

**THE MORGAN COUNTY COUNCIL MET IN A REGULAR SESSION ON TUESDAY, MARCH 7, 2017 AT 6:30 P.M.**

MEMBERS PRESENT: BRYAN COLLIER, PAUL PRATHER, VICKIE KIVETT, DAVE ZOLLER, DANIEL ELLIOTT, KIM MERIDETH, AND VIRGINIA PERRY. ALSO PRESENT WERE DAN BASTIN, MORGAN COUNTY AUDITOR, AND ROD BRAY, COUNTY ATTORNEY.

PLEDGE OF ALLEGIANCE (*Virginia Perry*)

PRAYER (*Daniel Elliott*)

**Additional Appropriation:**

- *Prosecutor*

Steve Sonnega was present to request an additional appropriation of \$40,000 from the General Fund (1000) into Account #1000-108-4316 (Major Crimes Investigation). Mr. Sonnega stated that when there are major cases, they run up huge investigation bills and there must be a way to pay them. Mr. Sonnega proposed setting up a fund for these expenses and dividing it into evidence procurement, travel, court costs, and logistics. Dan Basin stated that there is an account in the Court Services budget that has been by the courts and prosecutor for major crimes expenses. If this is approved, then going forward this would be part of the Prosecutor's budget. Superior Court I Judge, Pete Foley stated that it is not proper for the judge to have scrutiny over the mechanisms of the prosecutor's investigation; the prosecutor should be able to use all the tools needed without scrutiny from the court. The funds in the Court Services budget will continue to be used for sequestered jury expenses, such as lodging, meals, security, etc. Kim Merideth stated that she could see the need for the fund, but \$40,000 was a large sum to start with. Virginia Perry stated that she is a court reporter for federal judges and it is not cheap to pay court reporters and witnesses. Vickie Kivett made a motion to approve the additional appropriation of \$40,000. Motion seconded by Virginia Perry. Motion carried 7-0.

**Minutes**

Daniel Elliott made a motion to approve the February 7, 2017 minutes as presented. Motion seconded by Kim Merideth. Motion carried 7-0.

**Additional Appropriation:**

- *Jail*

Dave Rogers was present to request an additional appropriation of \$21,232 from the Cumulative Capital Development Fund (1138) into Account #1138-000-4440.20 (Jail Kitchen Oven). Mr. Rogers stated that the Board of Commissioners approved the request provided that the Council approved the funding. The oven broke down and the steamer broke down soon after. The new equipment is a combination oven/steamer in one unit. Vickie Kivett made a motion to approve the additional appropriation. Motion seconded by Paul Prather. Motion carried 7-0.

- *Commissioners*

Norman Voyles, Morgan County Commissioner, was present to request an additional appropriation of \$42,360 into Account #1138-000-4441.80 (Administration Building Loop Pump) and \$46,296 into Account #1138-000-4441.70 (Administration Building Tower Loop Pump). Mr. Voyles introduced Bill Lippert and Dave Blevins of Perfection Group to speak about the pump replacement. Mr. Blevins stated that there are two pumps that circulate water from the mechanical room in the basement out to the cooling tower loop and back and two pumps that circulate water from the boiler to the building loop inside. The water is then mixed in the heat exchanger. The pumps are original to the building and have been maintained as best they can, but are beginning to fail.

Mr. Blevins stated that the Courthouse has been awarded a 79 Energy Star rating and the Administration Building was awarded a 94 Energy Star rating. Mr. Blevins stated that it is impressive that two county facilities were able to earn this rating.

Additional items for consideration in the future for the Administration Building include replacing windows, and heat pumps. Items completed over the past three years include: sealing and caulking windows, sealing the outside of the building, lighting retrofits, cleaning up and

refurbishing equipment, and replacing the cooling tower. Bryan Collier stated that Perfection Group made a comprehensive presentation of the county buildings in a staged plan at the beginning of this process. Bill Lippert stated that the Administration Building has been kept up very well, they have replaced similar pumps a lot sooner in other facilities. Paul Prather made a motion to approve the additional appropriations for the pumps. Motion seconded by Daniel Elliott. Motion carried 7-0.

### **Transfers:**

- *Prosecutor*

Steve Sonnega requested a transfer of \$700 from Acct #4906-000-4441 (Equip/Furn) to Acct #4906-000-4361 (Other Services) for Culligan water. Daniel Elliott made a motion to approve the transfer. Motion seconded by Virginia Perry. Motion carried 6-1. Vickie Kivett was opposed.

### **Resolution Approving the Designation of Morgan County as a Vote Center County**

Stephanie Elliott, Morgan County Clerk, stated that the Election Office had been moving towards vote centers for the last five years. They have consolidated precincts, obtained electronic poll books, and are updating the voting machines. The Board of Commissioners is in support of the vote centers. If the Council approves the resolution, the Election Committee will form a study committee to determine if this is the best solution for Morgan County. The committee will develop a plan and take public comments for 30 days. The Election Board will then vote and if it is unanimous, they will move toward implementing vote centers. The Bowen Center at Ball State did a study and determined that vote centers would be ideal for Morgan County.

Vote Centers would allow voters to vote at any location, not necessarily the precinct location. There must be a minimum of six centers and Ms. Elliott stated that there would probably be at least eight. The polls usually employ between 140 to 160 workers; vote centers would only require between 60 and 80. This would save at least \$6,000 per election. Paul Prather stated that as a candidate running in one district, he was concerned about not having a presence at all the voting locations.

Daniel Elliott made a motion to approve the Resolution Approving the Designation of Morgan County as a Vote Center County. Motion seconded by Vickie Kivett. Motion carried 7-0.

### **First Annual Local Judiciary Report**

Superior Court I Judge Pete Foley was present to update the Council with the state of the judiciary. There are four elected judges in the county, one Circuit Court and three Superior courts. Judge Eggers is filling the vacant Superior III position until the Governor's Office makes the appointment to fill this position. Judge Hanson, Circuit Court, has all juvenile matters and CHINS cases; Judge Foley has low level felonies, misdemeanors, probate, guardianships, civil cases, and diversion cases with mental health issues; Judge Williams, Superior II, has the same type of cases; and Superior III has the small claims cases in addition to the cases listed previously. Each judge also serves on various state committees. The 2016 statistics are pretty much the same as 2015. There were 6,200 cases filed and each court operated at 106% of capacity. There has been an increase in the need for public defenders mainly because of the child welfare cases due to the drug problem in the community.

Judge Foley thanked Commissioner Voyles and the Commissioners and Council for the systematic and comprehensive approach for the mold problem at the Courthouse. The approach and methods used to come to a solution were greatly beneficial to moral and confidence.

The RSAP program involving changes to the criminal code brought together the Sheriff, jail, community corrections, probation, courts and public defenders to come up with programs to reduce recidivism. Carole Kinder, Court Services Director, and her staff and Dave Rogers, Jail Commander, worked on obtaining a grant to pay for a 90-day drug rehabilitation program. The key to the program is getting people to go through the program when they are clean, sober, and in a controlled environment.

All courts have changed to electronic filing of all documents and pleadings of the court. Orders get out quicker, attorneys can review cases without involving county staff pulling information from files.

Judge Foley stated that future needs include a comprehensive technology plan for the Courthouse and Court Services buildings. As more technology is mandated, there will be more upgrades required.

Judge Foley stated that the drug problem in the county is a strain on families, social services, and the community at large. They would like to have a social worker on staff in the future as a resource.

### **2017 Salary Ordinance Amendments**

Bryan Collier stated that this amendment is to correct the omission of the 911 Dispatch training coordinator supplement. Frans Hollanders stated that last year during the budget process, they requested a new line item for a training coordinator for \$1,044. The Council approved this item, but it was overlooked in the salary ordinance. Daniel Elliott made a motion to approve the Salary Ordinance Amendment. Motion seconded by Kim Merideth. Motion carried 7-0.

Rod Bray stated that it has come to his attention that there is a statute on the books that does not allow for an allowance for an elected official. There are two County Commissioners that have a small allowance, one for extra duty at the Highway Department (plowing roads), and one for office duty. There is also a statute that states that you can't change an elected official's salary during the year. The State Board of Accounts issued an opinion that all Commissioner's salaries should be increased to match the top salary of the highest paid Commissioner. The Board of Commissioners voted to decrease the salary to the base level at their meeting yesterday. This can be done if the Council approves. Virginia Perry made a motion that the Morgan County Council accept and adopt the recommendation of the Commissioners vote from their meeting March 6, 2017, recommending the salaries of the three Commissioners shall be \$25,532.00 with no additional compensation for part time duties. Motion seconded by Kim Merideth. Motion carried 6-0-1. Dave Zoller opposed, stating that he did not believe they should change the ordinance in the middle of the year.

### **2017 Property Tax Rate Report**

Dan Bastin stated that there are some significant changes this year with property tax rates and handed out a spreadsheet showing property tax rates, certified assessed value, certified levies, property tax relief, and credit calculation changes. Mr. Bastin stated that there is less than 1/2% increase in assessed value. Overall, the total levies in 2017 are \$48.5 million compared to 2016 at \$43.2, which is a 12% increase overall and property tax increases can be expected.

The revenue to fund the property tax relief credit and the homestead credit has increased to 4.5% for the PPTRC and 4.2% for the homestead. Since the levy increase is higher, this will result in the property tax credit rates being less than they were in 2016. Beginning this year, the property tax credits are not being given on referendum rates. (Rates that the voters approved above the normal increase.) Adams Township is the only taxing unit in Morgan County that has a referendum rate.

In 2007 Morgan County adopted a homestead credit that was funded by the County Economic Development Income Tax (CEDIT). At the time, the counties that adopted the rate had an option as to how the rate would be calculated. One option allowed the rate to be the same for all taxpayers across the county (uniform rate), or the option could vary from district to district depending on the inventory assessed value that would no longer be taxed (allocation rate). Morgan County chose the allocated rate and until last year, the rate varied from less than 1% to 30%. The state law has changed and the rate must be uniform across all taxing districts. The credit rate will be 4.326% in every taxing district.

Mr. Bastin handed out a spreadsheet showing 2016 pay 2017 property tax rate balances for each of the 27 taxing districts in the county. Each page showed the tax rates for the county, township, school, library, city/town, and fire protection district and the gross property tax rate. The spreadsheet also showed the property tax credit rates, net rates, and a comparison of the 2016 and 2017 rates. Mr. Bastin stated that you can't just look at the change in the gross rate to get a feel for why taxes have changed, a big part of it is the credit rate.

Mr. Bastin handed out a spreadsheet showing 2017 property taxes compared to the 2016 property taxes. This spreadsheet showed a \$100,000 assessment and the tax difference by homestead credit and taxing district in dollars.

Kim Merideth asked how the income tax was established as a higher rate to offset property taxes. Mr. Bastin stated that the funding for the credits comes from the income tax, if they didn't have the income tax, there would be no credits. Using an example in Adams Township, a 34% credit on a homestead property would not exist.

**Adjournment**

Daniel Elliott made a motion to adjourn the meeting. Motion seconded by Vickie Kivett. Motion carried 7-0.

MORGAN COUNTY COUNCIL

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Bryan Collier

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Paul Prather

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Daniel Elliott

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Vickie Kivett

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Dave Zoller

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Kim Merideth

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Virginia Perry

ATTEST:

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Dan Bastin, Morgan Co. Auditor