

VIGO COUNTY COUNCIL
Minutes
Tuesday April 9, 2013 at 5:00 P.M.
Council Chambers, Vigo County Annex

Pledge of Allegiance

The meeting was called to order and the Pledge of Allegiance was recited.

Calling of the roll

Present: Rick Burger, Mike Morris, Ed Ping, Bill Thomas, Kathy Miller, Tim Curley, Mark Bird.

Corrections to the journal of the preceding meeting, if needed

March 12, 2013

Motion: To approve minutes as published, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Mike Morris.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Public comment

Michael Wright, County Attorney updated the Council on a lawsuit filed in March of 2013 regarding the existing County Council precincts being unconstitutional. Sharon Russell believes her equal protection rights are being violated in regards to her vote being discounted based on her precinct being larger than the other precincts. The Indiana Code requires precincts to be as close as possible in population size. Mr. Wright responded to the lawsuit and sent it to the appropriate parties. He has also worked with Area Planning on a proposed reprecincting plan. This proposal has very few changes. Mr. Wright met with Ken Fulk, the attorney for the ACLU, and discussed the proposed plan. Mr. Fulk discussed the plan with his client and is agreeable to dismiss the lawsuit with prejudice and will not claim any attorney fees if the County adopts the reprecincting plan. This plan should not affect any current Council members' residency status in terms of taking them out of the district they currently represent. If agreeable, the statute requires the Auditor to call a special meeting to adopt a modified precinct plan.

Communications from elected officials of the County

There were none.

Communications from other officials or agencies

There were none.

Reports from standing committees

There were none.

Reports from select committees

There were none.

Ordinances relating to appropriations

Budget Adjustment Committee

Additional Appropriation 2013-16

Debbie Lewis, County Assessor is requesting an additional appropriation in the amount of \$109,000 in Contractual Services in order to continue the trending process.

Motion: To approve, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Resolution of Re-Allocation of Existing Appropriations 2013-05

The Assessor determined she had too much appropriated in Office Supplies and is requesting to transfer \$10,000 into Contractual Services for the trending process.

Motion: To approve, **Action:** Approve, **Moved by** Kathy Miller, **Seconded by** Rick Burger.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-17

The Prosecutor is asking for an additional appropriation in the Infraction Deferral fund in Law Enforcement Grant in the amount of \$48,009 to reimburse the Terre Haute Police Department for their part in the I-70 Drug Interdiction Program.

Motion: To approve, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Rick Burger.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-18

The Prosecutor is requesting an additional appropriation Drug Task Force Seized Asset fund in Law Enforcement Grants for PELA (Police Executive Leadership Academy) Trainings for the Terre Haute Police Department.

Motion: To approve, **Action:** Approve, **Moved by** Rick Burger, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-19

The Commissioners are requesting an additional appropriation in Contractual Services in the amount of \$700 to cover the Maximus invoice for the completion of the 2011 cost allocation plan.

Motion: To approve, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Mark Bird.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).
Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-20

The Commissioners are requesting an additional appropriation to supplement Hospital Benefits for the Community Corrections department. The total amount requested is \$136,000 of which \$76,000 will be an additional appropriation and \$60,000 will be transferred from another appropriation.

Motion: To approve \$76,000, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Resolution of Re-Allocation of Existing Appropriations 2013-06

To complete the Commissioner's request to supplement Hospital Benefits for the Community Corrections department, \$60,000 will be transferred from the Ambulance Donation account since that will not be used this year.

Motion: To approve, **Action:** Approve, **Moved by** Ed Ping, **Seconded by** Rick Burger.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Annual Budget Committee

Additional Appropriation 2013-21

Jon Bacon, Chairman of the LEPC (Local Emergency Planning Committee), is asking to appropriate a total of \$52,000 for the entire budget for 2013.

Motion: To approve, **Action:** Approve, **Moved by** Mike Morris, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-22

An advertising error occurred for the March meeting. Additional appropriations are needed in County General for Communications/Dispatch totaling \$1,955 in payroll, FICA and PERF.

Motion: To approve, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Personnel Committee

Salary Ordinance 2013-04

Group Homes has had a vacant Case Manager position for about two years. The State now requires the position to be filled and the person holding this position to possess a Masters degree in order to receive State funding. Sheila Priester, Group Homes Director is requesting that this position be paid at grade 13 rather than the current grade 10.

Motion: To approve, **Action:** Approve, **Moved by** Mike Morris, **Seconded by** Kathy Miller.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-23

Group Insurance was not budgeted for the vacant Case Manager position in Group Homes. When the position is filled, the maximum possible appropriation needed for the family plan in the amount of \$19,038.

Motion: To approve, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Rick Burger.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Salary Ordinance 2013-05

The Prosecutor's office receives an annual salary supplement from the Drug Free Community fund for three deputy prosecutors that are most directly involved in the drug and alcohol prosecutions. This supplement is not included in the deputy prosecutor's salaries until the supplement has been awarded. It is being requested to add the supplement to their salaries retroactive to the first pay of 2013.

Motion: To approve, **Action:** Approve, **Moved by** Kathy Miller, **Seconded by** Mike Morris.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Additional Appropriation 2013-24

The Prosecutor's office is asking to appropriate the annual salary supplement received from the Drug Free Community into payroll, FICA and PERF for the deputy prosecutors that are most directly involved in the drug and alcohol prosecutions. This supplement amount is not included in the three deputy prosecutor's salaries or the appropriations until the supplement has been awarded.

Motion: To approve, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Mike Morris.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Amend 2013 Salary Ordinance

Questions have risen regarding overtime pay for County employees in which the Council wishes to address. Michael Wright, County Attorney, explained the purpose of the addendum to the 2013 Salary Ordinance was to fairly compensate those employees who on occasion are required to leave their beds to deal with an immediate situation that is in the realm of public safety. After the Vigo County Highway Department left the union that previously represented it, it was Mr. Wright's opinion that these employees would then become employees subject to the Vigo County Handbook.

Motion: All Vigo County employees who are required to work in a public safety emergency as determined by the Vigo County Commissioners and/or their designee(s), outside the employee's scheduled shift shall be compensated at one and one half time of the employee's rate of pay for performance of their duties in the emergency, without regard to the total number of hours worked during that pay period. The specific emergency, authorizing signature and duration of the emergency must be included in documentation submitted to the Auditor's office with the employee's timesheet and shall be paid out in the period for which the emergency compensation was earned, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.

Honorary resolutions

There were none.

Resolutions relating to fiscal policies of the Council

There were none.

First reading by summary reference of proposed ordinances and resolutions

President Bill Thomas assigned the requests of Council for further review.

Appointments

Parks Board ~ Joe Newton

Vigo County Redevelopment Commission ~ Councilman Rick Burger

Area Planning Board of Zoning Appeals ~ Scott Lowe

Property Tax Assessment Board of Appeals ~ John Church

Adjournment

Motion: To adjourn, **Action:** Adjourn, **Moved by** Ed Ping, **Seconded by** Rick Burger.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Thomas, Ed Ping, Kathy Miller, Mark Bird, Mike Morris, Rick Burger, Tim Curley.