON IS OUT THEN SHE CAN NOT GET ANYTHING DONE, FEMA PAPERWORK. LOOKING AT THE CITY DEPUTY POSITION WOULD BE CATEGORIZED AT A PAT 1, BUT FEELS THAT THIS WAS A LITTLE TO HIGH FOR THE POSITION THAT SHE IS WANTING. SHE IS LOOKING AT THE PAT II POSITION PAY WHICH WOULD BE FOR 2008 \$30,788.00. AMY INDICATED THAT SHE HAS TURNED IN 1319 HOURS SO FAR THIS YEAR AND WHEN YOU TAKE OFF HOLIDAY AND I HAVE TAKEN 1 VACATION DAY AND 4 DAYS OFF FOR A PERSONAL ISSUE THIS WOULD BE 1228 WORKING HOURS FOR THE YEAR. SO IF YOU LOOK AT THIS I HAVE DONATED 23 / 7 HOUR DAYS TO THE COUNTY. I STILL HAVE 13 ½ VACATION DAY 19 SICK DAYS, 3 PERSONAL DAYS AND STILL HAVE 2 ½ DAYS FROM THE TORNADO/FLOOD TIME THAT THE COMMISSIONERS ALLOWED US TO HAVE. WE ARE IN THE PROCESS OF ADOPTING THE NEW PLANNING AND ZONING ORDINANCES AND THIS WILL TAKE A LOT MORE TIME WHEN SOMEONE COMES IN AND REALLY THE SECRETARY SHOULDN'T BE LOOKING AT THESE THINGS AND MAKING THE CALLS, THIS SHOULD BE SOMEONE WITH MORE EDUCATIONAL BACKGROUND TO LOOK AT THESE THINGS. WE HAVE GIVEN OVER \$6,000

IN WAIVED FEES FOR PERMITS TO RESIDENTS THAT WERE AFFECTED BY THE FLOOD. CHRIS KING (PRESIDENT OF PLAN COMMISSION) SPOKE AND SAID THAT THE EXECUTIVE COMMITTEE IS IN SUPPORT OF TAKING THIS POSITION FROM A PART TIME TO A FULL TIME POSITION, THEY FEEL THAT THE OFFICE IS UNDER STAFFED AND WITH THE NEW ORDINANCES THERE WILL BE A LOT MORE WORK AND NEED QUALITY REVIEW OF THE DEVELOPMENT PLANS, AND IMPROVED CUSTOMER SERVICES. BRUNK SAID THAT THIS OFFICE USED TO HAVE 3 EMPLOYEES UNTIL THE COUNCIL HAD TO CUT POSITIONS AND THIS WOULD RESTORE THE OFFICE TO ITS ORIGINAL STAFFING NUMBER AND IS IN SUPPORT TO THIS POSITION, SANDERS ALSO SAID THAT SHE IS IN SUPPORT OF THIS, BECAUSE WE HAVE ALREADY TAKEN VALUABLE STEPS IN THIS OFFICE, AND THERE IS A LOT OF WORK THAT AMY HAS HAD TO DO AND DON'T WANT TO SEE HER OVER WHELMED.

MISC:

TERRY SMITH INTRODUCED THE NEWLY FORMED FAIRLAND BOARD, MR. RICK DAILY – PRESIDENT, JOHN HANSON – VICE PRESIDENT AND JEREMY CREECH – SECRETARY.

BUDGET DATES:

AUDITOR WOULD LIKE TO SET THE NEW BUDGET DATES AS FOLLOWS:

PUBLIC MEETING – NOVEMBER 6, 2008 @ 5:00 P.M.

1ST AND 2ND READING – NOVEMBER 17, 2008 @ 9:00 A.M.

3RD AND FINAL READING – NOVEMBER 18, 2008 @ 5:00 P.M.

MOTION TO APPROVE MADE BY CARMONY SECOND BY DEBAUN, APPROVED 7-0

COUNTY AUDITOR:

AUDITOR PRESENTED THE DECLARATION OF COUNTY TAX RATES FOR THE FISCAL YEAR OCTOBER 1, 2008 TO SEPTEMBER 30, 2008. RATES WILL BE THE SAME AS LAST YEAR CAGIT .01 AND CEDIT .0025. MOTION TO APPROVE MADE BY SANDERS SECOND BY DEBAUN, APPROVED 7-0

A MOTION TO ADJOURN WAS MADE BY CARMONY SECOND BY GRUBBS APPROVED 7-0

NAY

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Robert W. Carmony

Mark Brunk

Robert W. Carmony

[Signature]

ATTEST:

Amy L. Glackman

AMY L. GLACKMAN
SHELBY COUNTY AUDITOR