



*Meeting
of the
Vigo County Council
March 10, 2020*

VIGO COUNTY COUNCIL

March 10, 2020

6:00 P.M.

Table of Contents

| | |
|--|-------|
| Agenda..... | 2 |
| Notice to Taxpayers..... | 3 |
| <u>Old Business:</u> | |
| Salary Ordinance 2020-09 Highway Assistant Superintendent..... | 4 |
| Reduction of Appropriation 2020-02 Highway Administration..... | 5 |
| <u>New Business:</u> | |
| Additional Appropriation 2020-05 | 6 |
| Salary Ordinance 2020-10 Reclassify City Court Legal Secretary from PT to FT | 7 |
| Salary Ordinance 2020-11 Establish position for additional Dep. Prosecutor | 8 |
| Salary Ordinance 2020-12 Establish position for additional legal secretary | 9 |
| Salary Ordinance 2020-13 Split Salary Part Time Trial Deputy/City Court (2) | 10 |
| Correspondence: | |
| Prosecutor's Office letter from Robert E. Roberts (with attachments)..... | 11-31 |

VIGO COUNTY COUNCIL
Agenda
Tuesday, March 10, 2020 at 6:00 P.M.
Council Chambers, Vigo County Annex

1. Pledge of Allegiance
2. Calling of the roll
3. Corrections to the journal of the preceding meeting, if needed
 - a. *February 11, 2020*
4. Public comment.
5. Communications from elected officials, other officials, or agencies of the County
6. Reports from standing committees
7. Reports from select committees
8. **Old Business:**
 - i. Restructuring of Highway Department and Addition of GIS Dept.: ROC 7
 - A. Salary Ordinance 2020-09 Asst. Superintendent
 - B. Reduction of Appropriation 2020-02 Highway Administration
 - ii. Report from Attorney Robert Effner regarding Encumbrances presented at February 11, 2020 meeting.
9. **New Business:** Ordinances relating to appropriations
 - a. *Personnel Committee*
 - i. Prosecutor's Office
 - A. Establish position for additional Legal Secretary; ROC 2020-12
 - B. Reclassify PT City Court Legal Secretary to Full Time; ROC 2020-10
 - C. Establish position for additional Deputy Prosecutor; ROC 2020-11
 - D. City Court Deputy Prosecutor be divided between two people (Split salary); ROC 2020-09.
10. Honorary resolutions
11. First Reading by summary reference of proposed ordinances and resolutions
12. Appointments
13. Adjournment

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given the Taxpayers of Vigo County, Indiana, that the Vigo County Council will meet at the Vigo County Government Center, 127 Oak Street, Terre Haute, Indiana at 6:00 pm on Tuesday, March 10, 2020 to consider the following appropriations in excess of the budget of the current year.

General Fund (1000)

Prosecutor (0009)

| | | |
|--|-----------|----------------|
| 1000.10010.000.0009 Payroll Salaries | \$ | 122,437 |
| 1000.15210.000.0009 Social Security/FICA | \$ | 9,368 |
| 1000.15220.000.0009 PERF | \$ | 17,388 |
| 1000.15230.000.0009 Group Insurance | \$ | 65,559 |
| TOTAL | \$ | 214,752 |

JAMES W. BRAMBLE
VIGO COUNTY AUDITOR

TO BE PUBLISHED: Friday, February 28, 2020.

SALARY ORDINANCE 2020-09

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2020, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the Vigo County Highway Fund the following:

| <u>HIGHWAY FUND (1176)</u> | <u>REQUESTED</u> | <u>APPROVED</u> |
|--------------------------------------|------------------|-----------------|
| Highway Administration (0530) | | |
| Assistant Superintendent | Delete Position | Delete Position |

Approved on this 10th day of March, 2020.

| | | |
|------------------------------|----------------------------------|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Lisa Spence-Bunnett _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Chris Switzer _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | James R. Mann II _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Vicki Weger _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Aaron Loudermilk _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | David Thompson _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Mike Morris, President _____ |
| | | |

Attest:

James W. Bramble
Vigo County Auditor

REDUCTION OF APPROPRIATION ORDINANCE 2020-02

WHEREAS, it has been determined that it is now necessary to reduce money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the Vigo County Highway Fund the following appropriations are hereby reduced out of the funds named and for the purposes specified, subject to the laws governing the same.

| <u>HIGHWAY FUND (1176)</u> | | <u>REQUESTED</u> | <u>APPROVED</u> |
|--------------------------------------|----------|------------------|------------------|
| <u>HIGHWAY ADMINISTRATION (0530)</u> | | <u>REDUCTION</u> | <u>REDUCTION</u> |
| 10010 | Salaries | \$46,973 | \$46,973 |
| 15210 | FICA | \$3,594 | \$3,594 |
| 15220 | PERF | \$6,670 | \$6,670 |
| TOTAL HIGHWAY | | \$57,237 | \$57,237 |
| TOTAL COUNTY HIGHWAY FUND | | \$57,237 | \$57,237 |

Approved on this 10th day of March, 2020.

| | | |
|------------------------------|----------------------------------|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Lisa Spence - Bunnett _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Chris Switzer _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Vicki Weger _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | James R. Mann II _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Aaron Loudermilk _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | David Thompson _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Mike Morris, President _____ |

Attest:

James W. Bramble
Vigo County Auditor

ADDITIONAL APPROPRIATION ORDINANCE 2020-05

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget. Now, therefore:

SEC. 1. Be it ordained by the County Council of Vigo County, Indiana, that for the expenses of the General Fund the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same.

| | <u>REQUESTED</u> | <u>APPROPRIATED</u> |
|---|-------------------|---------------------|
| <u>General Fund/1000</u> | | |
| 1000.10010.000.009 Payroll/Salaries | \$ 122,437 | \$ 122,437 |
| 1000.15210.000.009 Social Security/FICA | \$ 9,368 | \$ 9,368 |
| 1000.15220.000.009 PERF | \$ 17,388 | \$ 17,388 |
| 1000.15230.000.0009 Group Insurance | \$ 65,559 | \$ 65,559 |
| TOTAL General Fund | \$ 214,752 | \$ 214,752 |

Approved on this 10th day of March, 2020.

| | | |
|------------------------------|----------------------------------|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Lisa Spence - Bunnett _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Chris Switzer _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | James R. Mann II _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Vicki Weger _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Aaron Loudermilk _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | David Thompson _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Mike Morris, President _____ |

Attest:

James W. Bramble
Vigo County Auditor

SALARY ORDINANCE 2020-10

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2020, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the Vigo County General Fund the following:

REQUESTED

APPROVED

GENERAL FUND (1000)

Prosecutor (0009)

Legal Secretary Position (0009)

- a. Job title
- b. Job description
- c. Job classification
- d. FLSA status

COMOT C
Non-exempt

Approved on this 10th day of March, 2020.

| | | |
|-------------------------------------|---|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Lisa Spence-Bunnett _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Chris Switzer _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | James R. Mann II _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Vicki Weger _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Aaron Loudermilk _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | David Thompson _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Mike Morris, President _____ |

Attest:

James W. Bramble
Vigo County Auditor

SALARY ORDINANCE 2020-11

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2020, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the Vigo County General Fund the following:

REQUESTED

APPROVED

GENERAL FUND (1000)

Prosecutor (0009)

Deputy Prosecutor

- a. Job title
- b. Job description
- c. Job classification
- d. FLSA status

EXE B

Exempt

Approved on this 10th day of March, 2020.

| | | |
|------------------------------|----------------------------------|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Lisa Spence-Bunnett _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Chris Switzer _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | James R. Mann II _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Vicki Weger _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Aaron Loudermilk _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | David Thompson _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Mike Morris, President _____ |

Attest:

James W. Bramble
Vigo County Auditor

SALARY ORDINANCE 2020-12

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2020, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the Vigo County General Fund the following:

REQUESTED

APPROVED

GENERAL FUND (1000)

Prosecutor (0009)

Legal Secretary

- a. Job title
- b. Job description
- c. Job classification
- d. FLSA status

COMOT C
Non-exempt

Approved on this 10th day of March, 2020.

| | | |
|-------------------------------------|---|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Lisa Spence-Bunnett _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Chris Switzer _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | James R. Mann II _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Vicki Weger _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Aaron Loudermilk _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | David Thompson _____ |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | Mike Morris, President _____ |

Attest:

James W. Bramble
Vigo County Auditor

SALARY ORDINANCE 2020-13

SECTION 1. Be it ordained by the County Council of Vigo County, Indiana, that for the salaries of Vigo County Indiana, that for the salaries of the County Government Office Holders and the employees for the year ending December 31, 2020, the following sums of money are hereby appropriated and ordered set apart for the purposes specified, subject to the laws governing the same. Such sums herein appropriated shall be otherwise expressly stipulated for by law provided, however, that disbursements from each appropriated are further limited to the amounts listed for the detailed accounts making up such appropriation unless said accounts are increased or decreased in another ordinance or resolution by the County Council.

SECTION 2. That for the said fiscal year, there is appropriated out of the Vigo County General Fund the following:

REQUESTED APPROVED

COUNTY GENERAL FUND (1000)

PROSECUTOR Department (0009)

Part Time Trial Deputy/City Court (2 positions)

a. Stipend

\$ 13,629 \$ 13,629

Approved on this 10th day of March, 2020.

| | | |
|------------------------------|----------------------------------|------------------------------|
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Lisa Spence-Bunnett _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Chris Switzer _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | James R. Mann II _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Vicki Weger _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Aaron Loudermilk _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | David Thompson _____ |
| | | |
| Aye <input type="checkbox"/> | Absent <input type="checkbox"/> | |
| Nay <input type="checkbox"/> | Abstain <input type="checkbox"/> | |
| | | Mike Morris, President _____ |

Attest:

James W. Bramble
Vigo County Auditor



TERRY R. MODESITT
PROSECUTING ATTORNEY
OF VIGO COUNTY
VIGO COUNTY COURT HOUSE
33 SOUTH THIRD STREET
TERRE HAUTE, IN 47807
PHONE (812) 462-3305
FAX (812) 238-1096



January 21, 2020

To: Vigo County Council

RE: Vigo County Prosecutor's Office Council Request

It is respectfully requested that the following requests be assigned to appropriate committees at the February, 2020 Council Meeting to be formally discussed at the March, 2020 Council Meeting. A letter detailing the need for the requests is also submitted with this Council Request letter. These requests are put in priority order based on what we believe are our current needs.

1. The Prosecutor is requesting the salary for the City Court Deputy Prosecutor (\$35,435.92 for 2020) be allowed to be divided equally between two people. The current plan is to split the salary between two people currently employed as trial deputies and allow them to divide the responsibilities of City Court between them. This is necessary because the Prosecutor's Office continues to have difficulty in finding qualified candidates to fill open spots, regardless of the position. Additionally, it is requested that this division be retroactive to January 15, 2020 as that is when the division in responsibility has been made in anticipation of Council approval.
2. The Prosecutor is requesting that the part-time City Court Legal Secretary position be made full time. The additional expenses of this change will be significantly offset by the change requested in Item #1.
3. The Prosecutor is requesting that an additional Deputy Prosecutor position be approved.
4. The Prosecutor is requesting that an additional Legal Secretary position be approved.

Respectfully Submitted,

Robert E. Roberts
Chief Deputy Prosecuting Attorney
Vigo County, Indiana



TERRY R. MODESITT
PROSECUTING ATTORNEY
OF VIGO COUNTY
VIGO COUNTY COURT HOUSE
33 SOUTH THIRD STREET
TERRE HAUTE, IN 47807
PHONE (812) 462-3305
FAX (812) 238-1096



January 21, 2020

Letter in Support of January 17, 2020 Requests to the County Council

Dear Council Members:

Below, you will find an analysis of the criminal cases filed in 2019 compared to previous years. The data is based on all charges that have been built through the Indiana Prosecutor's Case Management System (PCMS.) During these years, we have operated with the same level of support staff for our county cases, and a slight increase in the number of attorneys. We were able to adapt to some of these increases based on improved efficiencies that we implemented in our operations, primarily a switch from paper based files to electronic files and electronic case filing. With the 2019 increased caseloads, we are at the tipping point between what we can do with efficiencies and what requires additional manpower.

Additionally, the difficulty in attracting attorneys to fill our open positions has not improved. The number of unfilled job opportunities for deputy prosecutors in Indiana continues to be a lengthy list. Our last two full time deputy prosecutor spots have taken six months each to fill. For the most recent spot, we received two applicants. For the spot at the end of 2018, we received six applicants. While our salaries are not the bottom of those advertised openings, it has been very difficult for us to attract experienced attorneys. A review of current open spots in Indiana include:

- Jackson County – Deputy Prosecutor for misdemeanor and traffic cases, starting salary \$67,226
- Martin County – Deputy Prosecutor for child support and criminal cases, starting salary \$60,000
- Tippecanoe County – Deputy Prosecutor for misdemeanor, juvenile, child support and felony cases, starting salary \$67,954
- Wayne County – Deputy Prosecutor, starting salary \$80,306

The same challenge presents itself when we look at the part time deputy prosecutor positions. Currently, we have a Trial Deputy position vacated as of December 31, 2019. While seeking someone to fill this spot or the City Court Deputy spot over the last two months, no qualified applicants have surfaced. This leads to the first item on our request, which is to split the City Court Deputy Prosecutor salary between two Trial Deputies. We have promoted our the City Court Deputy Prosecutor to the open Trial Deputy spot. This division of the salary would allow two Trial Deputies to divide the City Court responsibilities and be compensated for that

work. In anticipation of this being approved, we have begun that transition as of January 15, 2020 and are requesting the salary division be retroactive to that date.

Additionally, the State is requesting that our part-time Legal Secretary for City Court be made a full time position. This position was originally requested in 2018 as a full time spot because of the changes in processing cases in City Court. The Council created the part time position for 2019 with a suggestion that we evaluate the situation after some of the changes we were addressing came to fruition. The most significant of these changes was the switch to electronic filing of cases, which meant that charges and affidavits that were previously completed by officers and processed by the City Clerk could no longer be done in that fashion. Each of our criminal cases now have to be built within the PCMS in time for court to begin each morning. All documentation, evidence, court orders and filings must be processed and attached to our electronic case file for every case. When these were functions done with paper files, the City Clerk's Office was able to assist with many of these tasks. With it being done in our computer database, the task for managing over 8,000 criminal and infraction cases each year now falls to 1 ½ employees. Additionally, there are tasks that we are supposed to be doing per Indiana statutes which we are unable to do – such as documenting peoples participation in infraction deferral programs in PCMS so that other prosecutor offices in Indiana have access to that information.

We recognize the increase in costs for this change. It is anticipated that the savings from the consolidation of three positions down to two (see above) will result in savings from one less set of benefits being paid out. It is hoped that those savings would offset a significant portion of this change to a full time position.

Please know, we are not looking only toward additional manpower to meet these needs. Currently, Prosecutor Modesitt is evaluating a company that works with other offices in Indiana and other states to process Pretrial Diversion and Infraction Deferral mailings and applications to improve efficiency, reduce workload, and hopefully allow us to meet some of these statutory requirements we still need to meet.

Additional deputy prosecutors and support staff have become even more necessary since the Criminal Justice Study recommended three additional deputy prosecutors. A record number of prosecutions were filed in 2019 in Vigo County in multiple categories. These increases are all reflected in other areas of the system. The backlog in cases within the courts continues to grow (I will request these numbers from the courts to be updated for 2019.) The number of public defenders has continued to increase over these years and they faced similar numbers of attorneys being "maxed out" on their caseloads in 2019.

As you will find in the attached graphs, the number of major felony prosecutions in 2019 increased by over 56% from the average of the previous 12 years. See Graph #1. The 367 major felony cases filed were a 27% increase over the number of cases filed in 2017 and 2018. More significantly, **2019 filings were 56% higher than the average number of major felony cases filed between 2007 and 2018.**

Drug related cases had an even more dramatic increase for 2019. Part of this can be attributed to the additional manpower and resources devoted to these investigations by the Terre Haute Police Department, Vigo County Sheriff's Office and the Indiana State Police. As Graph #2 demonstrates, **2019 brought a 100% increase in drug case filings compared to 2018.**

These numbers are even higher than the number of drug related cases filed in the mid-2000s when Vigo County was still ranking as a top county in the United States for Meth lab seizures. Dealing Methamphetamine and Possession of Methamphetamine continue to be the most significant portion of these filings.

As demonstrated in Graph #3, the number of cases related to Operating a Vehicle While Intoxicated (OVWI) are returning to previous levels. A significant portion of this increase can be attributed to the special patrols taking place in Vigo County by the Indiana State Police and other agencies. These include Operation Pullover, Click it or Ticket, and monthly OVWI saturation patrols. We are approaching the level of numbers for Vigo Superior Court Division 5 that we had in 2013 and prior, when there were two deputy prosecutors and 2 legal secretaries handling the caseload for that court.

And to complete the analysis of the increase in criminal prosecutions over the last three years, Graph #4 examines our Domestic Violence related offenses, specifically various levels of Domestic Battery cases and Invasion of Privacy cases. Once again, we see a significant increase in the number of cases filed in 2017-2019, with 2019 being the highest level of cases filed for the time period reviewed, 2013-2019. The average number of Domestic Related cases filed from 2013 to 2018 is 346.8. Once again, **2019 had over a 50% increase in Domestic Violence related cases filed above the average number of cases filed for the previous six years.**

We understand how difficult it is for members of this council to manage the fiscal needs of Vigo County. We also understand that there have been significant undertakings to evaluate and improve the criminal justice system, including 1) the report that was commissioned by the Council while looking at the needs of a new jail for Vigo County, 2) the addition of new correctional officers for the jail to meet constitutional standards, 3) the addition of pretrial screeners for start of criminal rule 26 in Vigo County as implemented by the Indiana Supreme Court, 4) the addition of much needed probation officers, 5) the new first appearance public defenders to help protect the rights of defendants and 6) the additional public defenders to meet the caseload limits required under the County's agreement with the State of Indiana for reimbursement. And when asked during much of this process, we have said over and over that we would do our best to meet our obligations to seek justice and protect the community without seeking "equal" increases. The criminal justice study suggested three additional deputy prosecutors based on the case number evaluations in 2017 and 2018 when the study was taking place. And as we now know, those numbers were dwarfed in 2019.

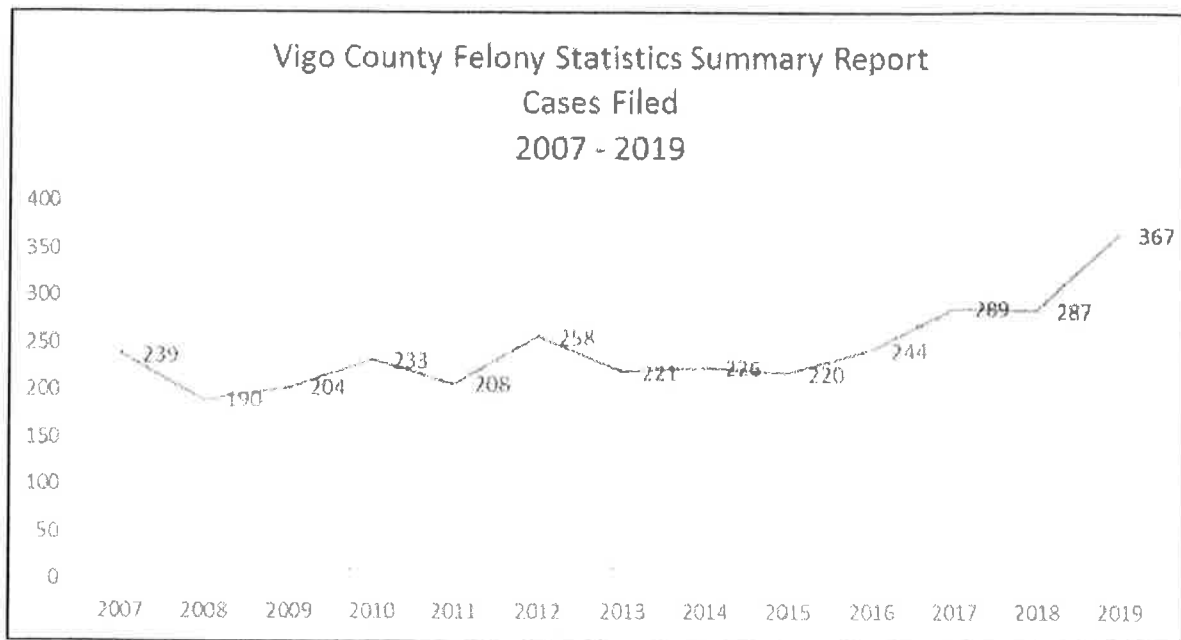
While we understand it is not realistic at this time for the Council to meet the suggestions of the criminal justice study, it is also not realistic to expect that our office can continue to meet our obligations without some additional support. Which is why we are asking for one additional deputy prosecutor and one additional legal secretary at this time.

Respectfully Submitted,

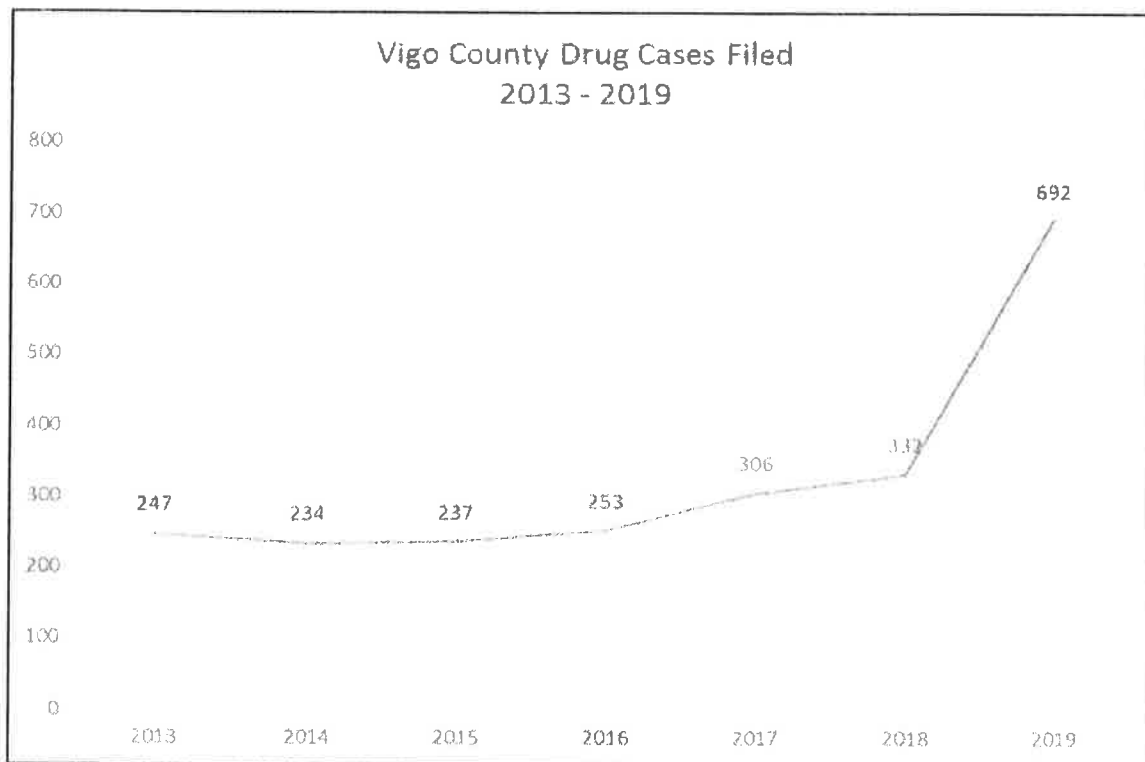


Robert E. Roberts
Chief Deputy Prosecuting Attorney
Vigo County, Indiana

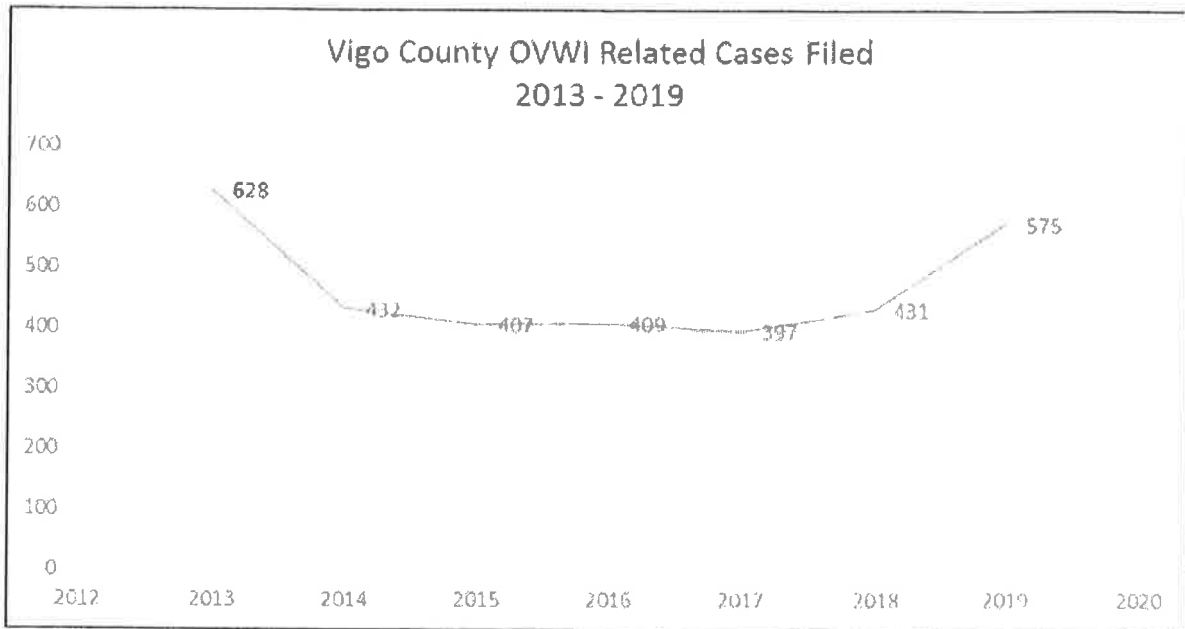
Graph #1



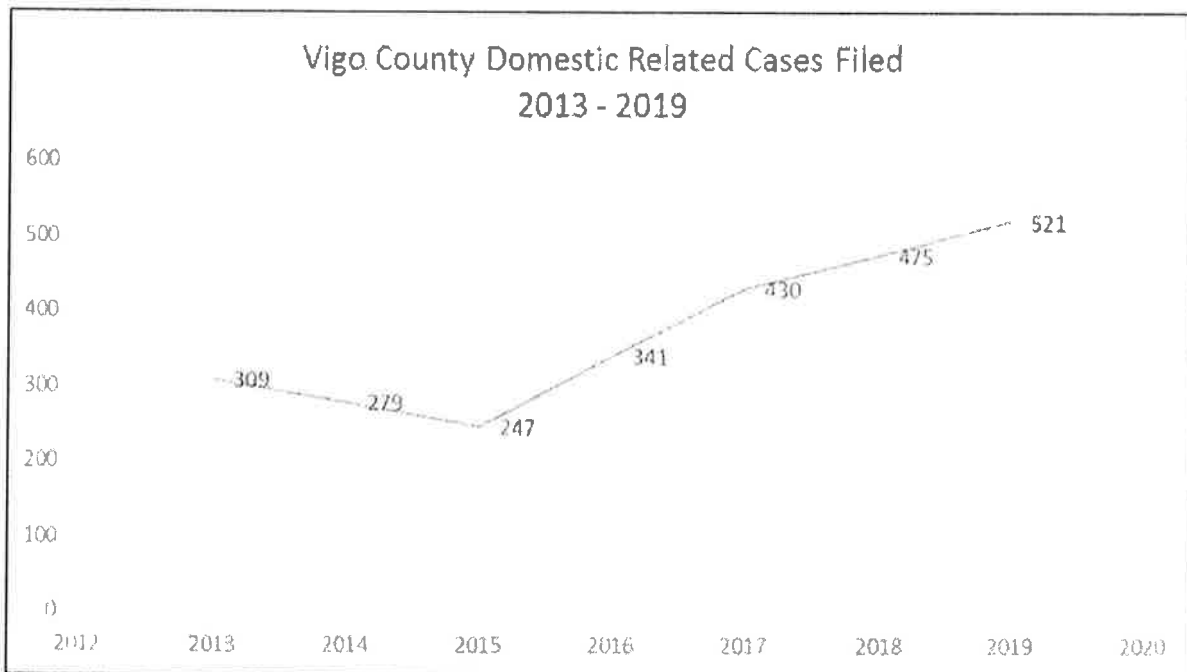
Graph #2



Graph #3



Graph #4



JOB CLASSIFICATION REVIEW FORM

County of Vigo, Indiana an Equal Opportunity Employer

This form is to be completed by the employee holding the position and/or the Elected Official/Department Head having hiring, promotion, and termination authority for the office/department. This form is intended to serve as a classification evaluation instrument for the Vigo County Council in reviewing requests for classification of jobs.

Λ Attach additional pages as needed; return to Human Resources

Job title: Legal Secretary Payroll no. on salary ordinance: _____
Department: Vigo County Prosecutor's Office Date: February 10, 2020
G Full-time ☒ **Part-time** G Exempt ☒ **Non-exempt**
Current pay grade: Hourly Requested pay grade: COMOT C
Current pay \$ \$12.00 per hour Proposed pay \$ \$20.05 per hour
Employee(s) in this position:
Kellie Wellum Heather Roberts
Courtney Trotter Mary Jo Zenor
Megan Stiverson

TYPE OF ACTION REQUESTED

- ☒ **Create position** G Abolish position G Seniority review
G Qualifications requirements review G Pay policy application/interpretation issues
☒ **Reclassification due to change in duties, responsibilities, work conditions, etc.**
G Other *Please describe:*

Questions 1 through 3 to be completed jointly by the employee and/or Elected Official/Department Head initiating the review

1. Describe why this new position/added employee/classification review is necessary.
Please see the attached letter of support provided to the County Council and others in conjunction with the formal request for this position to be created.

2. Have you previously requested this new position/added employee/reclassification of this existing position? G yes ☒ no
If yes, describe date and outcome of that request:

3. If this is a request for classification review of an existing position, review the current job description and make any revisions that are necessary to describe the job being performed. *Attach a copy of the existing job description with your revisions marked.*

Do these revisions constitute *additional* duties and responsibilities since the adoption of the existing job description? G yes G no If not, explain why the existing description is no longer accurate:

Questions 4 through 8 to be completed by Elected Official/Department Head

4. Are the job functions described on this form currently being performed by your office/ department?
☒ yes G no If yes, name those job title(s) and classifications:

Job title: Legal Secretary *Classification: COMOT C

Job title: _____ *Classification: _____

Job title: _____ *Classification: _____

** Current classification of position may be impacted by the creation of or reclassification of another position.*

5. Is this request a result of new legislation, a mandate or litigation? G yes G no
If yes, specify statute citation and/or case:

6. Is this request based on increased volume of work? ☒ yes G no If yes, please explain:

Please see the attached letter of support provided to the County Council and others in conjunction with the formal request for this position to be created.

7. If you answered yes, to question 6, are there existing technologies that could lessen the volume for this or related positions? G yes ☒ no If yes, please describe, including estimated costs:

8. State specifically how creation of a new position/added employee/reclassification of this position would benefit the County:

Expansion of this Legal Secretary position to full time will provide the support necessary to meet the requirements for processing cases in city court that are currently being unmet, as described in the

letter in support of this request. It will also allow us to not rely on the City Clerk Staff to meet these responsibilities.

AUTHORIZATION BY EMPLOYEE:

Signature of employee(s) assigned to the position being considered for reclassification.

I understand that this request in no way jeopardizes my employment, and that if the reclassification review proceeds, it may result in the position being upgraded, downgraded, or remaining classified the same.

Employee signature Date: _____

Employee signature Date: _____

Employee signature Date: _____

Employee signature Date: _____

AUTHORIZATION BY APPOINTING AUTHORITY:

Signature required by Elected Official/Department Head

I have reviewed this reclassification request with the employee(s), and ☐ agree ☐ disagree.
If *disagree*, please comment:

I understand that this request is subject to an organizational assessment of my office/department employment operations, and that I will be available to personally participate and provide requested information to the County Council, and consultants of the Council.

/s/ Robert E. Roberts, Chief Deputy Prosecutor 1/10/20

Signature of Elected Official/Department Head Date: _____

Name typed or printed

New Position/Added Employee Request Policy and Procedure

County of Vigo, Indiana *an Equal Opportunity Employer*

This policy and procedure is intended to assist the Vigo County Council in evaluating requests for new positions and/or added employees, as specified by IC 36-2-5-3, that authorizes the county fiscal body to fix the job classification, compensation, and number of officers, deputies, and employees.

I. TERMS AND CONDITIONS

The Vigo County Council establishes the following terms and conditions for evaluating requests for new positions and/or added employees:

- A. Offices/departments submitting such requests shall provide all necessary information on forms prescribed by Council, and shall follow the procedures set forth by Council.
- B. Offices/departments submitting such requests may be subject to an organizational assessment of office/department operations. This may involve recommendations for alternative methods of accomplishing the proposed job functions, such as reorganization, adjusting work hours/shifts, utilizing part-time personnel, independent contracting, equipment, and/or new technologies.
- C. New position and/or added employee requests will be subject to available funding. Positions funded in whole or in part by special funding sources, such as grants and/or user fees, may be abolished, if such funding is no longer forthcoming.
- D. New position and/or added employee requests should follow a long-range organizational plan.
- E. An authorized new position, classification, and salary shall be included in the appropriate office/department annual budget.

II. PROCEDURES

In order to provide a systematic method to process new position and/or added employee requests, offices/departments submitting requests shall use the following steps:

- STEP 1: Obtain a *Job Classification Review Form* from Human Resources (HR) and complete the form.
- " If requesting added employee(s) for an existing position, review the current job description and make any revisions that are necessary to describe the job being performed. Attach to the *Job Classification Review Form* a copy of the existing job description with your revisions marked.
- " If requesting a new position, complete a job questionnaire for the appropriate job category (from Human Resources) and return to the HR for preparation of a draft job description. Attach the draft to the *Job Classification Review Form*.
- STEP 2: Submit the completed *Job Classification Review Form* and supporting documentation described above to HR.
- STEP 3: The *Job Classification Review Form* and related documentation will be submitted with a presentation before the County Council.
- STEP 4: The request will be assessed, including review of the organizational plan, probable funding impact, and alternative methods of performing the proposed job functions.
- STEP 5: An assessment report will be prepared and submitted to the County Council.
- STEP 6: The County Council will review and evaluate the new position/ added employee request, supporting documentation, and assessment report, and will submit a recommendation for approval/denial.
- STEP 7: County Council shall review all pertinent information and shall make a final determination for approval/denial.

JOB CLASSIFICATION REVIEW FORM

County of Vigo, Indiana an Equal Opportunity Employer

This form is to be completed by the employee holding the position and/or the Elected Official/Department Head having hiring, promotion, and termination authority for the office/department. This form is intended to serve as a classification evaluation instrument for the Vigo County Council in reviewing requests for classification of jobs.

Attach additional pages as needed; return to Human Resources

Job title: Deputy Prosecuting Attorney – Major Felony Payroll no. on
salary ordinance: _____
Department: Vigo County Prosecutor's Office Date: February 10, 2020
☒ **Full-time** Part-time ☒ **Exempt** Non-exempt
Current pay grade: Executive B Requested pay grade: Executive B (no change)
Current pay \$ _____ per _____ Proposed pay \$ _____ per _____
Employee(s) in this position:
Jason Saunders Michelle Jerrells
Christopher Dailey Rema Sulieman
Charles Ray

TYPE OF ACTION REQUESTED

- ☒ **Create positions (1)** ☐ Abolish position ☐ Seniority review
☐ Qualifications requirements review ☐ Pay policy application/interpretation issues
☐ Reclassification due to change in duties, responsibilities, work conditions, etc.
☐ Other *Please describe:*

**Questions 1 through 3 to be completed jointly by the employee and/or
Elected Official/Department Head initiating the review**

1. Describe why this new position/added employee/classification review is necessary.

The Criminal Justice study done in 2017 recommends that the Vigo County Prosecutor's Office have 3 additional deputy prosecutors for placement in the 3 primary major felony courts, Divs. 1, 3 and 6. The State has also provided updated statistics for case load increases for 2019.

2. Have you previously requested this new position/added employee/reclassification of this existing position? ☒ **yes** ☐ **no**
If yes, describe date and outcome of that request:

The request was withdrawn during committee discussion in January, 2019 at the request of the County Council members present with an additional request to bring the issue back before the council later in the year.

3. If this is a request for classification review of an existing position, review the current job description and make any revisions that are necessary to describe the job being performed. *Attach a copy of the existing job description with your revisions marked.*

Do these revisions constitute *additional* duties and responsibilities since the adoption of the existing job description? ☐ **yes** ☐ **no** If not, explain why the existing description is no longer accurate:

Questions 4 through 8 to be completed by Elected Official/Department Head

4. Are the job functions described on this form currently being performed by your office/ department?
☒ **yes** ☐ **no** If yes, name those job title(s) and classifications:

Job title: Deputy Prosecutor – Major Felony *Classification: Exe B

Job title: _____ *Classification: _____

Job title: _____ *Classification: _____

** Current classification of position may be impacted by the creation of or reclassification of another position.*

5. Is this request a result of new legislation, a mandate or litigation? ☐ **yes** ☒ **no**
If yes, specify statute citation and/or case:

6. Is this request based on increased volume of work? ☒ **yes** ☐ **no** If yes, please explain:

Major Felony case filings have increased significantly over the last 10 years and continue to increase dramatically.

7. If you answered yes, to question 6, are there existing technologies that could lessen the volume for this or related positions? ☐ **yes** ☒ **no** If yes, please describe, including estimated costs:

8. State specifically how creation of a new position/added employee/reclassification of this position would benefit the County:

The expectation is that the additional deputy prosecutor positions would assist in resolving cases in the criminal justice system sooner and would allow for better attention to be provided to cases earlier in the criminal justice process. As also suggested by the Study, additional personnel would allow for the court to press for expedited scheduling of cases based on the complexity of the case, calling for less complex cases to receive earlier hearings in the court system, resulting in less time incarcerated pre-trial.

AUTHORIZATION BY EMPLOYEE:

Signature of employee(s) assigned to the position being considered for reclassification.

I understand that this request in no way jeopardizes my employment, and that if the reclassification review proceeds, it may result in the position being upgraded, downgraded, or remaining classified the same.

Employee signature Date: _____

Employee signature Date: _____

Employee signature Date: _____

Employee signature Date: _____

AUTHORIZATION BY APPOINTING AUTHORITY:

Signature required by Elected Official/Department Head

I have reviewed this reclassification request with the employee(s), and ☐ agree ☐ disagree.
If *disagree*, please comment:

I understand that this request is subject to an organizational assessment of my office/department employment operations, and that I will be available to personally participate and provide requested information to the County Council, and consultants of the Council.

/s/ Robert E. Roberts, Chief Deputy Prosecutor 1/10/20

Signature of Elected Official/Department Head Date: _____

Name typed or printed

New Position/Added Employee Request Policy and Procedure

County of Vigo, Indiana *an Equal Opportunity Employer*

This policy and procedure is intended to assist the Vigo County Council in evaluating requests for new positions and/or added employees, as specified by IC 36-2-5-3, that authorizes the county fiscal body to fix the job classification, compensation, and number of officers, deputies, and employees.

I. TERMS AND CONDITIONS

The Vigo County Council establishes the following terms and conditions for evaluating requests for new positions and/or added employees:

- A. Offices/departments submitting such requests shall provide all necessary information on forms prescribed by Council, and shall follow the procedures set forth by Council.
- B. Offices/departments submitting such requests may be subject to an organizational assessment of office/department operations. This may involve recommendations for alternative methods of accomplishing the proposed job functions, such as reorganization, adjusting work hours/shifts, utilizing part-time personnel, independent contracting, equipment, and/or new technologies.
- C. New position and/or added employee requests will be subject to available funding. Positions funded in whole or in part by special funding sources, such as grants and/or user fees, may be abolished, if such funding is no longer forthcoming.
- D. New position and/or added employee requests should follow a long-range organizational plan.
- E. An authorized new position, classification, and salary shall be included in the appropriate office/department annual budget.

II. PROCEDURES

In order to provide a systematic method to process new position and/or added employee requests, offices/departments submitting requests shall use the following steps:

- STEP 1: Obtain a *Job Classification Review Form* from Human Resources (HR) and complete the form.
- " If requesting added employee(s) for an existing position, review the current job description and make any revisions that are necessary to describe the job being performed. Attach to the *Job Classification Review Form* a copy of the existing job description with your revisions marked.
- " If requesting a new position, complete a job questionnaire for the appropriate job category (from Human Resources) and return to the HR for preparation of a draft job description. Attach the draft to the *Job Classification Review Form*.
- STEP 2: Submit the completed *Job Classification Review Form* and supporting documentation described above to HR.
- STEP 3: The *Job Classification Review Form* and related documentation will be submitted with a presentation before the County Council.
- STEP 4: The request will be assessed, including review of the organizational plan, probable funding impact, and alternative methods of performing the proposed job functions.
- STEP 5: An assessment report will be prepared and submitted to the County Council.
- STEP 6: The County Council will review and evaluate the new position/ added employee request, supporting documentation, and assessment report, and will submit a recommendation for approval/denial.
- STEP 7: County Council shall review all pertinent information and shall make a final determination for approval/denial.

JOB CLASSIFICATION REVIEW FORM

County of Vigo, Indiana an Equal Opportunity Employer

This form is to be completed by the employee holding the position and/or the Elected Official/Department Head having hiring, promotion, and termination authority for the office/department. This form is intended to serve as a classification evaluation instrument for the Vigo County Council in reviewing requests for classification of jobs.

^ Attach additional pages as needed; return to Human Resources

Job title: Legal Secretary Payroll no. on salary ordinance: _____
Department: Vigo County Prosecutor's Office Date: February 10, 2020
☒ **Full-time** ☐ Part-time ☐ Exempt ☒ **Non-exempt**
Current pay grade: COMOT C Requested pay grade: COMOT C (no change)
Current pay \$ _____ per _____ Proposed pay \$ _____ per _____
Employee(s) in this position:
Kellie Wellum Heather Roberts
Courtney Trotter Mary Jo Zenor
Megan Stiverson _____

TYPE OF ACTION REQUESTED

☒ **Create position** ☐ Abolish position ☐ Seniority review
☐ Qualifications requirements review ☐ Pay policy application/interpretation issues
☐ Reclassification due to change in duties, responsibilities, work conditions, etc.
☐ Other *Please describe:*

**Questions 1 through 3 to be completed jointly by the employee and/or
Elected Official/Department Head initiating the review**

1. Describe why this new position/added employee/classification review is necessary.

Please see the attached letter of support provided to the County Council and others in conjunction with the formal request for this position to be created.

2. Have you previously requested this new position/added employee/reclassification of this existing position? G yes ☒ no
If yes, describe date and outcome of that request:

3. If this is a request for classification review of an existing position, review the current job description and make any revisions that are necessary to describe the job being performed. *Attach a copy of the existing job description with your revisions marked.*

Do these revisions constitute *additional* duties and responsibilities since the adoption of the existing job description? G yes G no If not, explain why the existing description is no longer accurate:

Questions 4 through 8 to be completed by Elected Official/Department Head

4. Are the job functions described on this form currently being performed by your office/ department?
☒ yes G no If yes, name those job title(s) and classifications:

Job title: Legal Secretary *Classification: COMOT C

Job title: _____ *Classification: _____

Job title: _____ *Classification: _____

** Current classification of position may be impacted by the creation of or reclassification of another position.*

5. Is this request a result of new legislation, a mandate or litigation? G yes G no
If yes, specify statute citation and/or case:

6. Is this request based on increased volume of work? ☒ yes G no If yes, please explain:

Please see the attached letter of support provided to the County Council and others in conjunction with the formal request for this position to be created.

7. If you answered yes, to question 6, are there existing technologies that could lessen the volume for this or related positions? G yes ☒ no If yes, please describe, including estimated costs:

8. State specifically how creation of a new position/added employee/reclassification of this position would benefit the County:

An additional Legal Secretary position will provide the support necessary to timely process paperwork related to the prosecution of criminal cases, including probable cause affidavits, charges, motions, orders and other legal documentation.

AUTHORIZATION BY EMPLOYEE:

Signature of employee(s) assigned to the position being considered for reclassification.

I understand that this request in no way jeopardizes my employment, and that if the reclassification review proceeds, it may result in the position being upgraded, downgraded, or remaining classified the same.

Employee signature Date: _____

Employee signature Date: _____

Employee signature Date: _____

Employee signature Date: _____

AUTHORIZATION BY APPOINTING AUTHORITY:

Signature required by Elected Official/Department Head

I have reviewed this reclassification request with the employee(s), and ☐ agree ☐ disagree.
If *disagree*, please comment:

I understand that this request is subject to an organizational assessment of my office/department employment operations, and that I will be available to personally participate and provide requested information to the County Council, and consultants of the Council.

/s/ Robert E. Roberts, Chief Deputy Prosecutor 1/10/20

Signature of Elected Official/Department Head Date: _____

Name typed or printed

New Position/Added Employee Request Policy and Procedure

County of Vigo, Indiana *an Equal Opportunity Employer*

This policy and procedure is intended to assist the Vigo County Council in evaluating requests for new positions and/or added employees, as specified by IC 36-2-5-3, that authorizes the county fiscal body to fix the job classification, compensation, and number of officers, deputies, and employees.

I. TERMS AND CONDITIONS

The Vigo County Council establishes the following terms and conditions for evaluating requests for new positions and/or added employees:

- A. Offices/departments submitting such requests shall provide all necessary information on forms prescribed by Council, and shall follow the procedures set forth by Council.
- B. Offices/departments submitting such requests may be subject to an organizational assessment of office/department operations. This may involve recommendations for alternative methods of accomplishing the proposed job functions, such as reorganization, adjusting work hours/shifts, utilizing part-time personnel, independent contracting, equipment, and/or new technologies.
- C. New position and/or added employee requests will be subject to available funding. Positions funded in whole or in part by special funding sources, such as grants and/or user fees, may be abolished, if such funding is no longer forthcoming.
- D. New position and/or added employee requests should follow a long-range organizational plan.
- E. An authorized new position, classification, and salary shall be included in the appropriate office/department annual budget.

II. PROCEDURES

In order to provide a systematic method to process new position and/or added employee requests, offices/departments submitting requests shall use the following steps:

- STEP 1: Obtain a *Job Classification Review Form* from Human Resources (HR) and complete the form.
- " If requesting added employee(s) for an existing position, review the current job description and make any revisions that are necessary to describe the job being performed. Attach to the *Job Classification Review Form* a copy of the existing job description with your revisions marked.
- " If requesting a new position, complete a job questionnaire for the appropriate job category (from Human Resources) and return to the HR for preparation of a draft job description. Attach the draft to the *Job Classification Review Form*.
- STEP 2: Submit the completed *Job Classification Review Form* and supporting documentation described above to HR.
- STEP 3: The *Job Classification Review Form* and related documentation will be submitted with a presentation before the County Council.
- STEP 4: The request will be assessed, including review of the organizational plan, probable funding impact, and alternative methods of performing the proposed job functions.
- STEP 5: An assessment report will be prepared and submitted to the County Council.
- STEP 6: The County Council will review and evaluate the new position/ added employee request, supporting documentation, and assessment report, and will submit a recommendation for approval/denial.
- STEP 7: County Council shall review all pertinent information and shall make a final determination for approval/denial.