



**MINUTES
MONROE COUNTY BOARD OF COMMISSIONERS
OCTOBER 9, 2009
MONROE COUNTY COURTHOUSE
JUDGE NAT U. HILL MEETING ROOM**

The Monroe County Commissioners met in a regular meeting on October 9, 2009, at 9:00 a.m. with the following members present: Patrick Stoffers, President; Iris Kiesling, Vice President; and Mark Stoops, Member. Also present: Jeff Cockerill, County Attorney; Bill Williams, Director of Public Works; Jane Marie Lind, Executive Director, Commissioners' Office; Regina Malloy, Chief Deputy Auditor; and Marilyn Stonecipher, Deputy Auditor.

Not present: Amy Gerstman, Auditor.

CALL TO ORDER

The meeting was called to order at 9:04 a.m. by Patrick Stoffers

PLEDGE OF ALLEGIANCE

AGENDA AMENDMENTS

Stoops made a motion to amend the agenda to add Item IV(B) a public hearing and presentation of Resolution 2009-29 to Establish an Economic Recovery Zone; to add under New Business Item G, Easement Agreement and Sheriff Communication Equipment Agreement and Easement; Item H, Homeward Bound General Operating Agreement; and Item I, INDOT-LPA Project Coordination Contract ARRA Projects; and to recess the meeting until Tuesday, October 13, 2009 at 2:30 for bid awards. Stoffers seconded. Motion passed by a unanimous voice vote.

I. APPROVAL OF MINUTES

Stoops made a motion to approve the Minutes of the August 28, 2009 Commissioners' meeting. Stoffers seconded. Motion passed by a unanimous voice vote.

II. PAYROLL AND CLAIMS

Stoops made a motion to approve Payroll and Claims. Stoffers seconded.

(Regina Malloy, Chief Deputy Auditor) Good morning. Payroll is \$765,873.67; claims are \$957,592.32.

Motion passed by a unanimous voice vote.

III. REPORTS

A. Clerk of the Circuit Court Monthly Report – August 2009

Stoops made a motion to accept the monthly report of the Clerk of the Circuit Court. Stoffers seconded. Motion passed by a unanimous voice vote.

IV. BIDS

A. Bid Opening: Justice Building Roof Project

(Bill Williams, Director of Public Works) These bids are being submitted for the reconstruction of the roof of the Justice Building. The bids for the work were advertised in accordance with State law and a pre-bid meeting was held on September 25th with 10 companies sending representatives. We received 8 bids this morning.

The first bid is from AAA Roofing Co., Inc. of Indianapolis, Indiana. The bid is in the amount of \$551,000.00. The next bid is from R. Adams Roofing, Inc. of Indianapolis for \$561,820.00. The next bid is from B & L Sheet Metal and Roofing of Bloomington, Indiana. Their bid is for \$398,000.00. The next bid is from Blackmore & Buckner Roofing, LLC of Indianapolis, Indiana. Their bid is \$524,900.00. The next bid is from HRC Roofing and Sheet Metal Company, Inc. of Columbus, Indiana. Their bid is in the amount of \$499,000.00. The next bid is from Henry C. Smither Roofing Company, Inc. of Indianapolis, Indiana. Their bid is in the amount of \$568,000.00. The next bid is from Southern Roofing, Inc. of Columbus, Indiana. Their bid is \$593,800.00. The last bid is from Steve’s Roofing and Sheet Metal of Bloomington, Indiana, in the amount of \$328,000.00.

I would recommend that we take the bids under advisement until the Commissioners’ meeting on October 13th at 2:30.

(Stoffers) And we will do just that as Mark noted in the motion when we amended the agenda – that we are reconvening at 2:30 on the 13th for the purpose of awarding the bid.

B. Public Hearing: Economic Recovery Zone

(Jeff Cockerill, County Attorney) What we’ve talked about in the past and what the Commissioners’ have approved in September was a Home Rule Act in order to gain access to some stimulus money for economic development bonding. Part of that is to designate a recovery zone in the County so that we can determine physical location of where these recovery zones could be accessed. The Federal regulation makes it so that we have to demonstrate that there is one of the following factors: poverty, unemployment, rate of home foreclosures or general

distress or caused by a military base closing or for which a designation as an empowerment zone or renewal community is in effect. So essentially, the data we have – and we do have a fairly tight timeframe to get this done by the end of next year for bonding. The timeframe we had indicated that we needed to get some factual information together. Right now, that information is kept on a County-wide basis. We went through the Indiana Department of Workforce Development to come up with the poverty and unemployment numbers that are the factual support for why this would be a recovery zone designation. So what you have before you would include the entire County as the recovery zone and it was designated that way for the factual basis reasons. Also pursuant to that Home Rule Ordinance, we need to have a public hearing for people to come in and discuss their thoughts on this designation of a recovery zone before any action can be taken.

(Stoops) This allows us to pursue a bond for any project within the County. We felt it was more appropriate to do it County-wide rather than pick out a specific District of the County which would narrow our options.

(Stoffers) I would note it creates no financial obligation on the part of the County.

(Cockerill) Absolutely. This is an ability to do something in the future for the County to go through a process and discover who is the appropriate person to get the bonds and such as that. This doesn't entail any of that process, it just allows that process to occur.

{The public hearing was open. No speakers stepped forward.}

Stoops made a motion to approve Resolution 2009-29 to establish an Economic Recovery Zone. Kiesling seconded.

(Cockerill) What I just said was applicable to here. It is just the setting up the entire County as the Recovery Zone.

(Kiesling) Are we actually establishing it today?

(Cockerill) Yes.

(Kiesling) I told someone wrong. I told them we were going to have a public hearing on it. I didn't know we were actually voting on it. I'm happy to vote for it though.

Motion passed by a unanimous voice vote.

V. NEW BUSINESS

A. Plan Commission Ordinance 2009-29: Pathways Outline Plan Amendment #2 to Add Tourist Home Use to Lot 12 as Approved Use

Kiesling made a motion to approve Plan Commission Ordinance 2009-29. Stoops seconded.

(Kiesling) Is it lot 12 or lot 13?

(Katie Moore, Planning) It is lot 12.

(Kiesling) Has lot 13 been incorporated with 12?

(Moore) No what has happened is over the years there have been six plat amendments. The information that is in our GIS system currently is outdated and needs to be updated with the latest plat amendments. So what the Petition submitted as his site plan, the lot number, the address, is all accurate and up to date.

As I just mentioned, the Pathways PUD over the years has changed quite a few times. Currently the only approved use in the PUD is single-family residential. The Petitioner is requesting for the additional use of a tourist home on Lot 12 of the PUD at 5707 Pathways Drive. It is a 5.8 acre parcel. It is located on the East side of the County on Pathways Drive just North of State Road 45 and surrounded by Forest Reserve Zoning. The entire PUD is surrounded by Forest Reserve. The Comprehensive Plan designation in this area is for Conservation Residential. The Plan Commission had concerns regarding septic system adequacy, the PUD open space requirement and the limitation of the number of guests in the tourist home to 8 and they voted 7-1 to recommend approval of the petition subject to five conditions.

The first condition is to perform a final plat amendment to designate a minimum of 25% of Lot 12 as open space in conformance with Chapter 811 of the Zoning Ordinance. The second condition is as a part of the above final plat amendment, correct the misnomer on the previous plat amendment stating that Pathways Drive is located within an access easement. Previous plat amendments showed right-of-way 50 feet in width for Pathways Drive as required under a condition of approval for 97-03-13. The third condition is that the tourist home shall be subject to Condition 48 of the Use Matrix in Chapter 802 of the Zoning Ordinance. The Petition shall submit documentation satisfying demonstrating compliance with this condition prior to approval of Land Use Certificate for the property. The fourth condition: the number of guests shall be limited to four until the septic system is upgraded to handle four bedrooms then the limit shall be upgraded to eight guests. Five, the Petition shall provide proof that the septic system will accommodate the intensity of the tourist home use.

(Petitioner) Do you have any questions of me?

(Stoops) I think the concerns of the Planning Commission have been addressed with the conditions that have been placed on it. But I'm just wondering if you have had any discussions with neighbors that maybe concerned?

(Petitioner) No, I've offered to have a meeting with the homeowners association but I haven't gotten any response.

(Stoops) Katie, has anyone expressed concerns?

(Moore) We haven't received any remonstrance. The Plan Commission recommended approval subject to the conditions.

(Kiesling) I guess there was a dispute over the road and the right-of-way, Bill?

(Williams) The road is a private road. There was a question concerning – I think Plan Commissioner Martin had brought up – regarding the status of it, the way that the easement was written. But that is to be rectified, I believe, as one of the conditions of approval.

(Kiesling) And I wanted to comment about the fact that the current septic capabilities are not sufficient to expand the number of guests that can be there and that that needs to be taken care of before anything else because I think that is important for people to know.

(Stoops) It is interesting, we had the same issue come up with childcare homes where sometimes you may have 10, 20 or 30 kids in a home or an area that is on septic and the septic is probably based on a 2- or 3-bedroom home.

(Kiesling) Exactly.

(Stoops) So it's really something we have to [take] a hard look at.

Kiesling called the question. Motion passed by a unanimous voice vote.

B. Contract with XSoft, Inc. for Assessor's Office for New CAMA Software System

Kiesling made a motion to approve the contract. Stoops seconded.

(Judy Sharp, Assessor) Good morning, Commissioners. What this is, I am changing software again. I have a contract – I believe you have it up there – with XSoft. It is for my CAMA system which is the computer software system for assessors. We are changing from the Manatron system, the Proval system that I've been on for two years over to the XSoft which is a much better product. It will be a cheaper product in the long run. The maintenance is cheaper. It is a State-certified software system.

(Kiesling) Does it fit in with the rest of the systems?

(Sharp) It has nothing to do with the rest of the systems other than the Auditor. The State, a few years ago, I think it has been, well it was after 2000, after the last reassessment, the State mandated that next year, well, starting this year, all of the software between the Auditor and the Assessors has to interface seamlessly. It is actually a certification process that we are in the middle of right now in the State of Indiana. By June 30, 2010, all software systems for Assessors and Auditors must be certified by an outside vendor that our systems are one, just about. This does this. It does it with all of the software vendors that are in the State for the Auditors. This Bryan Booker who owns XSoft and developed XSoft is here if you would like to question him about it a little bit more. But I have worked with Bryan the last 15 years. Bryan

was with Beam, Longest and Neff that developed our old software system – the Plexis System. He also was with the State, the DLGF, and then he went out on his own and developed XSoft. Right now XSoft, I will be the 16th county to convert to XSoft. I have not heard one bad thing about XSoft. We have been looking at XSoft for the last three years. I wanted to have it when he first introduced it, but at that time, Manatron had just bought Plexis out and I had to switch to the Proval system right away. I have given Proval a two-year chance to work in the County and it has just become so difficult to work with Manatron and I don't say that lightly. I have been with Manatron for a lot of years but there is no customer service. The product has become very – it doesn't do what I have to have it to do and XSoft does. No matter what the Auditor will end up with if she has to stay with Manatron or if she gets to go with Low, XSoft works with both of them very well.

(Stoops) Do you think it is a good idea to go to Low?

(Sharp) Yes I do. You know that I am all over the State and I talk to all of the offices in the State. Right now with what we have to do in our offices and the certifications and the compliance issue between the two offices, that is the straw that broke my back, to be very honest with you. For the last two years, we have just had issue after issue when we roll our values to the Auditor. It is not the Auditor's problem. I'm not saying it was because of the Auditor. I'm saying we have the issue because of the software. With all of these new compliance standards and guidelines that they throw at us and every time there is a change up at the legislature, this year where we had an absolute nightmare was on the allocations which I know I'm getting very technical but I have to every single structure, every single line on my property record cards have to have an allocation factor that goes to the Auditor. We did ours. The Auditor tries to do hers. Manatron just gave the Auditor a heck of a time this year. I'm not sure if they are still having issues. I think they are. It has caused – that's one of the reasons the Auditor has had a hard time getting the data to the State this year. I think it is just time that Monroe County finally moves away from Manatron. Bryan just gave me a breakdown. In most of the counties that he is in, already the Auditor is in with Low. I'm talking about big counties. I'm talking Allen County went with Low two years ago. I'm very close to the Allen County Assessor. She is right now at the same time I am, she is converting to XSoft. And I know the Auditor very well in Allen County loves the Low product. I've never heard anybody say anything bad about Low. I can't say the same thing about Manatron nor the other vendors that are out there right now. There are a lot of problems with the others. I don't hear the same issues at all.

(Stoffers) I don't want to put words in your mouth. This will, I'm going to presume, remedy the roll over situation.

(Sharp) It will do a lot to make it not as – I mean there is always going to be issues because of human error. If I or my staff do not code something right, yes there are going to be issues. If the Auditor's staff does not do things correctly. But the issues that we have with the actual software talking to each other and also just being able to pick up a phone and getting a vendor here if you have a problem, that's where I have an issue. I was the – and I'm not, you know, this has nothing to do with the Auditor but this year when I went to roll my values to the Auditor at the end of June, which statutorily I have to have it done by the first of July, I was the only County in the State that was ready to roll. I'm a pretty big county. I was the only one they were dealing

with and it took me a week to roll my values and that was playing phone tag with Manatron that should have had somebody in this County if we were having those kinds of issues, they should have been setting here with us instead of playing phone tag with a company out of Ohio. That's where all of our stuff goes. The difference with XSoft, Bryan lives 50 miles up the road and I know Bryan well enough because he has sat here with me for years in Monroe County, if I have an issue, Bryan is going to be sitting here beside me getting to the bottom of the issue. He works very well with Mike Hert. He's worked with Mike before and for the audience, that is [our] Technical Services [Department]. I just think it is a win-win situation. This year, I have spent over \$100,000 with Manatron. That is the cost that I have had with Manatron. With the new contract with Bryan, I have it all on an easy payment plan, because you know just like [other] counties, Monroe County doesn't have a lot of money either so Bryan is letting us pay for it over a four year period. The maintenance charge with Bryan will be \$46,000 or \$48,000 per year where Manatron is over \$50,000 and that was last year, \$52,000. Every year they go up three or four thousand. I don't know what they do for that.

(Stoffers) Judy, I don't think the cost or the source of funds for this has been noted at this point. Would you like to speak to that?

(Sharp) Sure. The source of funds is the Reassessment Fund which is a fund that I have that is part of the Frozen Levy but it is outside the General Fund. I have enough money in there. I've already talked to the Council because, like I said, paying a hundred plus thousand annually to Manatron, even with paying Bryan back plus the maintenance, it will equal about the same as I have been paying Manatron. But in four years time, we will just be strictly with maintenance with Bryan.

(Stoffers) I would note that it is four payments of \$60,125.00 and then the maintenance fee is on top of that.

(Sharp) Yes sir. And if I would want – the nice thing about Bryan's program and my old Plexis software was if something happened and you would want something different for your county, they develop it for your county. When you buy something from Manatron, you buy a product that is never ever changed until they buy up another company and then they force you to go with them. Bryan's is a work in progress, so as the Assessors say, "Bryan we need such and such, something is not working." Bryan will develop it and it will be in our County. So there could be costs over the years for new programming that we might want but that would never be a big deal.

(Stoffers) Manatron is aware that we are leaving their good graces and service?

(Sharp) Yes sir. Of course you can imagine....

(Stoffers) That they don't want us to, right?

(Sharp) Well no, they were very gracious. This was a hard decision because when you deal with people – like we work so closely with our vendors because of the job that we do, you become very good friends with certain people in these companies. Scott Stevens who is the Vice President of Manatron for Indiana actually Scott and I have been together for over 20 years. He

used to be [in] Johnson County. He started the Johnson County GIS. So Scott was very instrumental in our original GIS. So it is a very incestuous business that we are in so you develop good friendship and sometimes you have to make some very hard decisions. But you have to do what is right for your County. So I talked to Scott two months ago when I was doing this because obviously nothing is secret in this State and they knew it. I will still keep their system up. I have paid for it for the year, until December. And then in January, well we are really going to start using XSoft immediately.

(Stoffers) I was going to ask you when do you expect to begin the integration?

(Kiesling) I saw an October something date in one of these documents.

(Sharp) You want to come up here Bryan and introduce yourself?

(Stoffers) I hate to belabor it but you know we really need to understand how this work flow will go.

(Bryan Booker, XSoft, Inc.) Sure. We are actually in the process of – we've done a test conversion of their data. So we've taken the actual Manatron data and did a test conversion and provided it to the County office for maybe a month now, they've had it. And that's just to give them the opportunity to see how the conversion went and to make sure everything looks the way they want it to and it went well, that kind of thing, fix any issues that may exist. Actually today we are going to discuss the details of how we are going to progress if this is to pass, what would we do and how would we implement it and it looks like just from some prior discussions that we've had sometime in the month of November they would probably have the ability to go live and be trained on the software and be up and running before the year is over. Even though they do have Manatron's Proval product up until the end of the year, it will provide a nice opportunity to transition into the new software. You know, they do need to learn some new things. It is a different product so there is a training period and conversion issue and different things that happen in this process. So that gives them that opportunity to have both systems available so that when January hits and they are off Manatron, everything is smooth and up and running and going well.

(Stoops) Judy, you mentioned Manatron likes to gobble up other companies so what happens – well basically Manatron's method of operation is if another company gets too large of a market share, Manatron buys them up and destroys whatever brilliant software was created.

(Sharp) And that's what happened with my Plexis system and you all know that and Bryan definitely knows that because he was Plexis.

(Stoops) What happens when Manatron comes knocking on Bryan's door?

(Booker) Well we can say the same thing that everyone says, "Hey we're not going to sell our product." And I believe that, I say that with complete – I really truly believe that we wouldn't. You don't ever know and there is no way that we can prove that except to do it – to go through the years and not sell our product, our company to anyone. We feel pretty strongly about what

