

CLARK COUNTY COUNCIL
CLARK COUNTY, INDIANA
Regular Meeting of March 14, 2011

The regular scheduled meeting of the Clark County Council was called to order at 6:00 p.m. by Council President Kevin Vissing.

Those in attendance stood for the pledge of allegiance to the American Flag.

Roll call showed members present and absent as follows:

Present	Absent
Barbara Hollis (1 st District)	Perry Smith (At Large)-Arrived later
Brian Lenfert (2 nd District)	
Danny Yost (3 rd District)	
Steve Doherty (4 th District)	
Chuck Moore (At Large)	
Kevin Vissing (At Large)	

Also present were Council Attorney Scott Lewis, County Auditor Monty Snelling, Chief Deputy Auditor Alana Sparkman, and Benefits Coordinator Mischell Settles.

President Vissing requested proof of Notice of Taxpayers of the additional appropriations listed on the agenda. Scott Lewis, Attorney for the Council, stated for the record that publication of Notice of Taxpayers ran in the Evening News ten (10) days prior to this meeting as required by I.C.6-1.11-18-5 and advised the council to proceed. Councilman Yost made a motion to approve the Proof of Publication with a second from Councilman Moore. Carried 6-0.

Councilman Smith made a motion to approve the minutes as presented with a second from Councilman Moore. Carried 6-0.

Amendments to the Agenda were as follows: Councilperson Hollis stated needing to take action on budget for current year. Councilman Doherty wanted to reiterate using the supplemental information forms. Auditor Snelling made a request to transfer money from old fund to the new landfill fund. Attorney Scott Lewis wanted to introduce judgment from bond ordinance pending Clark Superior #2 mandate.

Councilman Moore made a motion to approve the amendments to the agenda with a second from Councilman Lenfert. Carried 6-0.

Councilperson Hollis made a motion to acknowledge the receipt of the funds report presented by the Auditor's office. Councilman Moore seconded the motion. Carried 7-0

Public Comments: Kelly Khuri of 4819 Salem Noble Road had a question from December meeting regarding the enhancement of the police pension. Sheriff Daniel Rodden explained the enhancement to the Police Pension.

First on the agenda were Ed Meyer and Greg Fifer requesting an additional appropriation from Cum-Cap for personal services and supplies which were declared by the Clark County Commissioners an emergency for the Clark County Highway Department on February 3, 2011 for snow removal. Councilman Moore made a motion with a second from Councilman Lenfert to approve the additional appropriation. Carried 5-1. Councilperson Hollis was opposed.

Councilman Smith arrived.

Next on the agenda was County Recorder Dick Jones with a request to appropriate cash for the Identification Security Protection Fund. Councilman Moore made a motion to approve the appropriation with a second by Councilperson Hollis. Carried 7-0.

Next, County Clerk Barbara Haas came with a request for additional appropriations for personal services and 3 salary ordinances from Riverboat and Rainy Day. The Clerk clarified that she only has funds available until August for the personal services appropriation which is under funded in which no one will get paid (\$35,000 was requested.) Also, the Clerk mentioned that the \$84,000 that was requested for personal services was for deputies placed for the Courts. Councilperson Hollis made a motion to table both requests with a second from Councilman Moore. Carried 6-1. Councilman Smith was opposed.

Next on the agenda was Judge Dan Moore requesting to appropriate cash for all four courts for the Jury Fee Fund. Councilman Moore made a motion to approve the request with a second from Councilman Smith. Carried 7-0.

Again, Judge Dan Moore requested a claim to be paid due to a court order due to a Trial for DNA evidence to Orchid Cellmark. Councilperson Hollis made a motion to pay from County Council budget with a second from Councilman Doherty. Carried 7-0.

Susan Knoble on behalf of Judge Jacobi from Superior Court #2 presented a request to appropriate cash for 10-DJ-032 Superior #2 Drug Treatment Court Program Grant for supplies and contract services and 10-RT-002 Superior Court Program Grant

for contract services. Councilman Moore made a motion to approve to appropriate cash for Grants with a second from Councilman Smith. Carried 7-0.

Brad Meixell, Administrator of Emergency Communications, came requesting to appropriate cash from the Pictometry Grant for equipment, the Competitive EMPG Grant for equipment, and the Citizen Corp Program Grant for Contract Services. Councilperson Hollis made a motion to approve the requests for all three Grants with a second from Councilman Moore. Carried 7-0

Next, Sheriff Daniel Rodden requested to appropriate cash for a JAG 10K & Under Equipment Grant. Councilman Moore made a motion to approve the request with a second by Councilperson Hollis. Carried 7-0.

Again, Susan Knoebel on behalf of Judge Jacobi from Superior Court #2 requested transfer of funds out of Rainy Day, Riverboat, or LOIT-Public Safety to reimburse the Probation User Fee Fund for personal services paid from 2010. Councilman Lenfert made a motion to deny the request to transfer of cash and to add next month with proper advertising as an additional appropriation from Rainy Day next meeting and Susan Knoebel will not need to attend the April meeting. Councilman Moore seconded the motion. Carried 7-0.

Next, Judge Vicki Carmichael from Superior Ct #1 came with a request for a transfer of funds within the same fund. Councilperson Smith made a motion to approve all of the following transfers within the same fund with a second from Councilman Lenfert. Carried 7-0

Personal Services to Refunds and Motor Vehicle to Vehicle Insurance

Next, Auditor Snelling requested an additional for GIS Mapping to pay the balance for the year. A motion was made by Councilman Moore to approve the additional with a second by Councilman Smith. Carried 7-0.

Next was the Tabled items from the January meeting, County Surveyor David Blankenbeker presented a request for additional appropriations and transfer of funds but had previously asked to withdraw his requests before the meeting.

Again, Susan Knoebel on behalf of Judge Jacobi from Superior Court #2 came with a request for an additional appropriation for supplies and services and services and charges. Councilman Smith made a motion to deny the request with a second by Councilman Moore. Carried 7-0.

Next, Judge Carmichael for Superior Ct #1 came with a request for an additional appropriation for other services. Councilperson Hollis made a motion to approve \$7,500 out of Riverboat and table the remaining \$10,500 out of Riverboat. Councilman Moore seconded the motion. Carried 7-0

Next, were additional appropriations from Riverboat and Rainy Day to re-pay Cum Cap. Councilman Moore made a motion to deny the requests with a second by Councilperson Hollis. Carried 7-0.

Again, Susan Knoebel on behalf of Judge Jacobi from Superior Court #2 came with a request for an additional appropriation for supplies and services and services and charges from Rainy Day or Riverboat. Councilman Moore made a motion to deny the requests with a second from Councilman Lenfert. Carried 6-1. Councilman Smith was opposed.

No old business discussed.

New Business: Councilperson Hollis asked to discuss the budget for the year and to reduce the budget to the budget order. Councilperson Hollis proposed to be compliant with DLGF and passed out the proposed budget. Councilperson Hollis made a motion to approve the revised budget as distributed of \$11,819,364 in the General Fund with a second by Councilman Moore. Carried 7-0.

Sheriff Daniel Rodden requested funding to pay bills for the Sheriff Department. With much discussion, Councilperson Hollis made a motion to allow the Auditor to pay bills presented by the sheriff out of the LOIT fund up to amount of each monthly distribution of the county share minus the \$25,000. Councilman Moore seconded the motion. Carried 7-0.

Amendments to the Agenda: Councilman Doherty requested the departments to fill out the supplemental forms with requests to help the County Council.

Attorney Scott Lewis wanted to make sure they were moving along to pay the mandate judgment for Superior #2. He procedurally introduced the judgment funding bond Ordinance 7-2011 and for appropriation Ordinance 8-2011. The next meeting, April 11, 2011 will actually have a vote to approve the ordinances. Councilperson Hollis made a motion to introduce Ordinance 7-2011 and Ordinance 8-2011 with a second by Councilman Moore. Carried 7-0.

Attorney Greg Fifer requested a transfer \$800,000 from Fund#277-Landfill Improvement to Fund#341-Landfill Expansion Project N/R. Councilman Moore made a motion to approve the transfer with a second by Councilman Smith. Carried 7-0.

Attorney Comments: Attorney Scott Lewis mentioned the case with the Indiana Tax Court. He and Attorney Greg Fifer are scheduled for a Case Management conference which is being held on March 30, 2011 with the Attorney General and the court.

Auditor Comments: Auditor Snelling made a comment that an Executive Session was held on February 28, 2011 at 4:30 p.m. Discussed legal issues of Tax Court and there was no official action.

Attendees present:	Commissioner Ed Meyer	Commissioner Les Young
	Councilman Lenfert	Councilman Smith
	Councilman Doherty	Councilperson Hollis
	Council President Vissing	Auditor Snelling
	Attorney Greg Fifer	Attorney Scott Lewis
	C.P.A. Jill Oca	Deputy Auditor Metcalf
	Deputy Auditor Sparkman	

Council comments: Councilman Yost let everyone know that the County Council was open for suggestions on where to get money due to budget cuts from Office Holders.

Councilman Moore made a motion to adjourn the meeting with a second from Councilman Smith. Carried 7-0.

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
ADDITIONAL APPROPRIATIONS
FOR THOSE FUNDS REQUIRING APPROVAL OF THE
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
ORDINANCE NO. 9-2011**

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana for expenses of Clark County government and it's institutions for the year ending

December 31, 2011 the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exits.

	Requested	Allowed	Vote
<u>Cum Cap</u>			
Commissioners			
201-11107-062 Personal Services	\$ 10,417.93	\$ 10,417.93	5-1
201-20060-062 Supplies	49,582.07	49,582.07	5-1
<u>County General</u>			
County Surveyor			
100-11107-006 Personal Services	17,792.00	WITHDRAWN	
Superior Ct #2			
100-20060-089 Supplies	5,000.00	Denied	7-0
100-30098-089 Services & Charges	7,500.00	Denied	7-0

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
ADDITIONAL APPROPRIATIONS
FOR THOSE FUNDS WHICH DO NOT REQUIRE APPROVAL OF THE
DEPARTMENT OF LOCAL GOVERNMENT FINANCE
ORDINANCE NO. 10-2011**

WHEREAS, certain extraordinary conditions have developed since the adoption of the existing annual budget so that it is necessary to appropriate more money than was appropriated in the annual budget.

Section I. BE IT ORDAINED by the Clark County Council of Clark County, Indiana that for expenses of Clark County government and it's institutions for the year ending December 31, 2011 the following sums of money are herein specified subject to the law governing the same, such sum herein appropriated shall be held to include all expenditures provided by law.

Section II. THAT for the fiscal year there is hereby appropriated out of the various funds herein for the following specified amounts to meet such extraordinary emergencies which are declared to exist.

	Requested	Allowed	Vote
<u>Identification Security Protection Fund</u>			
Recorder			
356-30098-313 Services & Charges	10,975.02	10,975.02	7-0
<u>Jury Fee Fund</u>			
Superior#1, Superior#2, Superior#3, & Circuit Court			
330-30098-302 Jury	25,000.00	25,000.00	7-0
330-30094-302 Meals for Jury	10,000.00	10,000.00	7-0
330-20060-302 Supplies	2,000.00	2,000.00	7-0
<u>10-DJ-032 Superior #2 Drug Treatment Court Program Grant</u>			
Superior 2			
566-20060-035 Supplies	12,500.00	12,500.00	7-0
566-30051-035 Contract Services	23,475.00	23,475.00	7-0
<u>10-RT-002 Superior#2 Drug Treatment Court Program Grant</u>			
Superior 2			
567-30061-035 Contract Services	50,000.00	50,000.00	7-0
<u>Pictometry Grant</u>			
Emergency Communications			
557-40014-039 Equipment	56,308.50	56,308.50	7-0
<u>Competitive EMPG Grant</u>			
Emergency Communications			
568-40014-039 Equipment	3,750.00	3,750.00	7-0
<u>Citizen Corp Program Grant</u>			
Emergency Communications			
569-30051-039 Contract Services	12,720.00	12,720.00	7-0
<u>JAG 10K & Under Equipment Grant</u>			
Sheriff			
570-40014-005 Equipment	9,500.00	9,500.00	7-0
<u>Rainy Day</u>			
Clerk			
269-11107-001 Personal Services	35,000.00	Tabled	6-1
269-11107-001 Personal Services	84,000.00	Tabled	6-1
Auditor			
269-31016-002 GIS Mapping	30,590.08	30,590.08	7-0
To re-pay Cum Cap			
269-30096-037 CHINS	30,000.00	Denied	7-0
269-30051-094 CASA Grant	32,934.00	Denied	7-0
Superior Ct #1			
269-20060-089 Supplies	5,000.00	Denied	6-1
269-30098-089 Services & Charges	7,500.00	Denied	6-1

County Surveyor

269-11107-006 Personal Services 17,792.00 WITHDRAWN

Riverboat

Clerk

321-11107-001 Personal Services 35,000.00 Tabled 6-1

321-11107-001 Personal Services 84,000.00 Tabled 6-1

Auditor

321-31016-002 GIS Mapping 30,590.08 Denied 7-0

County Surveyor

321-11107-006 Personal Services 17,792.00 WITHDRAWN

Superior Ct #1

321-30098-037 Other Services 18,000.00 7,500.00/ 7-0
Table 10,500.00

To re-pay Cum Cap

321-30096-037 CHINS 30,000.00 Denied 7-0

321-30051-194 CASA Grant 32,934.00 Denied 7-0

Superior Ct #1

321-20060-089 Supplies 5,000.00 Denied 6-1

321-30098-089 Services & Charges 7,500.00 Denied 6-1

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
TRANSFER OF APPROPRIATIONS
ORDINANCE NO. 11-2011**

	Requested	Allowed	Vote
<u>Superior Ct 1 Juv Admin Fee</u>			
Superior Ct # 1			
From: 223-11107-266 Personal Services	100.00	100.00	7-0
To: 223-20076-266 Refunds			
<u>SJPSF Superior Ct #1</u>			
Superior Ct #1			
From: 235-40012-098 Motor Vehicle	1,272.00	1,272.00	7-0
To: 235-30038-098 Vehicle Insurance			
<u>County Highway</u>			
For Surveyor from Hwy			
From: 201-11107-061 Personal Services	13,050.00	WITHDRAWN	
To: 201-20060-063 Supplies	2,580.00	WITHDRAWN	
To: 201-30013-063 Travel	1,350.00	WITHDRAWN	

To: 201-30013-063 Travel	970.00	WITHDRAWN
To: 201-30054-063 Equipment Repair	1,050.00	WITHDRAWN
To: 201-30067-063 Dues	1,150.00	WITHDRAWN
To: 201-40010-063 Computer Software	3,300.00	WITHDRAWN
To: 201-40014-063 Equipment	2,650.00	WITHDRAWN

Superior Ct. #2

Transfer of Cash

From: 269-Rainy Day	13,672.79	Denied	7-0
From: 321-Riverboat	13,672.79	Denied	7-0
From: 418-LOIT-Co. General	13,672.79	Denied	7-0
To: 363 Sup. Court #2 Probation User Fee Fund			

**AN ORDINANCE OF THE CLARK COUNTY COUNCIL CONCERNING
SALARY AND WAGES TO BE PAID TO OFFICERS AND EMPLOYEES
FOR CALENDER YEAR 2011
AMENDMENT NO.3**

	Requested	Allowed	Vote
Clerk			
New (Category II)	28,000.00	Tabled	6-1
New (Category II)	28,000.00	Tabled	6-1
New (Category II)	28,000.00	Tabled	6-1
Community Corrections			
Broderick Brown to Replace Carlos Garcia Effective 02/28/11	25,500.00	25,500.00	N/A
Craig Smith to Replace Eli Wilder Effective 02/21/11	25,500.00	25,500.00	N/A
Lora Wiggers to Replace James Vires Effective 03/14/11	25,500.00	25,500.00	N/A
James Vires to Replace Christina Jones Effective 03/21/11	27,500.00	27,500.00	N/A
Superior Court #2 Drug Treatment Court			
Joshua Seybold Effective 02/28/11	29,268.00	29,268.00	N/A
Clark County Sheriff's Office			
Effective 03/07/11			
Jeffrey Adams to Replace Emma Shelton	29,806.00	29,806.00	N/A
Bradley Hansford to Replace Eric Elliot	29,806.00	29,806.00	N/A
Christina Jones to Replace Blake Middleton	29,806.00	29,806.00	N/A

Jacob Lewis to Replace Jason Campbell	29,806.00	29,806.00	N/A
Christopher Linck to Replace K. Makowsky	29,806.00	29,806.00	N/A

Members of the Clark County Council

AYES

NAYS

<u>Kevin L. Vossing</u>	_____
<u>[Signature]</u>	_____
<u>Barbara Wallis</u>	_____
<u>Perry L. Smith</u>	_____
<u>[Signature]</u>	_____
<u>Steve Doherty</u>	_____
<u>Dary F. Gort</u>	_____

Attest: R. Monty Snelling

R. Monty Snelling - Clark County Auditor

Approved this 11 day of April, 2011