



**MINUTES
MONROE COUNTY COUNCIL
REGULAR SESSION
May 13, 2008, 4:30 p.m.**

CALL TO ORDER

Pursuant to proper notice, a Regular Meeting of the Monroe County Council was called to order at 4:30 p.m., May 13, 2008, at the Monroe County Courthouse in the Judge Nat U Hill Meeting Room, Third Floor, Bloomington, Indiana. The presiding officer was Vic Kelson, President.

Councilors Present: Michael Woods, President
Vic Kelson, Vice President
Jill Lesh
Sophia Travis
Charles Newmann
Warren Henegar
Marty Hawk

Also present: Auditor Sandy Newmann, Auditor's Financial Director Cathy Smith, Auditor's Chief Deputy Mark Hazelbaker, Auditor's Administrative Assistant Hattie Greene, Councils' Administrative Assistant Margaret Hollers, Council Attorney Michael Flory, and Jeff Cockerill, County Legal Department.

(Kelson) I will call to order tonight's May 13, 2008 meeting of the Monroe County Council.

The Pledge of Allegiance was led by Sophia Travis

(C. Newmann) Mr. President I'd like to move to amend the agenda at this time.

(Kelson) That's his job, he'll do it. He'll make that motion.

(C. Newmann) I thought anybody could make a motion on that. Whoever got to it first.

(Kelson) It's public comment time.

(C. Newmann) We have to have the agenda approved before we do anything. That's what defines this meeting.

(Kelson) We have time for fifteen minutes of public comment. Who is here to talk about the library Capital Projects Fund? How many people intend to comment? It's been suggested up here that we wait to have comments on that until that item comes up. And so we will wait until then. It will be up in a little while.

PUBLIC COMMENT

(Gabe Rivera) There was a great jail forum at Boxcar Books. A lot of I-69 people were there, Sophia was there. It's good to see the community rallying behind the criminal justice issue. Because as I stated in my letter to the editor. Our Jail Commander, Bill Wilson said that the criminal justice problem is a community problem. So I came up with a flyer as per usual and it says, "What's the fastest way to stop I-69, the War in Iraq, logging, racism, domestic violence and global warming"? And you can do that by ending drug prohibition all of those things and more. It goes on to say drugs are richly functional scapegoats. They provide elite with fig leaves to place over unsightly social ills that are endemic to the social system over which they preside. They provide the public with a restricted aperture of attribution in which only the chemical bogey man or lone deviant come into view and the social causes of a cornucopia of complex problems are out of the picture. Everyone has a stake in ending the drug war. Whether you're a parent concerned about protecting children from drug related harm, a criminal or social justice advocate worried about racially disproportionate incarceration rates. An environmentalist seeking to protect local forests or a fiscally conservative taxpayer you have a stake in ending the drug war. U.S Federal, State and Local Governments have spent hundreds of billions of dollars trying to make America drug free. Yet heroin, cocaine, methamphetamine and other illicit drugs are cheaper, purer and easier to get than ever before. The war on drugs has become a war on families, a war on public health and a war on our constitutional rights. So called "drug-related" crime is a direct result of drug prohibition's distortion of immutable laws of supply and demand. The drug war is not the promoter of family values that some would have us believe. Children of inmates are at risk of educational failure, joblessness, addiction and delinquency. Drug abuse is bad, but the drug war is worse. By ending the drug war locally we can provide alternatives to using tress and fossil fuels as a resource. No more wars for oil, need for as much logging, or torturing people through incarceration for unjust reasons such as a drug

war which only creates problems and funds terrorism. I'm going to try to win as an independent candidate for Commissioner. I gotta start getting signatures. My platform is going to be reparations for all of the people everywhere in Monroe County jail. I think we should all give them \$10.00 an hour for the opportunity they lost and their children for the (inaudible) that they severed. At least we should make Monroe County jail as nice as Auschwitz. Auschwitz had a pool and a theater and people saw the outdoors. I appreciate the opportunity to speak to end the drug war. The information about myspace.com/endthedrugwar.

(Charlotte Zietlow) I don't think of all of the institutions in our community there's probably none that reaches so many people on such a regular basis at some many levels. And which is one reason why the library is here asking for things like replacement of the carpeting. It's the high use of the library and the library is the place where people get information, they get knowledge, they get non-judgmental information and I just urge your support of this capital funding request.

DEPARTMENT UPDATES

(Patrick Stoffers) Just briefly two things. One PMSI is engaged in the work on the Justice Campus as you all know. They were in town last Friday and conducted some meetings including Sheriff Kennedy. They'll be back in town for their next round on the 23rd and we'll get an email out to you relative to that. Secondly, our departments need to be working on their 2009 budget forecast, the clock is running. Any guidance that the council may have relative to your timelines, calendar, your revenue forecast and distribution of forms etc. would be greatly appreciated by our departments.

(Kelson) We have been talking about it and we're going to be coming up with a schedule. I'm not sure when the budget spreadsheets will be available on the server for the departments. But we have been talking about it.

(Travis) I didn't hear the full update at our work session from Commissioner Poling. I did get in time to get wind of some anxiety expressed about where we are with that timeline do you care of comment on that?

(Stoffers) We're not going to have a final report for a few months anyway. We did not get a firm hired as soon as we would have liked to for any number of reasons. We interviewed a lot of firms and finally got to where the three of us could agree on this firm. And we fully expect them to do a good job for the county.

(Travis) Well keep us posted on how that effects this comprehensive space needs.

(Stoffers) They have begun their work and again they were in town and conducted some meetings with Sheriff Kennedy and some other people, they'll be back on the 23rd. And we'll see to it that we get an email out. Most of you were on the distribution list anyway to be able to talk to those folks. And we sent a letter out to the departments last week letting them know they would be contacted.

(C. Newmann) I was not aware of the meeting with PMSI contract for the development of the Correctional Facilities with the Sheriff. You said that was sent out to all of the Council people?

(Stoffers) They did their first round of interviews last week. And they're going to be back on the 23rd. Again that will be at the training room on the Sheriff's department. I don't have a time for that.

(C. Newmann) Did you say that all the council people had received an email on that?

(Stoffers) I can't say all council people received an email. What I can say is that council members and departments were sent a letter indicating that PMSI would be contacting them to arrange this.

(C. Newmann) And I've been asking when the schedule would be and I would hope that those would be made widely available for the publics input on this critical planning process for the 85 acre Thomson site.

(Stoffers) There in an information collection process right now, so we're at the beginning not the middle.

(C. Newmann) But the public has to know when those inputs are being gathered.

(Stoffers) They started last week.

(Kelson) Is it my understanding that what they're doing first is interviewing individuals and then there will be larger meetings later, is that their plan?

(Stoffers) Yes.

(Travis) Like a stakeholders kind of process.

(Stoffers) We provided them with a huge list of people that were interested in this particular activity from a variety of points of view. Their job is to interact and collect the information. And again there will be some very public type forums as we move forward. We're at the beginning, not at the middle and certainly not at the end.

(Travis) I wasn't fully aware of how those steps were going to be and I hope that I hear that they would like to speak with all of the council members.

(Stoffers) I feel certain that your office was included in that. And I know Council President Kelson was for sure.

(Kelson) I received a letter. I assume they will be following up with everyone else on the additional details.

(C. Newmann) They didn't.

(Stoffers) We sent it out on their behalf.

(Kelson) I'm sure they're working on an agenda and a schedule for who they're going to speak to and so forth. It would be useful when such a list existed that you could distribute it to all of us.

(Stoffers) Sure.

(Kelson) We have a number of requests for agenda modifications. Mr. Woods...

(C. Newmann) I believe I made the motion first for that. I believe that any member of a body has the opportunity to amend the agenda. It's not restricted just to the Vice President.

(Kelson) Charles, this is what happened. I received requests for new agenda items yesterday afternoon. What we've done here is we figured out where things can go and fit logically into the agenda because we have to make multiple changes to the agenda. So what we tried to do is arrange things in a particular order so they would fit in appropriate places.

(C. Newmann) That is appropriate, but I did make the motion first. So I would like to move that we amend the agenda to make item 7 – A for the Commissioners

request for appropriation approval and 7 – A (2) request for creation of new budget line approval for green expenditures and then add item number 7 –B which would be the appropriation for distribution of timber sale dollars to the volunteer fire departments. And 7 – 2 (B) would be to request for creation of new budget line for forest perpetuation in the Parks Department.

(Henegar) Charles are we asking for four items of the budget?

(C. Newmann) I'm suggesting that we include all of the timber sale discussion under item 7. And item 7 – A and item 7 – B. Item 7 – A would be the Commissioners portion and item 7 – B would be the council portion.

(Henegar) Charles I would be glad to second the discussion on the distribution of the funds to the three rural fire departments, but I'm not sure that I want to get involved in the other discussion, particularly about establishing the line item for the Parks Department when we haven't talked about it enough.

(Travis) If that's a friendly amendment I will second that.

(Kelson) So the motion then is to renumber item 7 – 1 & 2 to be 7 – A (1) and A (2) and add the distribution to volunteer fire departments from timber sales as 7 – B?

(C. Newmann) Yes.

(Kelson) Is there discussion from the left?

(C. Newmann) I believe this is appropriate because the county last September, the county commissioners were notified that there was a large increase in the amount of timber sale money that was coming out of the State Forest. It went from \$30,000 in the past traditionally to around \$87,000. The Owen County Council went ahead and appropriated 100% of their money on October 16th. In November the Monroe County Commissioners received the check in person from the DNR so it's going on eight months since Monroe County has received that money that they have not distributed in accordance with the State Law to the volunteer fire departments. And I believe that it's appropriate that we move this along in order to get this money distributed to the volunteer fire departments that they are legally suppose to have it and it's not suppose to be sitting in the general fund drawing interest.

(Travis) I would like to say and I realize this is just about the motion. But a justification on my behalf to support this, is I think we do have a proactive and a very helpful idea as a step that the council could do within our prevue to help the smaller fire departments Benton, Bean Blossom and Clear Creak townships and we do have members here from those townships and representatives from the volunteer fire fighters and fire chiefs here today. So I hope that we can have a positive discussion about how we can do this and do it right.

(Hawk) This is just for the discussion. It does not mean we are going to be doing it, we're just bringing it out for the public to hear about it?

(C. Newmann) yes.

(Kelson) It's my opinion that this item is not right for discussion yet. It arrived in our emails yesterday mid-day. It has not been announced it has not been advertised and typically and we don't know what the money is going to be spent for. It wasn't requested, this particular item. I want to make it clear that we already have an item on our agenda to more then double the amount that was received last year by the departments. I think this needs to happen, I think this discussion needs to take place. I don't think that council is ready to approve it at this point. So I'm concerned that if we bring it up at this point there are three possible outcomes. 1 is that we too quickly approve it. 2) is that we too quickly reject it and the other is that we spend a lot of time discussing it only to table it for further discussion next month. And I would have preferred that this item be brought up and advertised with the June agenda because I don't think we treat other departments this way. And with all respect I'm glad to see some of you fire fighters here tonight. And I'm glad you're here to talk about the Commissioners item, but it would have been my preference to take this up in the normal order of business.

(Hawk) Mr. President I guess I didn't quite understand. I thought we were going to ask to proposals or something and that's what the discussion was about.

(Kelson) That may well be where we end up.

(C. Newmann) That is my feelings that if we do not discuss it tonight, we will have no idea of what sort of procedures we need to go through and who's going to identify that and when those are going to happen going into June, if we wait until the June work session that will be one week before the June agenda. We just discussed our agenda last Wednesday. On Thursday I received the guidance letter from President Kelson in order to take the lead on this I staffed it extensively and I

responded back to him on the 10th of May and Friday or this past Monday is when the appropriation requests were distributed to the council members in their mailboxes.

(Kelson) Just for clarification what I did do after our work session it was clear that there was interest on the Council for exploring other options beyond what the Commissioners had proposed. And so I wrote to Councilor Newmann knowing he was interested in this matter suggesting he might look into other options for that money. One of the things that worries me is if we take this up at this point with the particular earmark towards particular expenditures we've short circuited at some level councils ability to say, "Well I'd like to spend some of that money on something else, we've already set the priorities". And that's why I would have like this to have taken place in a more back and forth before we had to go to a public meeting. That's my concern because the discussion by nature if we have it tonight will be how do we divvy it up rather than, should we divvy it up and what other things should we divvy it up. And if we open it into those other items it will turn into a very long discussion that I'm not sure that we're ready to have with a whole bunch of people, so that was my perspective on it.

(Travis) I think we can work on this with a lot of positivity. I know that our fire chief have talked with their township representative they've spoken with Marty, myself, Charles, Warren. I've met with Indian Creek township board members and of course that's also my neighborhood so it's a great concern to me. And talked to Steve Summit from Bean Blossom so there's a lot of proactive discussion taken place and I think we can collaborate on this to make it work really well even if it's a little bit more bureaucratic to that end it would be more transparent and we would be able to say as council members it's justifiable because we know that they have these needs. And that those needs are more pressing then the other fire entities that have a little more authority and ability to get funding.

(Henegar) Charles on the motion to put this on the agenda we have 7 – A which is the Commissioners part.

(Kelson) Yes.

(Henegar) Would we need to amend that then to put 7 – B which has two parts?

(Kelson) No, 7 – A 1 & 2 are as requested 7 – B would be the new item.

(C. Newmann) The advertising is required for additional appropriation. This isn't an appropriation. I believe our council attorney has already determined that. So we are legally within our bounds, but if we want to facilitate it with the public all well and good, but if we do not discuss it this evening, if we do not come up with the procedures because we've never done it before. We got \$95,000 in our budget this year that we're suppose to allocate after social services and we have no procedures for doing that either, so if we leave this until the work session in June I can't see how we're going to accomplish anything at the June council meeting.

(Hawk) I don't want to do anything that's going to give somebody the impression that something is going to happen because we need to hear from legal. We need all kinds of reasons to let us know what could happen by our action. I thought we were going to do that at a work session but perhaps that's not the case. As long as we're not voting on it before we have all of the information at hand I don't want people to think that because we talked about it, it will happen because it might not be able to happen.

(C. Newmann) I intent is just to have the first reading and a discussion and perhaps let the people here interested in it have some idea of how they would present their proposals and who will be staffing that.

(Hawk) We don't even know all the right questions yet.

(Flory) My understanding was that the council presidents concern was not about advertising a dollar amount for appropriation but simply advertising the very fact that an issue was to be brought up for discussion, which it has not.

(Kelson) Yes, other people in the community will be interested in this, but this was not advertised as something that we were going to discuss. Which at some level short circuits...

(Hawk) Do you know if all of the units are here? Are they all represented?

(Kelson) Well the three that are...

(Hawk) No, I mean all of them. We have eight.

(Kelson) The request only covers the three.

(Hawk) But it affects the eight.

(Kelson) Well it doesn't no, because the Commissioners item gets all eight. This is a special additional from the second half of the timber sales money.

(Woods) I think we're pretty well underway discussing this we should go ahead and put it on the agenda.

(Henegar) Are we discussing, if this is put on the agenda and we get down to 7 – B or do we have the power to allocate the money tonight or are we simply making the first reading and the allocation be done in June?

(Kelson) We have the authority apparently to do that although it would be extremely uncommon for us to bring an unadvertised appropriation voted that night. Although it's legal to do it, it would be unusual for us to do it. So I think it's likely we will discuss it and then hold it.

(Travis) Question.

(Kelson) Question has been called.

ROLL CALL VOTE

Kelson – no

Lesh – yes

Hawk – yes

Newmann – yes

Travis – yes

Woods – no

Henegar – yes

Motion passes

(Woods) Mr. President move to amend the agenda as follows: Switch item 8 and item 7 so that item 7 becomes Library Capital Projects Fund and item 8 becomes Auditor/Commissioners under (A) and then the previously amended request under (B). Further move to pull item XI – 2 Transfer of Funds approval, it's been requested that be pulled by the department head. As unanimous consent to pull item XVI Joint Fueling Interlocal Agreement that has been requested to be pulled to come back in June and request also in that unanimous consent to table item XIV Ordinance 2008-06 without discussion.

There's still some updating to the text that needs to be done that isn't done tonight.

(Flory) It is XI (1) that's being pulled not XI (2) is my understanding.

(Woods) I would change my request to reflect XI (1) not XI (2).

(Kelson) Just a clarification is it sensible to explain item XV as just being informative and pull it from the agenda?

(Flory) We gave a report at the work session.

(Kelson) Right and it's included here in the minutes. Its background information on the establishment of the health fund item XV. People who are interested in it should look at this and I would appreciate a motion to strike that from the agenda.

(Henegar) Second

(C. Newmann) I would prefer item VII to stay where it's at because there's as many people here for the fire departments as there is for the library.

(Kelson) We have a motion is there a second?

(Henegar) What's the motion?

(Kelson) The motion is Michael's most recent motion that we.... We have a motion to change item VII to item VIII and change item VIII to item VII, that's all sections of VII the same sections of VIII. To strike items XI, (1) and item XVI and item XIV and item XV. Is there a second?

(Hawk) I thought we already passed that with a unanimous consent.

(Kelson) Charles opposed it. Is there a second?

(Henegar) Second.

(Kelson) Motion and a second is there any discussion?

(C. Newmann) I will just restate that the reason for switching item VII and item VIII is to bring item VIII for the library up further to facilitate them getting out of here and I believe there's as many or more people here that are interested in the distribution of the monies of the fire department. I know that the library is interested in their capital improvement plan but the people who have come here from the fire departments were expecting the agenda to be the way it is and I think we need to respect their wishes to get out of this evening at a descent time as much as we do the library.

ROLL CALL

Lesh – yes

Hawk – yes

Newmann- no

Travis – yes

Woods – yes

Henegar – yes

Kelson – yes

Motion passes

(Kelson) We'll move onto item V quarterly report on health expenditures for 2008.

(S. Newmann) Cathy is the one went ahead and done the health insurance reconciliation. So we are going to present this each quarter after the end of the quarter and then we're going to get on the County Council agenda so we can keep track of all of the health insurance and that way we know where we stand. And we're trying to project some of it up on the screen there, but as March, the end of March our ending balance in our health insurance was \$951,967.21 So at this moment we are doing just fine. I mean we're okay, now the next quarter is when we're going to look deeper and make sure that we still are okay with it and if we are then we don't need to come to county council to ask for an appropriation or an additional appropriation and if we look like we're going to go back low, then yes we will be asking at that time.

(Cathy Smith) We're looking at April and since this is a three month window, a quarterly window I thought you might also like to see Aprils. Insurance claims for April were \$320,000 and total expenses for the whole month in this fund \$321,974. But I thought that might give you a little jump start on next quarter and you might appreciate that. Here's the totals for what the funds started the year with \$724,000

revenues have been almost one and a half million and expenses \$1.2 million. Leaving the fund sitting there today with \$965,519.62.

(Hawk) Just to go back to what we started the fund with the \$724,963 is what was left out of the invested money is that correct?

(Smith) That was left out of the whole total fund, that's the cash balance.

(Hawk) Right, but we no longer have money invested.

(Smith) That's correct.

(Hawk) At one time we had... that's when we pulled the million out. So that's our only backup, we no longer have that invested million.

(Smith) Right

(Hawk) So that's part of what we have to be looking at.

(Smith) Last year we began the year with \$79,000 above that one million mark.

(Hawk) So it was 1,079,000 verses \$724,000.

(Smith) It's going to be the difference of what we were short last year. The revenue verses expenditures of last year.

(Henegar) How do these first four months of this year compare to the first four months of last year?

(Smith) That's a good question. If you'll look on your health insurance reconciliation analysis I did. You'll see that in January 2007 we had revenues of \$2,400 and this year we had \$312,000 quite a bit different. At the end of March instead of \$690,000 we had last year, we have \$1.12 million. So we're looking good and you see we have almost \$1.5 million this year. It's one of those things that who knows what can happen because it's health. Somebody could get sick or... I think we did a very good job of planning this year. We used the figure 18.5% for county paid expenses. That included health insurance, life insurance, unemployment, and also the county paid portion of TASC. So it looks like we're doing a good job so far.

(Lesh) Comparing last year with this year it looks like revenues are higher, but it looks like expenditures are higher too. Is that right?

(Smith) That's right, but we're taking more.

(Lesh) Overall it's still a little net gain.

(Smith) Yes.

(Lesh) So what we don't have is that one million dollar backup.

(S. Newmann) What we don't have is the reserve. It does not have to be a million dollars. We just don't have a reserve.

(Hawk) And a million is what we had.

(S. Newmann) Right.

(Smith) As you saw from previous examples that I've showed, it just continually weeded down year after year after year so it's not turning any differently then it has.

(C. Newmann) So I'm assuming that when we go into budgeting this late summer that we're going to have to find additional money to cover the health care expenses or we're going to have to reduce the benefits?

(Smith) No, I wouldn't say that. I would say you continue to let it trend downward or you can bump it up based on how collectively you feel that you want to manage this account or you can also look for other vendors and see if you can get a cheaper price. There's many, many alternatives.

(C. Newmann) But we've used up the reserves that we've had in the past that C.D.

(Smith) Well we didn't use that up because it was a million dollars. And we started last year with \$79,000. So we only have used 1/4 of that basically or a little or 1/4. We're just continually buying it down as we have for the past seven or eight years.

(C. Newmann) Right, so we're spending more on health care then what we're taking in from the employees?

(Smith) And I think that's a national trend to spend more on health care.

(Kelson) I'm not interested so much in the change for the year so far. I'm more interested in where we are relative to appropriations? And so I appreciate the additional monthly number for April. I added that to the cumulative at the end of March and I get \$1.2 million on \$5 million dollars expended so far in the first four months, which means we are spending at a pace of 3.646 million for the year. Last year's revenues totaled 3.075 and I don't think we appropriated 20% on top of that.

(Smith) Okay what you have to do is you have to look at the rate that you're taking it out of different departments.

(Kelson) Wait, no I don't. If we know what we appropriated then we can know, because we're going to get what we appropriated plus the contributions from the employees. And last year that number was 3.057 million plus or minus for the year. And we are spending right now we're spending at a rate that exceeds that by about 20% that's up to now. And so I don't know the number for what was appropriated. And if we could get a number for the total amount that was appropriated into the health fund lines in each of the departments and then a projection of what we expect from employee contributions we can have a better idea of how close we are to being on glide slope to hit that number at the end of the year. Right now I'm afraid that we're under appropriated because I don't think we raised the health fund appropriations 20% last year.

(Smith) I'll be happy to add all of those appropriations up for you. You do have those on your thumb drives and your budget information.

(Kelson) Yeah I know, I just didn't have them handy. If you could pull those together for us and also give us whatever projection you can, I know that's a hard number to project. But we could look at last year what the difference was between the explicit appropriations and the total revenues and that would give us a guess.

(Smith) You're right it's certainly a projection. Because it's a very dynamic number month to month and it's almost dangerous trying to project it and then basing... I think there needs to be some other wisdom put in there in that certain month. Like for instance winter months costs more because people are sicker.

(Kelson) But in terms of the revenue side of it, if you could give us that projection.

(S. Newmann) Three days before last year's budget hearings when we actually found out that we did under budget, let's put it that way, so that is one reason why we're gonna really watch this and because we already knew because we had put in 18.5% and then three days before that we were told we probably should have went up 22 or 23%. So we already know that more than likely we will have to come back and ask for additional appropriation but we'll be monitoring that as we go.

(Kelson) I'm just trying to take the expenditures project them forward and then take the revenues and project them forward and see how they jive at the end. This does not require a vote.

(Woods) Mr. President move approval of item XI Resolution 2008 – 14 Resolution Regarding Expenditures for Health Insurance Expenses in 2007. And I'd like to read the text of it with proposed amendments and I'll note the proposed amendments as I go.

Resolution 2008-14
Resolution Regarding Expenditures for Healthcare
Insurance for 2007

WHEREAS, Monroe County provides its employees with a benefits package that includes various health insurance options; and

WHEREAS, Monroe County wishes to safeguard the integrity of its health insurance offerings; and

WHEREAS, Monroe County relies on a wide range of private and governmental grants to help provide important services to citizens of Monroe County; and

WHEREAS, strict adherence to the terms and restrictions of grant agreements is vital to maintaining the County's successful track record in obtaining grants and grant renewals; and

WHEREAS, for the year 2007 Monroe County had \$3,032,142.48 from appropriations, grant earmarks and employee contributions to be used for the County's self-insured health care costs; and

WHEREAS, in 2007 the County's actual healthcare expenses amounted to \$3,430,360.06 and

WHEREAS, there was \$398,217.58 of funds that were not appropriated or contractually obligated to be spent on health insurance expenses, were actually spent for that purpose; and

WHEREAS, since at least 2002 there had been a practice of the Auditor's Office drawing upon unappropriated reserve funds to cover insufficient appropriations of funds to pay health insurance expenses; and

WHEREAS, in December of 2007 the Auditor's Office drew on unappropriated funds and on restricted grant funds to cover the insufficient appropriation of funds to pay for health insurance expenses; and

WHEREAS, the State Board of Accounts has clarified that unappropriated reserve funds to cover health insurance expenses should not be disbursed without appropriation by the County Council; and

WHEREAS, the County Council wishes to establish a clear public record for the State Board of Accounts and various granting agencies so that the history of improper disbursement of funds and certain subsequent reimbursement of funds is shown to have received full later review by the Council and the public;

NOW THEREFORE, The County Council establishes that the following grants and non-grant funds had money improperly taken from them for health insurance purposes and were reimbursed as shown on Exhibit A.

NOW FURTHERMORE, The County Council states that for the purpose of legitimating the disbursement of \$398,217.58 in unappropriated health insurance reserve funds by the Auditor's office in 2007. The County Council hereby ratifies that active expenditure.

(Travis) Second.

(Kelson) Is there a financial update on this item?

(S. Newmann) No

(Hawk) Have any of these numbers been changed since we looked at them last month?

(Kelson) Have any of the numbers in the resolution been changed since the last?

(Jeff Cockerill) Yes, if you remember last months meeting there was discussion that the State Board of Accounts had done some calculations and that the Auditor's office was going to get with the State Board Accounts and kind of review and determine what the proper numbers were. The whereas clause, the \$3,032,142.48 it was changed to that number based on that kind of cooperation. In the next whereas clause; the \$3,430,360.06 was changed as a result of that in the next whereas clause the \$398,217.58 was changed because of that. And that's the same number found and was also changed in the final furthermore. Obviously the chart and exhibit the previous one that we had looked at had a chart where we now have exhibit A. That was due to the Auditor's office, again I believe working with the State Board of Accounts coming up with that diagram to outline the transactions that had occurred.

(Woods) What is the significance of ratifying the expenditure?

(Flory) Actually I had some contact with the State Board of Accounts to see what interest they might have and some sort of official action by the council. And I think Tammy White, who is like the head of the State Board Accounts probably stated it best in an email that she sent to me on April 22nd. Subsequent council ratification maybe a good idea to show the public that the council agrees with the payments made by the county auditor. I think if you recall the history of this there is a great deal of money sitting in a dedicated, non-reverting fund that has been drawn on for expenditures. And I think with a legitimate misunderstanding of whether or not money in a dedicated, non-reverting fund actually required appropriation. And when we became aware of it we thought it was just very important for the Council to make a statement to the public that that something has been done outside of what we would normally now consider the proper practice for disbursement of this money. And you have reviewed it and said that you didn't find any problems with it. It was dedicated non-reverting funds for healthcare expenses and that's exactly what it was spent on. We're self insured; we've got to pay our bills when they come in to keep our self insured status. So if you found out that the money had been spent on Lincoln Continentals you wouldn't be voting to ratify the action at this point. But it was spent on proper purpose, just slightly different from the way that we would like to see it done and that's the purpose of this to say that you've reviewed all of this past action and you don't see a problem with it.

(Woods) I guess that's why I asked that question, I don't know that I'm inclined to devote to say that I don't see a problem with the action. Yes, it was funds spent for their purpose, but it was funds spent without appropriation. I'm by no means indicating or insinuating any kind of malfeasance. It's simply a matter I don't want to support setting a precedent of, if you spend money without appropriation it's okay cause we can go back and ratify it. I don't object to acknowledging that those things occurred and acknowledging that being made aware of and having investigated it we're satisfied with that level of action by the council. But I don't know that I would support ratifying, cause that's very close to saying, if you ask me, "Well all things being equal we would have done the same thing, and it's okay that you went ahead and spent the money". It's almost like a retroactive appropriation in my mind.

(Flory) I would agree that ratification does tend to have that kind of an aura about it. I would certainly hope that this would not in any way be seen by anybody as approving or encouraging approving the practice. And this isn't meant to ratify

the actual practice, it's simply meant to say that x-amount of dollars were spent for this purpose. And we would agree that, that was a valid expenditure. Not a valid method to do it, but a valid actual expenditure. And ratification often happens by board of directors, if somebody had to take certain action and they don't have time to actually go and get board approval then you can still carry it front of a board and have them ratify the effect of what was done was not necessarily the procedures. Again I can just say I certainly don't think anybody at this point is confused that this is encouraging future repetitions of the past practice. We're all clear, I think, on how this needs to be handled in the future.

(Lesh) On exhibit A on that far right hand corner, in the right hand column the heading "returned" does that mean that these are all sweeps. So does that mean that those sweeps have been... that amount of money has been returned to that fund? So there are only four that have not been returned everything else has, am I ready that right?

(Sandy) Right, they've all been returned. The four that we're talking about is the Auditor's office and at this point those won't be returned.

(Lesh) It will not be returned?

(Newmann) They are in-house transfers.

(Sondra Berg, Auditor's office) It is Sandy's right to remove her money that is underneath her personal budget that used to be for the whole county into lines to take care of expenses for county employee benefits. And that's what she's done is to move her in-house transfers to have them go into the appropriate funds that they need to go into.

(Lesh) But all of the other sweeps have been returned? There might be a need to clarify if it's an in-house transfer.

(C. Newmann) The way I understood why this was done is that there were end of year funds left in these grants and the county needed to pay their healthcare expenses and there was thought that this money was available in order to pay that (inaudible) even though it's been done this way since 2002. Or hasn't been swept but I saw on here somewhere that said since at least 2002 there's been a practice in the Auditor's office (inaudible) un-appropriated reserve funds to cover short falls and funds to pay health insurance expenses, is that right, is that the purpose

of why this was done was to try to pay the end of year health care expenses?

(Smith) That's right and I think the issue got convoluted when timing worked against us. For instance at the end of October we were right at \$2,000 different income verses expenditures and so the next set of numbers that come out is at the end of November. Well at the end of November we had a significant change, but at the end of November it's too late to do an additional appropriation. So we're kind of a slave to timing. And so what happens is these sweeps are usually done automatic. Somebody went in there by hand and tried to say, "If there's any remaining money we can in-house transfer, let's choose that since there is no time to do an additional appropriation and see if we can get by until January". I know that people are concerned that the numbers in this fund are going down because we did start 2001 with almost two million dollars. In 2001 the fund went down \$200,000 in 2002 \$119,999 in 2004 \$400,000 2005 \$156,000 in 2006 we did pretty good and almost broke even, but in 2007 \$350,000. And it just all hit pretty much the end of November and December do to extenuating circumstances with sickness.

(Cockerill) And maybe to clarify a little bit, I want to make sure that the council understands because I was confused on this point as well. When this resolution refers to items that have happened since at least 2002 what that is referring to is using the reserve fund to cover expenses. The grant stuff is a different issue than that. I'm not aware of that happening before, but I just want to make sure everybody's clear on that.

(Kelson) It's my understanding and before Barbara Clark jumps up here. It is my understanding that in prior years the expenditures from the health fund without requesting additional appropriations were done in each of those years under the guidance from the State Board of accounts that may have been confused.. I have no idea how it happened that way but it did. And that the 01's were swept at times but not the grants. Is that correct?

(Barbara Clark, Treasurer) That is correct. We never ever went into a grant, ever. Because that was one of the things you were told never ever do. And I know at one time when we were paying the health insurance for the grants that I asked the Commissioners is the grants couldn't put that in their budgets? Some grants did they were allowed to but then other grants they were not allowed to put that in. And the county had to pick it up. But we never ever went into a grant for that because we always told not to.

(Kelson) I was going to jump in there too because that was the way it had been clarified for me.

(Smith) The grants are 01's also.

(Kelson) I understand. The other questions I have is when were these sweeps returned? That date is not on this schedule.

(S. Newmann) Right, most of these grants, basically all of these grants were swept in January. So we've got over 75% that was swept in January and before your February meeting. I mean returned. I'm sorry. We found that out today when we Sondra went in and started looking at it.

(Smith) Everything was swept in December and January/

(S. Newmann) December and January.

(Smith) January was when they were returned before the February meeting, like 75% of them. And they're swept monthly Vic. I want to make sure people understand that these grants are swept monthly.

(Kelson) I'm more concerned about the grant funds that were swept improperly in December.

(Berg) All funds are swept every single time we pay an employee because it was never able to be done like that before. You had to go in manually from the Auditor's office to move the money into the account that pays for our health insurance. This year in 2008 the fringe column that we tried to do last year on the checks it sweeps automatically from every single department. Every time I pay Marty it moves the health insurance costs for what her portion is based on her salary and all county employees that are full-time and covered underneath health insurance. That way the money that is left at the end of the year in full-time fringe are able to be... we could actually see what money we have and we may be able to make up some kind of differences. So they go every payroll, it's not a monthly thing; it's not a quarterly thing it goes every single payroll.

(S. Newmann) That includes grants.

(Berg) That includes grants that have health insurance and if they do not have

health insurance allocated in their grant that home fund has to make up the difference. So youth services their home fund has to come to council to have appropriation to add an employee and add that money to their overall home fund. So there proper departments be in charge of their money. Everybody is being charged exactly the same way. And then if there's any money left then the departments will have a claim processed, write a check and it will go into the health fund to cover benefits.

(Kelson) That wasn't my question. My question is still this. We understand how the sweeps happen. I wasn't asking about the sweeps.

(Berg) Okay the date, is that what you're going to?

(Kelson) Well hang on. What happened was, there were sweeps made of grant monies that shouldn't have been made. It was accidental.

(Berg) Right we spoke about that on February 13th.

(Kelson) At the February meeting it was explained that all we had to do was reverse those transactions. And the only thing about this that really, really worries me this whole episode the only thing that really worries me is the disposition of the grant funds because that money.. we depend on grants and without the grants this county doesn't function. And so anything we do that jeopardizes our grant performance is going to jeopardize the county. So I'm not so concerned about the other things. I'm glad we clarified the unappropriated fund, that's all fine. My concern is that in February we had guidance from the State Board of Accounts about how the grants were to be restored. In April we were told that all the grants were restored on April 7th on our April 8th meeting. On April 9th I heard from our council attorney that he had been informed that not all the grants had been restored and last week Councilor Lesh and I both received an email from the Health Department regarding a grant that they were concerned hadn't been restored. And so what I need to make sure that happens is that first of all they have all been restored, that this table contains the dates they were restored as the text of the resolution says and that any department that had a grant that was swept by accident in December received a letter from the Auditor's office confirming it so they can put it in their files. Confirming it was swept and confirming it was returned and when. I think that will help everybody in terms of just communications. So it would be useful to do that.

(Berg) Well let me say one thing, in February and maybe I'm misunderstanding,

Jeff you were going to call the departments that were left that we had no spoke with and ask about in-house transfers. That is what Jeff worked on originally in February so maybe we have that command wrong. Because that's where we were going in February first of all, not that I'm saying that it would have been fine to sweep them back if that's what was agreed upon. But that's not what was talked about. So let me get that piece clear first of all. Second of all most of the information that had been returned, was returned December 28, 2007. We had two funds there was hit on January the 25th. Now Michael, the Council Attorney asked for me to stop the entry so that he could speak with Jeff or they would have been returned after that February meeting and I understand that they needed to speak and that's fine. But we now have a clear picture of what happened and what has been returned and if we would have done the original, return them back half of them we would have still had problems and still been talking about this in three months or whatever. So now they have all been returned except for the portion that is underneath the Auditor's amount of money, her budget and if there was money that was taken because somebody had already moved their income or their health money to a salary that has already been rectified with that department. Because that was probably 25% of the problem that I had, is I had departments that moved their health fund money to their salary so they could give somebody a raise instead of coming to County Council. So I worked that out with that department and we've already taken care of that, but those are some of the things that we.....

(Kelson) What?

(Berg) We had a department that took money from their health line and moved it into a salary position for whatever reason. To give somebody a raise or to have an additional person they still needed to come back to county council for additional money. They should have never taken money for health insurance because that was their cost.

(Kelson) The obvious question leaves to mind. And it's a question that I'm not going to ask in a public meeting, but I expect an email to every member of the council before the end of the evening.

(Berg) The thing about it is it takes... the old way of processing it took a long time. And if somebody moves money or there wasn't enough money out there it takes a while to put all the pieces together. As of yesterday I received an email for \$265,000 for our health insurance. That's the one two week period worth of claims. That's almost double what I usually pay right now. So that tells me that

somebody is ill. That is the nature of having a health insurance plan. And those are things that we need to talk to the council, commissioners so that they're on the same page as far as budgeting and what's going to be charged to county employees or what's going to be the county's portion to pick up. Since I've been here I don't know if you guys have been approached it's going to be 70/30 for the commissioners to approve that, that we're going to pay 70% and the employees are going to pay 30%. I don't know that since I've been here.

(Kelson) Are there any further questions from the council regarding the resolution?

(Travis) Sandy, Auditor Newmann is this last report from your payroll officer something that you anticipated to happen this night? I mean in the end this is all your responsibility. And this news comes to a big surprise to us.

(S. Newmann) What's the surprise, I'm sorry I can't hear.

(Travis) Just some of the issues that your payroll officer has raised.

(S. Newmann) It's there.

(Berg) It's been out there.

(Travis) I'm speaking to Auditor Newmann, excuse me.

(S. Newmann) It's been out there and this report.. are you talking about this report or are you talking about...

(Travis) Sondra Berg's disclosure of information.

(Berg) Inaudible

(Travis) I'm speaking to Auditor Newmann

(S. Newmann) Okay come on let's cool this a little bit. Some of the departments have been moving things and that's when we have to go in and tell them basically they cannot move it. Now at the last budget hearing when we talked we made and I actually said, "that when we put anything in these budgets and we put anything underneath the fringe benefit that's health or FICA they cannot as a department

should not be moving these around because we have to pay this off. Now it's under their budget, they think they can move it, they move it. I can't control that but once we find out they move it we have to address it and say, "no you can't move it you have to put it back".

(Henegar) Mr. Chairman we're way off line here. I would suggest if I may butt in here that the Auditor's office has said all the improperly swept funds have been returned and I think that statement along with the resolution should settle the matter for this date.

(Kelson) I think what Sophia was referring to was the other discussion that was going on there. And Sophia why don't you take that up and ask the Auditor to give us a letter explaining what happened and leave it at that for now.

(Hawk) And I think perhaps it's a little different if it's grant money verses other funds.

(Kelson) Maybe, so we'll get that clarification later. It's not associated with this and I'm afraid to get into that right now.

(Henegar) Call the question.

(Kelson) Question has been called. We will do a voice vote.

Voice vote was called

Motion passed

(Woods) Let me see what the record reflects as the vote on that.

(Greene) For Resolution 2008-14 it was a unanimous vote.

(Kelson) No it was not.

(Travis) No and I actually didn't even say anything.

(Kelson) We'll do a roll call vote

ROLL CALL

Newmann – yes

Travis – no

Woods – no

Henegar – yes

Kelson – no

Lesh – yes

Hawk – no

Motion denied

(Kelson) We will be in recess for ten minutes

(Kelson) The council meeting will remain in recess. I will call us to order for the purpose for the public hearing on the Library Capital Projects Fund.

(Woods) Mr. President move approval of the Resolution to adopt Library Capital Projects Fund Plan. I don't have our resolution for our rate. I'm not seeing it.

RESOLUTION 2008-15

A RESOLUTION TO APPROVE THE MONROE COUNTY LIBRARY'S CAPITAL PROJECTS FUND PLAN

WHEREAS, pursuant to IC 36-12-12-3, the Monroe County Public Library Board of Trustees adopted a Library Capital Projects Fund Plan ("Plan") on Wednesday, April 16, 2008; and,

WHEREAS, pursuant to IC 36-12-12-4, the Plan was forwarded to the Monroe County Council on Monday, April 28, 2008, so that the Monroe County Council could hold a public hearing on the Plan within 30 days and approve or reject the Plan before August 1, 2008; and

BE IT THEREFORE RESOLVED that the Monroe County Council, being the appropriate fiscal body for the Monroe County Public Library as described by Indiana law, held a public hearing on the Plan on May 13, 2008. The Monroe County Council does hereby approve Monroe County Library's Capital Projects Fund Plan as received.

(Henegar) Second

(Kelson) Just for clarification the Library Capital Projects Fund was first created

last year by the council. At a rate of .00709 is that the right number? We have a presentation from the library director.

(Sara Laughlin) I'm an intern director of the Monroe County Public Library. It's my great pleasure to be here presenting the Capital Projects Plan Proposal to you tonight. We do have a brief power point and I know there are lots of library supporters here but I'd like to start out and say that my husband was the board president of the Beech Creek Fire Fighters so our apologies for jumping ahead of you on the agenda. We love firefighters and we hope you come back next time we call you, which we hope won't be anytime soon. We managed to burn up our field twice while he was the president of the fire fighters so we're really embarrassed by that. We're here to request (inaudible) of the Capital Projects Plan for 2009 at the same rate that we had in 2008. For the publics sake I would like to focus on four points tonight. #1 is why you should invest in the library. #2 is what we've done with the 2008 funds updates. #3 our overall capital improvement needs and how we plan to fund them and then #4 the part that will be funded by the capital projects fund should you chose to approve it. First of all let me say why you should invest in the library. We just recently did a community survey with 700 responses and we learned from the server that 85% of Monroe County residents used the library in 2007. And 66% of those used it at least once a month. I should say that's very high compared to what I know nationally. Nationally it would be right around 60% use the library in a course of a year. So as you already know the library here is very well used. Our data tells us that we had a record number of visits to the library in 2007. 1.3 million and 1.7 web visits in 2007. We had 2.3 million items circulating. The library's highly valued. The survey said 96% of the respondents said they thought the library was important to the future of the community. An astounding 77% of those said it was extremely important to the future of the community. And we face challenges the third reason why you should approve our fund. First of all there's parking and I'm sure that comes as no surprise to you with 1.3 million visitors we have 36 parking spaces. And second of all we have aging spaces in our facility that don't quite meet the changing needs of our community for library service. Parking is the number one barrier, it's the number one complaint that we hear about on a day to day basis in the library. And on the survey at least 43% of every income group and every sub-group in the survey said it was hard to find parking that's the main barrier to using the library. The main library was renovated and expanded in 1997 fully opened in 1997 but if you remember they built the new part, opened it in 96 closed the old part and remodeled it so 97 is kind of the tail end the carpet in the new part of the library is a year older then that. Circulation has grown every year for the last ten years. In Ellettsville the present facility dates to 1990 and circulation has grown 500% there in 17 years as the community of Ellettsville has grown. The Bookmobile was purchased in 1997 and circulation is up in the Bookmobile also 50% since 2001. The changing needs that we think we know about are first of all the increasing need for convenience, partly it's our parking problem but partly it's also just peoples very busy lives. The use of our express checkout system accounts now for 10% of our circulation even though it's just camped out on a couple of card tables and not really in the flow of our normal checkout procedure and our drive-up window activity is growing by leaps and bounds as people with our new automated system can place a hold from home over

the internet and pick it up at the drive up window it's a partial solution to our parking problem so we'd like to be able to accommodate that. We are now pulling about 700 items a day for that service. I mentioned the 1.7 million to our website but we also had over 500,000 log-ins last year in the library and we know that people get to the library early in order to get a computer and then they use various strategies to stay on longer than the two hour limit that they're suppose to have. The other big change we face is changing formats. You know that we have movies, music and audio books and they made up close to 48% of our circulation last year. And use of videos and microfilm has declined over that period, but nothing seems to totally go away. So we're constantly facing new formats with nothing ever completely dying off. At the start of the summer we will debut our down loadable audio books, so stay tuned for the next virtual format. I wanted to give you a brief update on the 2008 Capital Projects Fund we don't have much to show you yet because as you know we don't get the first half of the money until July. But we have been physically engaged in planning two-thirds of the money goes for 2,000 square feet at the Ellettsville Branch to add more space for children's activities. We've gathered the staff priorities, we've hired architects and we expect the first preliminary drawings back from them in early June. We do plan extensive community input probably in August after we get the plans to the place where we think they're right. And then we'll request bids in the fall and break ground in late fall. We're planning to replace a quarter of our public access computers. We haven't ordered those yet but we know just what we need. And so as soon as we have the money we'll be doing that. We have actually spent some money already on CATS equipment. CATS is moving more and more to digital technology. It saves us time because it means we need fewer camera people and it also means we can extend access to the programming. So we've already purchased some cameras and some servers and some control room equipment to move our control room to digital. And that allows us to load CATS meetings more quickly on the web so people who don't have cable can watch them. I would like to talk about our overall capital needs and how we plan to fund them. We've reserved about a million and a half dollars from our own funding for emergency needs just a month or so ago I walked into our H-R department and discovered that there were three waste baskets collecting water. We think we have a major roof problem so some of that library improvement reserve fund maybe gone in the next couple of months if we have to replace the roof on the older part of the library. The board did say they would like to set aside that million dollars from that fund just for those kinds of unanticipated purposes and we also have about half a million dollars in our rainy day fund which comes from COIT, unanticipated COIT revenue over several years. That is the only reserve fund that we have that can be used for operating expenses so they would like to hang onto that too for unanticipated needs there. We do plan to invest \$735,000 of the libraries capital funds and that comes from the last of our building corporation funds from the remodel of the addition to the main library. And roughly \$460,000 from the library improvement reserve fund. This is kind of a long list here but I just wanted you to know that we are making an effort to spend some of our own money on pressing needs. The first of which is to redesign the drive-up window. We hope to get it to the place where you don't have to get out of your car. But if we don't do that we're at least going to take away the metal railings that people routinely scrape off part of their fenders on. We're going to add some

shelving. We've already received it in fact to relieve crowding in the AV collection. We can't shelve all of the AV collection now even though most of it is circulating all the time. So we'll be installing that shelving soon. We're planning to remodel the microfilm area and the Indiana Room to recapture some under use space there. Most of the microfilm content, what used to be on microfilm is now available on – line so we don't need as much space there. And we plan to move some of the computers out of the public commuting center into that space. We have badly worn carpeting in the children's room and meeting room area so we would like to replace that immediately. And add technology in the meeting room. Our (inaudible) rack at the main library is obsolete we can't get parts for it and some of our control boxes are already not working. And you may have noticed that some parts of the library are very hot, some parts are cold some parts are very humid and there's nothing we do about it because we can't buy parts for that system anymore. Our landscaping has outgrown itself and we'd like to replace it with draught resistant, low maintenance plants and repair the fountain and fix the Grant Street sidewalk, which was too narrow from the beginning and is still too narrow. And now that the trees have grown up and popped out it's very hard for us to plow it and it's hard to walk. We also will hire an architect to help us redesign for the repurposing of the new library space. Now I would like to give a little detail about what we plan to do with the Capital Projects Fund. We would like in 2009 we'd like to complete the addition of the children's space at the Ellettsville Branch and begin some of our remodeling activity in the main library to reconfigure our check-out, remodel the AV area and the public commuting area. And continue to update our computer technology and CATS equipment. The Ellettsville Addition I think I gave you a brief update on this already but we have hired, Odem, McGuire and Shooke and we're expecting plans from them shortly and we have two-thirds of the money in the 2008 Capital Projects Fund but we need the remaining third in 2009. I would also like to inaugurate the soft check- out function at the main library. We don't intend to eliminate our wonderful staff there, but it's just some people are in a hurry and have a routine check-out and prefer to do it themselves. When the main library was planned even though it doesn't seem like very long ago I have a little video clip here to show you what our AV space was planned for at the time. Shortly after they moved into the newer part of the old library and you could see that 150 films those films were very expensive. Nobody had a film projector at home so they were mostly used by teachers who came in and previewed them and so we have half a dozen little preview rooms where you can view the films. Teachers came in lots of times in the summer to reserve a whole years worth of films for school. Now we have a couple hundred thousand AV items. We don't buy the public performance rights for most of those items so it's actually illegal for people to view them in the library and we don't use those preview rooms anymore and they're not much use for anything else. Last year the AV collection accounted for nearly half of our circulation. So we plan to remodel that AV collection on the first floor. We will probably move our books on tape and books on CD to the second floor closer to our large print collection and closer to where the rest of our book readers are. And phase out video formats in the next year or so. And give ourselves more room and more appropriate space for our current collections. The public computing center is another kind of holdover from when the building was built. It used to be a classroom in the period when many people were learning about computers. It's no longer really used for that purpose.

It's a separate room and we don't have enough staffing to always police it or to support it. And we have a lot of behavioral complaints from that area, so we've already moved a third of the computers out to the main floor where we can more easily support them. But we plan to integrate the rest of them into the floor and repurpose this space based on staff and public input. We don't exactly know what we'll do with it yet. The next thing is upgrading technology. We want to continue to upgrade our CATS equipment and replace the computers that the public uses in the library. And the public computers were rated very important and not very satisfied in our survey. So we know we have some work to do to improve those. The computers are heavily used 1,400 times a day. And that people rank them high in importance and low in satisfaction so we have some work to do there. There are no Nelson ratings for public community access TV. But we have on the survey how many people had access to cable and then how many people watched various CATS channels. And we were astounded to learn that of the people that have cable 69% of them watched the city government channel at least a few times a year and 62% watched county government and the library channel and nearly 32% watched Scola, which is our international news coverage. In 2010 and 2011 we want to continue to reconfigure those checkout area and remodel the AV area in the main library, purchase a new bookmobile. Obtain architectural and design services for a new branch, update computer technology and CATS equipment. And in 2011 acquire a new spot or lease an existing site for a new branch and continue to invest in our technology. We think that we're a downtown anchor. We're a family destination, we're a homework center, and we're a technology headquarters for many people. We're an important community meeting place and a quiet retreat for many people.

(Kelson) What I would like to suggest if everyone agrees to this is that we do a go around the council asking questions and take public comment on this item and at that point we can decide if we want to table this for future consideration or whether we want to vote on it tonight.

(Hawk) What's the deadline?

(Kelson) August 1st. The latest we can vote it is at the July council meeting.

(C. Newmann) You mentioned the parking is the main limiter of use and I think we all know that. There's always been discussion about alternative transportation in Bloomington and that's within the city and I can't see where we can keep creating more and more parking spaces for the volume of people who want to come to the library.

(Laughlin) We know that we have a problem and we have lots of ideas about solving and I think we pretty well know there's not the political will for another parking garage somewhere. In fact the area just north of us is a historic district so that's out of the question. I don't think we can ever have 300 or 600 spaces covered as one of the libraries I studied recently in California did, but I think we could probably double the spaces we have just by re-thinking what we do. We spend \$30,000 a year now buying parking for our staff. We take up half the spaces in the lot between the Museum and the library. We have people that park on the street, we

buy those restricted parking spaces on the street. We have people at the bank lots on the weekends, we have people all over the place. And you probably have seen our vehicles parked here and there. We're at the early stages of thinking about that, but what I'd like to do is figure out a way to get my staff out of those close by parking spaces so that we can keep our health insurance down and free up spaces for the public to park. And I'm going to talk to the bus company about seeing if they'll give us, you know families ride free on Saturday if you show your library card. I have lots of ideas. We've also talked about more bike parking. When I went to one of Jill's breakfast a couple of months ago we talked about environmental issues. I mentioned that some of our staff would like to have a covered bike parking place and there seems to be great interest among the people there at the table about that so we have a number of ideas about improving the ways people can get there without driving. And we're also busier and less busy from one time to another. I think we can also help people understand where they can park if they come after five and where they can park... you know it's easier to park at 9:00 in the morning. I don't anticipate building a big parking garage. But we know we have to address it.

(Travis) I was wondering about if your survey about parking issues is it a real concrete issue or an issue of perception? Because that's a discussion that we have with a lot of other kinds of group, especially since I'm involved with planning issues and I think meeting the needs of your staff who have to park and keep their car parked for a good portion of the day.

(Laughlin) I don't want them to have to go out and move it every two hours. No way.

(Travis) And we deal with a similar issue with county government. And it does worry me that there would be a perpetuation of the idea that, "Well the only solution is a parking garage". I feel nervous when I hear those two words enter into the discussion.

(Laughlin) I don't think that's an option for us. There's not space for it for one thing and for another thing I don't want to spend library funding on a parking garage. And for a third thing it just doesn't seem like that's going to be the solution. So I think what we need to do is think of a solution that takes advantage of the parking garage as we already have. In terms of your question we haven't gotten the open ended comments back from the survey. So I don't know what people said there. But I ran the focus groups seven or eight years ago and one of the questions I asked was, "What makes you come to the library, and then I asked what keeps you from coming"? And in every single focus group people would look at each other like I was from Mars and they would say, "Parking". And then they would sort of re-think that and they would say, "Well it's not really that bad".

(Travis) Have you worked with B - Top or any of those groups?

(Laughlin) No I haven't yet but I know they're there. And actually Sarah Clevenger came in and talked to me about that. So I've been in touch with them.

(Travis) It was a beautiful presentation and really an important annual informational presentation. I want to just point out that we heard from lots of people by email and I think we should enter those emails into the record as letters of support. We heard from Jean Louise Madison, Carrie Thompson, Cathy Norton, George Bergen, Cheryl Hickok, Amy Lanham, John (inaudible) Debra Myerson, Theresa Robeson, Martha Street, Heather Kelly, Mayor Maloney, and Bill McCluskey. Those names are kind of significant because they're associated with the Herald Times, Betsy Watson, Christy Barnett, John (inaudible) Valerie Compton, Mary Catherine Carmichael, Leadership Bloomington, a lot of people associated with Adult Continuing Education, Lifeline Learning, Mini University, those kinds of folks in our community. So we heard from really wonderful spectrum of constituents and I plan to support this again for the third time.

(Hawk) You were talking about where you had money, when are you going to appropriate that? The law has changed.

(Laughlin) It's already been appropriated for at least a year thru the Building Corporation Funding.

(Hawk) I did appreciate all the emails. I tried to call all those folks back. I have concerns that I feel like your debt needs to be paid. Then we put this in place, so it doesn't effect the taxpayer quite as much. In addition to which with everyone's gas bill just to put gas in your car to drive to work \$60.00 to drive to work. People are really upset. And then something that I do not recall that the library was originally established by the City. That means that if you have a major building project it will be the City who will decide that.

(Laughlin) At least that's how I read that right now.

(Hawk) If that be the case then if it's over the \$12,000,000 then it would be subject to referendum then the payback would go on top of everybody's 1% cap. But if something happened that you would get a bond approved without a referendum then it would have to be within the 1% cap. And that affects all of the taxing units ability to operate.

(Laughlin) We're not requesting a bond issue at this moment.

(Hawk) I don't see how you build a new building without a bond.

(Laughlin) It could happen, but that's not what I'm asking for right now.

(Hawk) On the list was money to purchase ground, architectural etc for a new library.

(Laughlin) And that was originally and last year that was in the 2010 I moved it back to 2011. Because I'm actually more nervous about staffing it then I am about building it. We don't have people sitting around. We are very busy right where we are. We have trouble covering our schedule so I'm going to wait and see what

happens with the new taxing structure.

(Hawk) Right, they've changed the laws so much. You can sit in those classes all day long and then go back and there's something different to learn. And so as I said the other evening, "We have been told by AIC that they will sponsor educational time here for everybody so we can learn more about this.

(Laughlin) I'm trying to get a grip what it is from the library standpoint but I hadn't really thought about it from your standpoint and I have no idea what that means.

(Henegar) Of course I'm probably the biggest supporter of the westside branch but I realize we can't do it now we have to find out what falls out in the next two or three years. I support your request 100%. Who in the world would want to sit at a computer more than two hours? I want to thank Sophia for reading those names because I too started out trying to answer each one and it became too much.

(Laughlin) There's a lot of places where you have you file your forms online, there are a lot of state and federal government forms that now must be filed online so if you don't have a computer at home you have to find a public place to do it and we're very heavily used. And we also have people checking email.

(Woods) I just want to remind everyone that this is essentially a request to reauthorize the compromise amount from last year which was significantly less than what was originally requested and that was a reflection of the council's concerns about the library's debt and I think the plan is very solid. I think it is taxpayer and user friendly. And I think these services are going to become even more important over the next year or two as the economy is having a tough time. And the discretionary funds to buy movies, buy books, buy different types of media and information. The alternative is put everybody in the car and go to the library and I think it's important that we help maintain this as a community resource in good times and in bad and I certainly intend to support this. I appreciate and remark at the outpouring of support that comes now two years in a row with the request for the Library Capital Projects Fund. I would hope that there are other issues particularly involving health and safety of our children and other items in the community the State of Corrections, things like that, that we will hopefully see a similar outpouring of support or at least a similar outpour of communication from the public as we make important decisions on what direction to take with that.

(Travis) A few other people I thought I would acknowledge are the Board of Trustee members of the Monroe County Public Library that include Randy Paul, Steve Moberly, Fred Risinger, and John Walsh very good liaisons between the council and the Board of Trustees. And finally we have to mention the staff and the employees of the public library and CATS crew and we're very proud of us on the council who are proud of us on the council who are pro-labor that they were able to negotiate those rough waters to get organized and exercise their right to organize. We have to acknowledge Michael White and we're all part of this family of what makes our library work and here we are.

(Laughlin) They got the top rating on the survey in terms of satisfaction for curiousness and knowledge both, so we really love that.

(C. Newmann) The amount of dollars that we're looking at here in the scheme of things fairly small. But I would like to take this opportunity since CATS is here is the overall property taxes in Monroe County from 2006 to 2007 on the property tax bill and that includes everything, that's about the only place that shows it went up 13%. And I know that this house bill is going to be adjusting that and we're going to be looking at it as we go, as all the counties go into the budget process. But I also keep on hearing that we're in a long term economic decline and we're all going to be changing whether we want to or not. I think Marty addressed this some and I think Michael addressed it some that we need to have the public aware of the bigger picture. Not just the one issue that's in front of you and is not just the council but it's the whole community that has to see where our resources are coming from and where we're going to be able to put (inaudible) so hopefully this will continue to fit in but I can see where our resources are going down.

(Kelson) Our family absolutely depends on the library. We have an eight year old and a five year old at home and we use the library constantly. And it's really important to us and parking is sometimes difficult, but I don't believe parking has ever stopped me from attending a function at the library or from using the library and I can happily walk an extra block if that's what it takes to get in and out of there. I really appreciate the presentation and also I have to thank you so much for keeping in touch with me before this so that we were pretty much on the same wave length of how it would be presented. And we really appreciate the quality of the presentation both at the work session last week that was a bit more informal and this more formal one tonight. And also thanks to everyone who's shown up to support this item and I can tell from the level of comments that we've been getting in emails that the people in Ellettsville are pleased about the prospect of the expanded children's department. So I think that as Charles said this fund is relatively small in the grand scheme of things but I think it has real significance to the long term health and vitality of our library system and it's being used for forward looking things and I believe that's really what we would be using this kind of fund for. So I plan to support it that said as we discussed in the work session last week it is the house bill 1001 changes the way the different taxing units interact with one another subject to budgets. And the Library Capital Projects fund turns out to be the first one in the pool. And so since we have a few months to consider this the council expressed an interest last week and a number of us expressed an interest in holding off the final vote in order to see how everything fits together and I think that would be a wise thing to do. So at this time I would welcome either a motion to table or someone to call the question.

(Hawk) So moved.

(Henegar) Call the question.

(Kelson) We have a motion to table, just in time. Michael reminds me that I had intended to leave time for public comment here.

(Albrecht Holschuh) I'm here to deliver a message from the League of Women Voters from Bloomington and Monroe County to the members of the Monroe County Council.

The League of Women Voters is writing in support of the request for the library for funds for the proposed capital projects. The league believes that the plan to add projectors and carpeting in meeting rooms to update computers used by the public to update the AV area and technology in the CATS t.v. studio will be beneficial and useful for the Monroe County Community. As a frequent user of the library room for public, educational, and informational meetings for the debates and forums and for the use of CATS for distributing these programs to the viewing public the League is appreciative and welcomes the opportunity to support these requests from the library.

Sincerely yours,

Sally Hageman, President of the League of Women Voters.

(Rita Lichtenberg) I'm a long time library fan and advocate, in fact to the extent that I attend most of the trustee meeting and have been doing that for the last six or seven years. There's so many ways to talk to about this library. My mind gets overwhelmed with all the services that the library offers. But I think I'm going just focus on one particular thing. The fact that 86% of our county and city utilize the library compared to 66% in the rest of the country just shows you what a really fantastic facility we have going for us. We don't have to build it from scratch; we don't have to make it enormous investment in it to bring it up to snuff. It is right on top. And we have to watch and nurture carefully and be sure that it stays on top. We're living in an increasingly difficult and challenging times and the library is such a resource for information. I find in a democracy we have to be informed and there's questions about the media. We have all kinds of troubling things happening outside and yet you can turn to the library for information that's accurate and quick. I'm one that's not part of the computer age, I don't live happily with computers. And I depend heavily on the reference department. I write letters to the editor and I check my information through reference. I get quick answers. My husband is often speak your mind of the radio he does the same. I belong to organizations that utilize the rooms and utilize CATS and it's just critical to the life blood and the best things that are happening in this county and city. We can often trace back to the library as a kind of lifeline. So I just want to remind you we have a real jewel here that we should treasure and watch over it very carefully. And I think as economic times get worse we sort of need this community resource when I turn the heat down in the house I sometimes walk to the library so I can get warm. There are so many ways to use this facility and I just want to say my support of the library.

(Jeff McKim) I'm the treasurer for the friends of the library and it is on their behalf that I speak tonight. Before I express our wholehearted support for the capital projects fund proposal I want to let council members and the public know a bit about the friends. Our mission is to support and advocate for the patrons and staff of the Monroe County Public Library by enhancing library collections and facilities

and by contributing to library programming and professional staff development. We have an all volunteer board and make extensive use of volunteers in our activities. Our primary sources of revenue include the Friends of the Library Store and clearance sales, annual membership and donations, fundraising events and income from endowments. Our philosophy is that the Friends and library events and activities should be broadly assessable to the general public. This means that we raise funds in order to make library services and programs free to everyone. This means that we work to provide extra money above and beyond the operating and capital budgets to be able to occasionally purchase special materials and needed equipment. This means that the Friends is an inclusive and grassroots organization. Our annual membership is only \$10.00 and we don't hire professional fundraisers. Some of the programs that the Friends sponsor include staff recognition at the library, retirement and thank you gifts, programs in the children's and other departments, such as the Puck Puppet Player Theater and materials for every child ready to read in the summer reading program, free bags at the circulation desk and an annual grant to the library. This year's grant to the library was almost \$103,000 which funded many important initiatives. For those who have already been involved with the Friends, our members, our generous donors, both of money and materials for resale in the book store we thank you profusely for providing the resources to allow the Friends to support library programs and staff. For those who aren't yet members I encourage you to check us out. You can follow the Friend's link on the main webpage of the Monroe County Public Library to get more information or just ask a board member. Finally and most importantly I wanted to express the support of the Friend's Board for the library's capital projects fund proposal presented here tonight. As citizens as taxpayers as constituents of council members and as contributors of hundreds of hours of volunteer labor on behalf of the library we the board members of the Friend's of the Library wholeheartedly and unanimously support the proposal. It represents a wise and effective investment of tax dollars to support projects that are not glamorous or flashy, but are necessary for the long term survival of a high quality library program that our citizens can be proud of. This proposal supports the mission of the library and will benefit a broad segment of the community. Thank you for listening tonight and we thank you for your support of our public library.

(Cathy Smith) For those of you who know me I don't wear glasses but I'm visually impaired I wear very, very thick contacts. I used to read a book every other day, it was the joy of my life I love it. I grew up out in the country, had a bookmobile, encouraged the Morgan County Bookmobile to come every week instead of every other week. But as my vision has deteriorated the joy of my life remains going to the library and getting the large print books. For those of you who have ever bought them they are very, very expensive. I used to buy a lot of books, read them and donate them to the Red Cross book sale. But now I can't afford the large print books mainly because they are in hardback and I certainly can't afford to buy one every other day. But the library is wonderful they work with me. For instance when I go in right now my favorite author is (unknown) Gregory. Go in there if they don't have a book just tell them could you possibly get this in large print? They are very easy to work with. And they get it and they call you up or send an email when they have it in. And I guarantee you before I get it read in two days as soon as it hits that

online catalog there will be five or six requests for that book. And that's the honest to God's truth, she can tell you it's true. They have one of the best collections of large print books in the country. And I'm very proud to say that I'm probably the biggest user of the large print book area. And those of us who use it everyday or every other day know each other. And so we appreciate that and we would not like to see them have to repair roofs or do anything that would take away enlarging that collection. Because many times those books are...the waiting list are just astronomical compared to the waiting list of other books.

(Kelson) Any further public comment? Hearing none I believe we had a motion to table.

(Woods) Second.

(Kelson) Motion and a second is there further discussion with the council?

(Henegar) We have to reauthorize this every year. So we'll have time to look at this again next year. It's not likely that we'll know much more within a couple of months. So I'm going to vote against tabling, I would like to act tonight.

(C. Newmann) I would support what Warren is saying. There is obvious support for this here, we got too many other things to be doing to come back and revisit this again later. I think we need to move on.

(Hawk) If our financial advisor says we don't have a problem you folks do whatever you have to do.

(Kelson) Do we have an opinion at this time about how this all fits together and what all we're going to have to approve as the different units come to us. Do we have a solid opinion yet as to how everything fits together?

(Unknown) No.

(Henegar) And it's unlikely that we will in the next two or three months this is a process that's going to take us two or three years to really.....

(Kelson) Further comments from the left?

(Travis) Cathy as a financial director do you want to offer an opinion.

(Smith) Well my opinion is always going to be to negotiate. Anything that you can give them at this time is going to help. If you want to see how things will pan out this year maybe you could think of something that you could do now and then possibly try to augment it down the road.

(Kelson) For clarification this is for the 2009 tax year.

(Smith) Right.

(Kelson) So anything we do relative to this motion they won't see the money until settlement in the middle of the year next year.

(Smith) I understand, but what I'm saying is possibly an additional appropriation.

(Kelson) Well they already have their capital projects fund.

(Henegar) Let's just deal with the issue...

(Travis) I could support Warren's thoughts. I don't think it's been an inconvenience for us to table and then visit it when we feel more self-assured as a council. And one of the justifications for supporting this was the fact that this does have to come to us every year and that was something that we felt even the year that it failed we emphasized the importance of this particular fund being more transparent to the public precisely because of this meeting process and the public procedure to get it through.

(Kelson) Last year we tabled it and held it back because there was some controversy over what the rate should be. I don't see a particular problem at this point in holding off for a month or even two months if that's what it takes just to make sure that there won't be.. the thing that I'm afraid of is that there will be controversy over what the rate should be after we've already passed the rate. So I don't think that it hurts us at all. At this point it appears to me that there's strong support for this when it does come back assuming we do table it. And I think that the prudent thing to do at this point from my perspective would be to table it and bring it back at a later date.

(Woods) When does the library typically prepare its budget?

(Laughlin) We're on the same schedule that you're on.

(Woods) Because looking at this paragraph about adding the two levies together for your max levy this will now fall into your max levy, I'm wondering if the library wouldn't want more time to make sure that you have everything gamed out for your 2009 operating budget before we fix this rate and this amount. Because if we fix this amount then you find out that you're going to be short operating we'll have to let somebody go. I don't think you'll be too thrilled about that. So if nothing else it might be a good idea to table it just to give the library more time to have a better estimate of what they're budget will be. We can come back to it in July and pass it then with better financial information. Right now we're just going off of that sounds like a good plan. We do not have good financial information about what they want to do as far as the operating budget or what we can anticipate having done as far as our operating budget.

(Lesh) Could we raise that rate in our prevue? Then just authorize a continuation or reduce it?

(Kelson) We cannot raise it, we can only lower it. The library board approves the

maximum rate and that's the maximum rate. And in part because of this.

(C. Newmann) So we're at the maximum rate that is allowed by law right now?

(Kelson) No. the maximum rate that's allowed by law is .0133 I think. And the current rate is .00709 that was the compromise from last year.

(Henegar) I would call for the question because it's not that big of deal either way.

(Kelson) Question has been called on the motion to table. We'll do a roll call vote.

ROLL CALL

Travis- yes

Henegar – no

Woods – yes

Lesh – yes

Hawk – yes

Kelson – yes

Newmann – no

Motion passed to table

(Kelson) We adjourned the public hearing on the library capital projects fund thanks to everyone for your attendance. Council will remain in recess until 7:15. We will reconvene with item number eight.

(Woods) Mr. President move approval of item VIII – A1 Request for appropriation approval 0101-068 County General Commissioners

0101-068 County General/Commissioners	
30.0025 Professional Services	\$ 20,000.00

(Travis) Second

(Stoffers) With the 2006 amendments to HEA 14-24 each qualifying fire department can receive a maximum annual distribution up to \$1,000 unless the county legislative body allows a greater distribution of funds to fire departments. In this case we're speaking of timber sale proceeds and in Monroe County we have eight entities that are eligible. The county legislative body has allowed \$25,000 for each of the eight fire departments for a total of \$20,000. And we encrust an appropriation of those funds.

(Kelson) Can I ask our council attorney for clarification about the arrival and disposal of these funds? It's a complicated problem

(Flory) We have state forests that rest in Monroe County and some of those forests are being harvested. Trees are being cut down, they are being sold and money is coming in. Under State Statute 15% of the return for what is cut down in a county, of the money being that is obtained by the sale of timber from a county will be returned to the county. So you've got a chunk of money coming back to us from trees being cut down. Of that money that comes back to us 50% under statute is suppose to be divided equally among every volunteer fire department that has a cooperative lease agreement or contract with the Division of Forestry. Now there are some further clarifications on that. State Legislature said that of the 50% that is to be divided equally there's a ceiling of \$1,000 that would go to the fire departments, that's a ceiling. Let's say we've got eight fire departments. If we had \$7,000 to divide obviously they would all get less then \$1,000 if we had \$8,000 to divide they would each get their statutory \$1,000 if we had \$9,000 to divide there would be \$1,000 left over. Statute says if the Commissioners want to take steps to give part of that \$1,000 that's left over from their 50% to deal with they can take action and grant that extra money equally divided among the fire departments within their group. So that would take care of their entire 50%. If they don't spend the rest of their 50% it would stay in the General Fund because that's where the money all comes in to begin with. So you would have \$1,000 left over from what they didn't spend from their 50% then you would have the additional 50% sitting in the General Fund. That money is not earmarked under statute for fire departments or any other specific use. It is simply sitting there to be appropriated and spent by the common Council as you see fit. So I hope that's not too simple, but I hope it's complete and you understand. If you've got any questions or need further clarification just ask.

(Hawk) First of all as I understand the County Commissioners decided they had more money this year than what they've had in the past and they decided they wanted all of the fire departments to fall under this guideline to receive \$2,500 not \$1,000?

(Stoffers) Yes.

(Hawk) And that's the only thing before us right now?

(Stoffers) Yes and we have not as a Board of Commissioners allowed an amount bigger than that.

(Hawk) So that as of right now is our discussion. And that means if we approve this then the check can be cut during claims process and these folks can have the \$2,500 because we got such a delayed tax collection that I think we're desperately going to need it, but certainly \$2,500 sure beats \$1,000.

(Lesh) I support \$2,500 to each of the eight fire departments.

(C. Newmann) Mr. Flory did identify that the statement of (inaudible) is giving 15% to the counties and they're keeping 85%. And that's something that maybe our State Legislatures need to look at. And what I was wondering as a question to the Commissioners, of the \$2,500 that you're wanting to allocate this year and this is the first year and I'm glad that you're seeing the availability because we have \$57,000 increase over last year when there was \$30,000 and we got the \$87,000 this year. So they're cutting three times as many trees in the State Forest in Monroe County alone. But when you came up with the \$2,500 compared to \$1,000 that's been allocated in the past was there any kind of a need study done to determine if that amount of money was needed for these fire departments?

(Stoffers) Not at all we found we had the ability to increase the disbursements among those fire departments by 150% and we thought that was a good way to proceed. You gotta understand that \$2,500 is a consensus. Monroe County has no (inaudible) we have to get consensus of the Board of Commissioners and that's the number that the three of us agreed to.

(C. Newmann) So no study done by the Commissioners to determine the needs of the fire departments?

(Stoffers) No and I'm not sure that would make any difference because it says the money has to be disbursed equally. So the fact that there may be a greater need on one than another quite frankly is irreverent other than you increase everybody.

(C. Newmann) Or if there was a need for the entire \$43,000 to be distributed.

(Stoffers) Yes that's true, but I don't think that goes to what you're saying. If you have a needs assessment and you find an entity has more needs than another, the statute doesn't allow you to give that entity more money. It allows you to give all the entities more money.

(C. Newmann) I understand that perfectly well and I would say if the council is going to be doing a needs assessment then I don't know how the Commissioners are any different for allocating their entire \$43,000. There is probably more than \$43,000 worth of needs out there in fire protection in this county. And you're only allocating out \$20,000 of it.

(Stoffers) We've only allocated \$8,000 and twenty years before that I think 150% increase is pretty darn good.

(C. Newmann) It's all very arbitrary. And where this came to my attention was in the October 16th issue of the Spencer Evening World. When the Owen County Council and the Owen County Government after they received notification from the Department of Natural Resources of their check in September. They immediately appropriated 50% and then the other 50% the entire 100% on October 16th and that was eight months ago. And that's the same time line that Monroe County could have distributed this money instead of keeping it in the General Fund and the County collecting interest on that at that expense of the volunteer fire departments.

(Flory) I do know when the money first came into the Commissioners this was Patrick's immediate response, we need to up the amount that we give to the volunteer fire department. That was his gut response. I think it was a response that everyone would agree with. At that very time we were becoming aware of how much more our health costs had been in 2007 then we had appropriated money for and we were very concerned about how much money we might want to put back in the reserve fund as a safety net or cushion. So that was another valid response. And I simply broached the possibility before you spend everything maybe we need to get a better handle on what these expenses are going to be and if this is a windfall then do some sort of balance saying, here's a good use for it and here's another good use for it. So that's the context in which the Commissioners came forth with the dollar amount that they finally did come forth with.

(C. Newmann) Did they determine that back in October?

(Flory) I think that was in January.

(Travis) I think that the nature of this opportunity that we have to allocate this funding and to look at why we get the funding is something that I hope from here on out becomes more of an annual event. I assume that we will get this kind of logging money in an ongoing way because there's certainly aggressive logging that is continuing to take place. So to that end I hope that maybe an outcome of this discussion is that we all work together and I think we talked about that in the Commissioners staff time yesterday that Council and Commissioners especially have to work together. But now that our fire stations are aware of this opportunity and that we have a transparent public process where the public also understands where this money comes from. Because that's not really powerful to a lot of us, we may have signed a petition in the fall to oppose the back county logging in Morgan Monroe Forest and unfortunately that petition failed. And the DNR is still continuing to look at really aggressive logging in Monroe County. And it's going to be around reservoirs and sensitive water sheds. It's ugly money as well, but if we can put it to good use for our small fire stations then we need to have really good public discussion about it.

(Kelson) I'm supportive of this appropriation. I think the Commissioners have done a sensible thing and done an appropriate thing by raising the amount from \$1,000 to \$2,500. I think that was an appropriate thing for them to do. It was obviously within their discretion to decide by whatever mechanism they please how to spend that money and how they wanted to allocate it. I think all of us this year have been, and we've taken this up in Council that we are concerned about this condition of our General Fund. We are concerned about how much money we have on the books because for a lot of reasons outside of our control and certainly a lot of reasons outside this councils control we really have concerns about exactly how much money we have going forward for the rest of 2008. So it is perfectly reasonable for the Commissioners to decide to allocate any amount of that money. And I think they did a sensible thing by essentially splitting the difference on that. It helps the departments and I think while still paying attention to the fact that this is General Fund money. This is miscellaneous revenue just like the money that I put in that pop machine when I bought the orange juice tonight. The Commissioners and the Council work together, I think in a constructive way to figure out how to get this done. As far as what other counties do, there's lots of things that we do different from Owen County and we can do as we choose on this thing. If the legislature had

expected every single one of these dollars to be used for any single use they would have said so in the legislation as they do with lots and lots of other funds. So I think this is an appropriate thing and I am going to support it. Is there any public comments on this item? Hearing none, back to the council for the question.

(Henegar) Call the question

ROLL CALL

Henegar – yes

Travis – yes

Lesh – yes

Woods – yes

Newmann – yes

Hawk – yes

Kelson – yes

Motion passed

(Woods) Mr. President move approval of item # VIII – A Request for Creation of New Budget Line Approval, *Iris Kiesling, County Commissioner*

0101-068 County General Commissioners 30.0046 Green Expenditures

(Travis) Second

(Kiesling) As some of you know we've had some discussions about doing some things to make us green and to take the bus and to some investment in hybrid cars and to reduce our use of fuel and so forth. It has been suggested by Joyce Poling about the possibilities that we ought to have a line specifically for these kinds of expenses because they might be a little bit more than our usual cost. We would like to create a line and one of the items that I thought could happen since we're not very happy about all the timber cutting that maybe a little bit of that money ought to go into that line. I have no amount put in there at this time. We want to create the line so that as we come forward with some expenses we might want to put it... have you appropriate some money to go into that line so this is basically to create the line.

(Lesh) We're not talking about where any money would come and fill that line at this moment?

(Kiesling) Not yet, we haven't found any money. That's a problem and we need to all talk about it and I hope you all will have some input in that.

(C. Newmann) So this didn't come up in the discussion of the other \$23,000 of the Commissioner's money is going into this green initiative line?

(Kiesling) Not necessarily, but I have suggested it, but that's my personal suggestion.

(C. Newmann) Would the Commissioners support the line in the Parks Department budget, because these monies are derived by the death of trees to put it towards a forest perpetuation in then Parks Department underneath the Commissioners.

(Kiesling) I guess it's a point of discussion. I don't know anything about that.

(C. Newmann) I tried to get it on the agenda tonight. I guess maybe it might be coming up in June. I'd like to talk to the Commissioners about that.

(Travis) It would be nice if it were a sustainable green line as well. Financially sustainable would be the ideal reflection of it.

(Hawk) At this point and time if you have a claim that comes in that you feel like would be appropriate to be paid for out of this line you could just transfer down to this line and there by be able to keep a better track of knowing what you believe are green initiatives. It doesn't mean you have to do an additional appropriation. It just means you take the money you have now and re-work it.

(Kiesling) I would assume we would do that in concert with the president or someone else on the council.

(Hawk) I would just be very cautious not to run out of money.

(Kiesling) We are also subsidizing the Human Resources Department office. We are already taking money from our own budgets as it stands now, so we're very conscience of that.

(Woods) I guess I'm still a little confused about the purpose of the line. Is the idea that if a compact florescent bulb costs three cents more than an incandescent you get the three cents out of this line?

(Kiesling) Probably not in that sense, I'm looking more at the hybrid issue because we are spending about \$4,000 more.

(Woods) A hybrid costs \$4,000 more than another small car that was requested. I don't understand why we need a green line to do environmentally and fiscally smart things. Like buying more efficient light bulbs or buying more efficient cars. That should be standard practice and all budget lines for the fiscal as much as the environmental reasons buy as resource efficient as possible. And that's my thought; I guess I don't understand what the purpose of the line is beyond that.

(Kelson) First of all if we do have a line like this I don't know why it's not a forty because you don't buy cars out of the thirties.

(Kiesling) It was done so quickly I wasn't there when they put this into your packet.

(Kelson) As I recall the discussion that we had in the work session was Commissioner Poling was more or less to have the green line be a line that is in each department's budget where if the department took a step beyond an expenditure they would have done otherwise. For example; say the Highway Department could have bought a small car for \$20,000 but they spent \$24,000 what they would do is they would come to us at budget time and they'd ask for the \$24,000 for the hybrid that would be their budgeted amount. But the green line would be a kind of a non-binding line that just contained a listing of the additional expenditures that we made towards green initiatives. So it wouldn't be a budgetary line but more or less a place holder where when the department comes and says we want to spend more money this year because we're doing green initiatives but they can point to the green initiative number for council's attention towards the bigger scheme of things. And I suspect that that approach might actually work better because then it encourages all the departments not just the Commissioners to do it. And we don't get tangled into what Councilor Woods has just brought up that it's not a place where we're going to spend out of necessary it's more of a placeholder or something to that affect that allows you to just keep track of what you still have to do. So if a department comes to us and says, "Here's our budget and 2.5% of it is green line money that we're spending that is perhaps something a little extra but this is why".

(Flory) One other point too, we're looking at some contractual services that might very easily be drawn from this line. So if the line were set up in the 4000 capital line then we'd have the reverse problem.

(Kelson) When I saw this my first thought was the idea would be out of a line like this you would do things like pay for an energy audits and stuff like this. And then you're explicitly accounting for that's why you did it. But how you execute it I think is a complicated thing.

(Travis) If we approve this maybe as a first step towards the departmental lines being created in the annual budget session would that.. is it poor budgeting for us to look at it as symbolic first step?

(Kelson) I'd be interested in hearing the financial impact from the Auditor's table. How do you see this sort of thing working from a financial perspective?

(S. Newmann) I feel we should wait at budget time and then you guys talk and then look at the whole picture instead of trying to create a line now.

(Smith) There's probably granting opportunities and matching opportunities and think it's really a field that needs to be explored. But I think it's a great idea I think the logistics of it. And I think you'll find it's going to be able to be used for many different things.

(Kiesling) We do have a couple of things happening. I just mentioned we bought a couple of hybrid cars which costs three or four thousand dollars more and we've been talking to Duke Energy for an energy audit at least for this building but we're looking for the rest of the building. As you know our responsibility is to maintain the buildings and how do we reduce that cost of energy all across the board.

(Kelson) Those things I think everybody here thinks are important to do. And I think the question this is really an accounting question. And how do we account for the expenditures we're making? And I think that a good discussion to have and I'm not sure where that discussion ends up. But I think it is something that certainly for the public's interest and for clarity it would be a good thing to account for in some fashion.

(Kiesling) This would be a start.

(Hawk) I have concern with this because I think it's the process. If the public looked at this and the only thing we could think of because we are accustomed to

doing that was maybe we could put what we're paying to the Green Business Network we could put on that line. Well then maybe the public believes that's all we're spending on green initiatives when indeed we ought to be doing a lot more than that and we're just not thinking about which line item it goes in. So I don't know whether this is really going to give us what we want. I don't have an objection to it. If you want to have a separate line, but I think you have to be cautious as not to believe that that's really all were doing for green initiatives.

(Kelson) I don't think I'm necessarily support this item. I think it probably should be thought out at more general perspective. That's my opinion. But I'm definitely interested in having some sort of accounting for green initiatives in the county and I think we need to be doing more of them.

(C. Newmann) I agree this needs to be more specific and our instructions here they could have used up to ten sentences and basically we've got one sentence here on what this is to be used for. The purpose of this expenditure would specifically be an item that benefits our environment, that doesn't tell me anything.

(Henegar) Call for the question.

(Kelson) Question has been called.

ROLL CALL

Woods – no
Hawk – no
Newmann – no
Travis – yes
Lesh – yes
Kelson – no
Henegar – yes

Motion denied.

(Wood) Mr. President move approval of line VIII – B Request for appropriation approval 0101-061 County General/ County Council Budget line 30.0012 Budget Line Community Services \$43,773.96

(Kelson) Before we have a second we are overdue for a brief break.

(Woods) It is now past 7:45 so by rule the meeting is to conclude on a majority vote.

(Henegar) Motion

(Travis) Second.

Motion passed to conclude meeting by voice vote.

(C. Newmann) As you know I've been pursuing this and I'll be quite honest I was... knowing that there's volunteer fire departments they're greatly stressed in this community and that are not receiving any tax base and the other small volunteer departments have minimal tax base. And that was my initial interest in this. But my follow on interest in this is for the awareness of the public and the council that the council can take initiatives that we are not totally dependant upon another department. Bringing in something to us, we are the keepers of the General Fund and if we see needs in the community that the General Fund needs to address then we have that opportunity to bring them forward. The background on this is that there has been a \$57,547 windfall to the county that we never, ever projected. And as Mr. Flory's explained there is the law there that requires part of this to be spent for volunteers fire departments, I've given the example of Owen County. And Mr. Keller that operates this logging up in Martinsville for the division of forestry will be doing a study of all the disbursements of this across the state to see how it will be disbursed. And that will be giving a guide maybe to some of the other counties on how they might be able to use this. In the past when the Commissioners appropriated 8 out of \$30,000 and the other \$22,000 went into the General Fund it was just lost. There was \$8,000 given out to the fire departments a minimum token amount and the rest of it was just lost. I won't talk about the need for tree perpetuation because that's up to the 85% of the money that the state keeps. But I believe that the council does have the authority to allocate from the General Fund this is \$43,000 of the \$57,000 windfall that Monroe County has received. And if we're going to be going into a protracted discussion of how this is suppose to be allocated out based upon the perceived needs of the fire departments then that's the real reason for this discussion so that we might give the people that came here this evening and other people that might be participating in this some guidelines of what we are going to be looking for in their submissions. I do not believe we have any previous history of this. We have just this year taken over the social services funding and we don't know how we're going to allocate that either. And I've already pointed out that the Commissioners have allocated out their portion of this funding without ever doing any kind of a needs study.

(Travis) I think it was made clear that the Commissioners step that we approved is based on the equal portion that they are required to give out. But we do have an opportunity here to do something proactive and I do worry that we're probably going to table this for further consideration to finesse a good public process and to do this with consciousness' budgeting practices in mind. But this is a really good example of where county government and those of us who are elected officials who stay in good contact with our constituents still do some of our business the old fashioned way, over a cup of coffee. And there are several of us who have gone to the Indian Creek pancake breakfast and we get to know our neighbors, our citizens out there. And people like Charles, myself and Warren who I have seen out at these events we know that Bean Blossom, Indian Creek and Benton, which I do not personally know as well have critical needs. And I think this is a proactive thing we could work on together.

(Lesh) I councilman Newmann's proposal he's saying all \$43,773 be divided up among these three townships, but isn't that the 50% that we've already used up \$20,000 of.

(Kelson) No, this is the other half. The Commissioners have the authority to allocate the first half of it.

(Lesh) And they didn't use up all of that half?

(Kelson) No they did not.

(Travis) Mr. Flory explained that thru the strange way that they have to do that equally regardless of what portion is left over.

(Henegar) And the remainder will remain in the General Fund.

(Lesh) So the \$43,000 less the \$20,000 to the eight fire departments, the remainder of that will stay in general, no question about that. We're talking about the other \$50,000 of the \$43,000 now. I would like to see more of a due process here and that there be some kind of a proposal type of process for the funds.

(Hawk) Just that for us to be discussing it this evening and only three of the eight departments were notified to show up, they'll have to play catch-up.

(Kelson) Neither the officers or the council nor the council office asked anyone to come to discuss this item. This item was added to the agenda, it was unadvertised. And that's why I think there wasn't a larger contingency.

(Hawk) I'm not finding fault with you Vic whatsoever it's just that if anybody at home is watching this and they think they have real needs. We have to be very cautious from where we're sitting here on the council because these are public dollars. It doesn't matter where the dollars come from, they are public dollars. They need to be decided in public, it is not my dollars, it's not Mr. Newmann's dollars, it's the public's dollars, so it's important that we understand what the law says that we can or can not do with it. What the Commissioners plan was to do with the money as well. And for us to have full understanding of what our obligation is and what our desires are. And clearly those of us who are connected with the small fire departments have an emotional pull. We want to do a lot of things that we have to set back and say, "What can we do, how much can we do, and what part is fair"? And I'm just glad to know that there's the opportunity to do more than \$1,000. To get you past the hard time and then let's talk about what's fair to everyone and in order to do that we have to have a whole lot more people at the table.

(Henegar) I support this of course. And I'm big a supporter of the volunteer fire departments. And this is one way we might almost make a meaningful contribution of the three small 100% volunteer fire departments.

(Woods) I support this in principal as well, but I don't think even if we wanted to vote on it tonight we could. I think this has to be an additional appropriation, not an appropriation and it wasn't advertised as such. So I don't know that even tabling it to the next meeting would suffice. I think it has to be withdrawn or voted down and then re-submitted and advertised as an additional appropriation.

(C. Newmann) Could I get a reading on that from our council attorneys since the Commissioners request was for an appropriation and not an additional appropriation?

(Kelson) Actually the agenda says a request for an appropriation, but the documents say, request for additional appropriation.

(C. Newmann) Mine says, request for appropriation approval.

(Kelson) If you read the text of it, the text of it says, more money is needed. It was written as an additional.

(C. Newmann) Well still do we get a determination from the legal side that this is an additional or an appropriation?

(Flory) After discussion with Jeff Cockerill earlier and other attorneys, it does appear that this may well require a different level of advertisement then it is currently received. This came to my desk at 9:00 yesterday morning and I was actually at the time dealing with other issues that took priority and I didn't have a great deal of time to sit down and do a great deal of checking into it. I did check into it and received indications that it would be okay to go forward now on further reflection and discussion it does seem to that could raise a problem.

(C. Newmann) Could you give us a definition of what an additional appropriation is?

(Flory) I'll be glad to supply you one at your next meeting.

(C. Newmann) So I understood that this is an appropriation because the money has already been received by the county.

(Flory) It's been received and placed in the General Fund. And it's different from the lower 50% which is received with statutory instruction as to how it is to be distributed. And even that was apparently advertised to a certain level to make it acceptable.

(Kelson) We have lots of miscellaneous revenue streams in the county. And we have lots of them that fall into the General Fund. Monies that go into the General Fund must be appropriated by council. And if they were not part of the 2008 appropriation they must be additionally appropriated by council if we're going to spend it in 2008. Notwithstanding the discussion we had last month about the timing of the budget order, if we're going to spend... the statute says that these monies shall be deposited in the counties General Fund and so I think Michael came up with one example of monies that could be spent by council without it being an additional appropriation. But this wasn't it. I'm troubled by the procedure here. I like everyone else I live in Benton Township and I see folks from Benton Township here and I know they have needs and I know all the other volunteer fire departments have needs. So in principal I have always supported the notion of trying to find ways to provide more money to the volunteer fire departments. My concern about this particular resolution and I brought this up to some degree earlier

and I tried to bring it up before the meeting is the procedure that we use. If it's an additional appropriation it should be advertised. And even if it would have been legal for us to spend this money and I don't know whether it is or whether it isn't to spend it without having an advertisement in our agenda or without having any sort of back channel discussions of it amongst council members or having bedded it in a work session to have this to just land in our laps like this with no advertising is just not the way we should do things. I think its poor budgeting policy to do that because it puts council in a position of having to either spend all the money or not spend all the money. Now a couple of people here have called this windfall money or found money. If I'm walking down the street and I find \$100 on the ground I can give it to anyone I like or I can put it in the bank to save it for a rainy day. And that's what this council exists for. To decide whether county money should be spent immediately even if they're windfalls or whether they should be saved and used for something else, that's what budgeting is. So my feeling about this item was that it would be better if we drop it now and bring it back as an additional appropriation request. And by all means that additional appropriation request as we said this is found money. If council wants to spend this windfall such as it is there maybe other priorities. It's up to the council to consider all the priorities that might go in. One council member might say it's all the fire departments another might say it's only the three another person might say it's only one another person might say that there's something else that we need the money for. So I would like to see this discussed in that frame work if possible. And I will not support the resolution as written, although I would certainly be interested in discussing and would be interested in supporting a future additional appropriation request specifically for the volunteer fire departments or even perhaps the budget line in the 09 budget.

(Cheryl Munson, Indian Creek Twp) I'm an elected official in Indian Creek Township and I've been taking care of the appropriation job for over thirteen years and I know very well about appropriations and additional appropriations and I do believe I'm the only person in our township government who does so. We've had a lot of problems with a lack of appropriations. I want to say something that I think it's important for you to understand and that is that the small rural townships are very close to meeting their maximum levy and their needs for fire protection are disproportional to their general fund expenses compared to the more urban township and this poses real problems for the future. Everybody's going to be grappling with the legislative constraints on property taxes. That being said why should you all be concerned with three small volunteer fire departments in the rural areas. I think this is because these departments are the ones to respond first to timberland and brush fires, which endanger our state forests and other timberlands. These are the departments who get out there because they have these kinds of fires

in the areas that they serve. Secondly, the small fire departments have been grouping around the state into fire territories, fire districts and when this happens the cost of fire protection increases. It increases for all the citizens in that service unit and so as an incentive to the fire departments to keep them going with the small appropriation. This does serve the constituents of every one of you. It helps everybody in the county by holding fire protection costs low. And it's not just fire protection that is an issue. We call it fire protection, but it really is public safety. Because the fire fighters especially in the rural areas are the first people to respond to medical emergencies and you all know what this means time is very precious and we need these people out there.

(Mr. Munson, Vice President of Indian Creek Board of Directors) I must say I was intrigued when I heard the proposal that Charles presented to us. Let me address something else kind of a related issue, but part of this. I've heard a little bit of talk around about the way these monies should be, might be appropriated among the eight volunteer fire departments that qualify, specifically to let them present their needs and then judge on the basis of what they present, how much goes to which department or which one get money or whatever. I was a college professor for forty years. I served on numerous emissions committees and awards committees where we had to evaluate those sorts of things. Don't subject yourselves to this folks. You will be here all night looking at power points and a whole parade of supporters of each of eight fire departments. Don't subject me to it because I'll have to be here to listen to you. In fact I'll be one of them that's making a case for Indian Creek. But it will take all night and at the end of that night you'll say, "I don't know how to do this, let's just divvy it up equally". And if that's what you're going to do, do it. Just do it right now and be done with it. But I hope that you don't do that either and I do hope that you look at the three of us that are here tonight, Indian Creek, Bean Blossom and Benton because we do have a need that's expressed in a different way and that is because we're small rural townships we don't have much of a tax base. Indian Creek Township has 615 residents, there are 615 families living in that entire township. There's only so much you can hit them with in terms of supporting a fire department. So our financial situation is always going to be low out there simply because we have so few people. And it's because we don't have an urban component. I don't know what Bean Blossom or Benton are number wise, but I suspect it's generally similar to that, so this proposal to give all the money or a bigger share of the money to those small townships. I do think it has a lot of merit because a little bit of money there is percentage wise a tremendous amount of their budget. You can give \$5,000 to some of the big urban related fire departments and it's one percent or less of their overall budget. That's

not the case with us little guys. Hope you can think in those ways when you come to considering how this money is going to be distributed.

(Hawk) I hope you'll lobby the Commissioners and they will bring their suggestion to us. That's what I would like to see.

(Dee Owens, President of the Indian Creek Volunteer Fire Fighters Board) I just want to thank the Commissioners because \$2,500 is a 100% increase in our budget. We really appreciate it because as you all know in our particular case our budget right now is zero. I heard mentioned tonight health and safety as being important to you, I heard up here gas, well diesel gas in \$4.25 we can't even afford to go to town to get gas. So we understand that and of course with the property tax changes all the fire units know and have been told very carefully by State and other associations that they better get ready to start laying people off of their fire departments because there's not going to be enough money to run them. And so at no time did I know of have volunteers been more valuable then right now. And we want to make sure that we keep them going. In fact with fire service 70% of all fire suppression is done by volunteers not by paid people in the country. We want to thank you for whatever you can do, we'll be very thrilled to have help with that. I also appreciate all the members, who especially Councilor Newmann for taking this on because it's not an easy topic, we know that. And there have been a lot of things that's been controversial and apparently that's not going to end today but I appreciate taking it on because I know it's tough.

(Steve Summitt, Fire Chief of Bean Blossom/Stinesville Township) Just the idea of you guys thinking about us and our needs is wonderful. Most of us in the smaller departments we are in the corners of the county. And not only besides fire and EMS we help with so many things in our community. A lot of stuff revolves around the fire station and the school and the store. We are a contracted department thru the township and thru the town of Stinesville and our budget is about \$51, 000 - \$52,000 a year. And with that we have right at 30 volunteers over half of those are EMT's. 85% of our department is certified fire fighter one or two or equivalent which is like one of the higher levels of certification. And most of this is all done thru volunteers. And in the last couple of years we have tried to have a paid driver on station during the daytime hours which has helped our response time tremendously. And we have very good response time and our people are very proud of what they do with what little they have. And I'd be willing to sit down with anybody to discuss anything about what we do, how we do it.

(C. Newmann) Indian Creek had some thoughts on the process that we're going to go through would you be able to comment on the process or be willing to participate in a process of identifying how we as a group up here could identify what the real needs are because we are not set up to do that yet.

(Summitt) I would love to do that.

(C. Newmann) Would you be willing to serve on a committee? And that was my primary purpose in getting this discussion going tonight is so that we will come up with some sort of a format of how close you are to State Forests, what you're funding level is, what your needs are because this is all new terrain for this entire council up here. If we're going to be going through this sort of needs study process.

(Summitt) Yes, I would be more than happy to do that.

(Hawk) Because we don't have any budgets to work on with no help to do the budgets. Who said our half? It's County General just like anything else.

(Kelson) What we're talking about here is the \$43,000 plus or minus of the \$87,000 plus or minus of timber sales money that the Commissioners did not have authority to allocate. That's what we're talking about. And it's silly to call our half but this money simply fell into County General the \$23,500 that they didn't allocate didn't fall into County General until we approved their allocation.

(Hawk) But if they decide to go ahead and allocate anymore of that \$23,000 it has to be split equal.

(Kelson) That's right and they would have to come here for an appropriation. But the other \$43,500 we can appropriate for anything we can legally do.

(Steven Staggs, Indian Creek Fire Chief) I'd like to thank the Council for the money, we desperately needed it very bad. We're all volunteer, none of us are paid. At our fire station a lot of the training and stuff comes out of our own pocket. For instance just one class is \$500 I just spent \$1,600 going to EMT class that's out of my pocket. We don't get any special funding so the \$2,500 really helps. It's hard enough to get volunteers to stay and I was talking to a couple other fire chiefs when you do get good recruits, for example, we don't have gear to put them in. Gear is extremely expensive. So any money that we can come up with is greatly needed.

(C. Newmann) What's been your traditional budget in the past?

(Staggs) About \$55,000

(C. Newmann) And that was up until this year when it was zeroed out and you have absolutely no money?

(Staggs) No money at all. Bean suppers and fish fries, which by the way we're having one this Saturday from 4 – 7. We desperately need help. The small fire departments are struggling really badly. And we need them out there. The response time, we're the first on scene. A lot of time Bloomington Hospital they're fifteen or twenty minutes behind us. Fifteen or twenty minute's time in a medical situation is a lot of time. Any donations you can send to Indian Creek Fire Department in care of Dee Owens 8019 S. Rockport Rd.

(Marvin Richardson, Benton Township) Benton Township is a little different. We have Benton north and Benton south. We have a long response time to get to the North Shore and that's part of the reason we have Bloomington Township mutual aid with us. After we take out our expenses we have \$7,672 left to pay for fuel and upkeep on the vehicles and upkeep on the radios and stuff.

(Travis) As a rural resident of Monroe County at one time I could expect mutual aid in fire protection service from Indian Creek Township and that's why I have this particular affection for Indian Creek Fire Fighters and the volunteer work that they do. Now I have to rely on fire protection that comes from further away and that also includes the really important points that have been made by everybody that it's the other health and emergency services that will have to come from a further distance. And those are really, really serious concerns for rural residents. And I actually didn't know that Indian Creek was so sparsely populated. It's one of the most beautiful townships in the county and the point was made about fire fighters having to be trained and knowledgeable about the vicinity and how to get to the places that they know because its where they live. It's important information for people who are urban dwellers of Monroe County to be sensitive too.

(C. Newmann) I would like to ask the council where do we proceed from here?

(Kelson) I have a suggestion and that is at this point we drop this proposal and bring it back as an additional appropriation request next month. Having discussions amongst council members for priorities and discussing it at the work session and

then we bring it more fully formed to the council meeting next month. That would be my preference. We don't even know if we can legally appropriate the money. I suspect we can't at this point.

(Henegar) What would happen if we voted on this and it passed and then it would be decided if it was illegal then could we bring it back up next month?

(Kelson) Sure, but I would prefer that if we're going to bring it up next month we just bring it up next month. As I said my opposition, I am very heavily in favor of sending money to volunteer fire departments. I think it needs to happen and I would like to prioritize the three rural ones. I would like to have it happen in a more deliberate and well advertised form.

(Travis) Could we suggest a committee?

(Kelson) I would welcome that suggestion that we have... as long as it doesn't have to vote because that gets so complicated with open door. I think Councilor Newmann has showed a lot of interest in that and I know Councilor Henegar has shown a lot of interest in this as well as Sophia. We can also work with the departments themselves. Just get some people together to talk about what kinds of things we can do and what kinds of things it could be used for just for the purpose of doing that. I think its likely that we're going to do something and I don't know how its going to divide out in the end. I'd like to see council members working with the chiefs to move something along that we can talk about next month. I would welcome the opportunity to do that.

(Hawk) The reason why it might be really urgent, if we read from the Bean Blossom township remaining balance of \$2,931 negative and that's not counting maintenance, repairs etc. So I'm sure they're all facing the same thing.

(Kelson) And I think it's a sense of urgency certainly here in council and I'm grateful to Councilor Newmann for bringing this up in the work session the other night and for plunging ahead with this. But I would hope that Charles, Warren, Sophia anybody who wants to work together and try to talk over the kinds of things we can do. And we can bring this back next month.

(C. Newmann) So this would be a sub-committee to advise to make a recommendation to the council.

(Woods) If it's a sub-committee to make a recommendation of the council then it's subject to open door and we probably ought to give it a name. And I wouldn't

oppose creating such a sub-committee because we're going to need a committee to examine and make recommendations considering the rest of the community services line as well. So I would move that we create the community services sub-committee and appoint Warren, Charles and Sophia if they'll accept the appointment.

(C. Newmann) I would add President Kelson to provide the guidance and the leadership for this committee.

(Woods) You can't have a sub-committee consisting of a quorum of the council.

(Kelson) I would certainly be happy to talk to any of you about your suggestions.

(C. Newmann) I will relinquish my seat to the president.

(Woods) I strenuously object to that. The call for these procedures and developing this initiative and developing procedures to carry out this initiative was yours I think it would be quintessential for you to be on that sub-committee.

(C. Newmann) I beg to differ. I was given a tasking to lead this by President Kelson.

(Kelson) We have a motion to create such a sub-committee is there a second?

(Henegar) Second

(Kelson) We can appoint another member if Charles doesn't want to be on it at a future time.

(Woods) Call the question.

(Kelson) Question has been called we'll do a voice vote.

Motion passed unanimously by a voice vote.

(Kelson) With regard to the motion on the floor that is item VIII – b. The immediate appropriation of these funds what's the disposition are we going to pull it or are we going to vote it down or vote for it?

(Henegar) I'll call the question.

(Kelson) Question has been called.

(C. Newmann) When Warren calls the question what question are we answering here?

(Kelson) On the appropriation request to approve it tonight.

ROLL CALL

Henegar – yes

Lesh – no

Travis – yes

Hawk – pass

Newmann – yes

Kelson – no

Woods – no

Item failed.

(Kelson) It is now 8:35 I think we will be in recess until 8:45.

(Woods)Mr. President we have used our allotted one hour of continuance previously approved by the council and it now requires another majority vote to continue the meeting.

(Kelson) Is there a motion?

(Henegar) I'll move that we reconvene the meeting for another thirty minutes.

(Travis) Second.

Motion passed by voice vote.

(Woods) Mr. President move approval of item IX Coroner,

Request for Additional Appropriation

0101-007 County General/Coroner

30.0005 Autopsies

\$ 30,000.00

(Henegar) Second

(Dave Toumey, Coroner) Again as I have done every year for the past seven years I've had to come back for additional appropriations for my autopsy line. What has happened in my office is we've had an increase in cases. The cost of what I'm doing has gone up and I think the hidden cost that I was not able to expand on last year during the budget hearing was the actual cost of us using the hospital facility and the increase that I saw from both the pathologist here in Bloomington and the hospital that we use in Terre Haute. Traditionally for years and years and years we were never assessed a fee for using the actual facility, the hospital itself. Beginning in the early part of 2008 the hospital began sending me bills for the use of the facility at the hospital here in Bloomington and Terre Haute. So not knowing that that was coming down the line when we did our budget it's really, really taken an impact on my budget. Also as I've pointed out in the past we are seeing more and more forensic autopsy's being performed. Traditionally in Bloomington we've got your natural cause deaths the ones that are not going to require any sort of medical/legal investigation of any sort. When the pathologist and I meet and discuss those cases and decide that there is going to be perhaps some litigation they always stand aside and allow this to be done forensically in Terre Haute. Last but not least, there's been a lot of conversation about why can't we do this in Bloomington? We did at one time 25 to 30 years ago. As of today to my knowledge there are only ten forensic pathologists in the State of Indiana. That's 92 counties and ten pathologists. I try to keep costs down, I move money within my budget line to try to keep those costs down, but I can not control what needs to be done.

(Henegar) Call the question.

ROLL CALL

Woods – yes

Henegar – yes

Kelson – yes

Hawk – yes

Lesh – yes

Travis – yes

(Woods) Mr. President move acceptance of the Department of Child Services

Semi - Annual update

(Henegar) Second

(Doris Parlette, Dept. of Child Services) I'm here with Monroe County accountant John Arnold. And John is going to present the budget update this evening.

(John Arnold, Child Services) You should have received by email our report. The main item is the three year comparative which is for 2006-2008. And the main thing to notice from the comparative is that we continue to do well in reimbursements. We increased reimbursements by close to \$100,000 in each of the three years of this report. And our spending is pretty consistent it's in the 2.5 to 2.7 million dollar range for each of those years. And our cash balance on March 31, 2008 \$1,735,869.00 but the reimbursements

for March we actually didn't receive until April 2nd so the true cash balance actually is \$1,923,909.00. Since those reimbursements actually were for March but for some reason we didn't get them until the 2nd day of April. We really do need to count them in as the first quarter. On the official report that we sent to the state, which this report is designed to match won't show that until April. And the debt that we had outstanding is just about the same. So we're really about in the same position we were two years ago. We list the number of children we have in our substitute care categories. And as you can see we are in the 150 children range for each of these three months so we're being very consistent there. The number of children in foster homes went up slightly and then the number of children in institutions stayed pretty much the same our average was 158 for those three months. We still have a number of children in therapeutic foster homes, however the number is not as much as it has been in previous years and we have a few probation children in therapeutic foster homes. And then if you go to the wards in institutions we are a little higher then we have been in past years when I've done this report because there have been times in the past when we've been around 200,000 for the wards in institution, however what I'm reading from now is the first quarter 2008 summary page where it lists all the different months. But we are close to the \$300,000 a month range for the wards in institutions. And then we also are including in this report 2007 and 2006 with the different quarterly comparatives and you can see how we are doing in relation to the previous years.

(Hawk?) Where's the psychiatric report?

(Arnold) A report of the psychiatric fund, you're interested in that?

(Hawk) Well, I just wanted, that's, we have to keep an eye on that because I don't know how we're doing. I thought that looked like that money was about gone.

(Arnold) That's correct. That money is very nearly gone. We, we didn't prepare a report on that tonight but we, the last, the last billing we got from the State substantially exceeded our expectations of what that is. As you recall, that's the fund where the children can be taken to psychiatric hospitals by their parents and then the first we find out about it is when we get the bill for the State for the matching share.

(Hawk) The reason I asked that is, I think the legislation changed so that that money can also be used for in-home psychiatric care so I'm wondering if our billings are going up a great deal because of that. And, also, we know we're not gonna have this on taxes for 2009 so, but if we have a bill that we have to pay that's accrued for this year, it will be out of our dollars so we have to figure out where to get it so it's important that this year particularly we keep an eye on these funds.

(Parlette) If you would like that in our November report, we can certainly do that.

(Hawk) Right, I mean, do what, do you think we can just take money from the one fund and put it in the other if we run out?

(Arnold) That, that is allowed by the law and so if we find that we don't have enough money to pay our bills out of that fund then certainly we'll consider borrowing money, or having the Family and Children Fund loan to Psych Fund money. But we'll have to take a look at that and see if we need to do that. We haven't really looked at that at this time but we'll take a look and see if we need to do that.

(Hawk) If we, we're anticipating maybe settlement might be maybe September even. So, I'd, what I'd like for you to do is to look at how, how, what is your plan of action to get through until September because we can't ever not pay our foster parents. I know you're in a hurry to {inaudible} but this is so important.

(Arnold) Well Marty, I'll answer that. Now you're talking about two different things there. Because you're talking about the Psychiatric Fund and definitely we'll take a look at that situation to see if the Family and Children Fund needs to step in and loan the Psych Fund money because by law that can happen and we'll take a look and see if we need to do that. As far as the issue of the foster parents, I'm very proud to say that in all these years that I've been here, over 19 years we've always paid our foster parents on time and we will continue to do so because we have a plan in place, we're putting it in place right now because because people need to prepare for the lean years or the lean months and our plan of action is to hold back the bills for the institutions. You know we're doing that right now. We're holding back institutional bills to make sure that we have money for the foster parents because, because from this report, the cash payouts that I read to you 1.9 million, that's a very healthy balance. So that will tide us through the lean months of us not getting our property tax settlement on time so we definitely plan to. We started our plan of action now as to how we're gonna deal with that issue.

(Unknown) It is my understanding that there are certain, that under the new legislation it takes DCS long {inaudible} property tax role. There's a specific list of services that we use. Are there any services paid {inaudible} that are not included in that for which we would still be liable once we no longer have the DCS {inaudible} debt.

(Arnold) So you're wondering if the State's going to take over all of the services listed here is what I believe is what your question is.

(Unknown) Yes.

(Arnold) And that is the case. Yes, they will be taking over all of these services so the County will not be liable for anything further on these.

(Unknown) Except that we have bills at the end of the year that's not paid.

(Parlette) We have made a comprehensive listing of absolutely every bill we pay. And we've sent it to my superiors in State Government so that they can be aware of all our financial obligations as we move forward and make plans for this change. All of the contracts, all the memoranda of understanding, all of the memoranda of agreement are

being scrutinized not just for Monroe County but for every county DCS and there are a number of committees meeting right now determining how the changes that House Bill 10-01 or is it 10-001, I'm sorry, impact how we all do business. And we're gonna have some clear guidance about that very soon I'm sure.

(Kelson) Questions to the left.

(Lesh) I, given that this is such an important report and it's this late hour and we don't have the usual energy. Maybe I should speak just for myself but, maybe we should follow up on this, maybe have another time that we can visit with both of you. We haven't had a chance to get to know the new Director and we know John Arnold really well and he's probably puzzled as to why we're all wilted and not asking one hard question. I just, I, I know there's more that we should probably discuss about this.

(Parlette) This is so important.

(Lesh) It is, it's very important.

(Kelson) We receive this report, we do not approve it.

(Lesh) Right.

(Kelson) So there's no motion involved in it.

(Lesh) But it's just something I think that we understand how it is in the picture of everything that we do and that we're vested with the responsibility of looking at it for a good reason. So I don't know if we could invite them back to a work session or.

(Unknown) Yeah they can do that.

(Kelson) Let's talk about that off line. Would you be willing to come to a work session?

(Arnold) Yes, I'd be willing to.

(Parlette) Yes, our new Director actually starts on Thursday so we will have, I will encourage him and he will come, I'm sure.

(Arnold) Now do you have any specific things that we could look into before we come?

(Lesh) Well I think, I think the main, that one of my main interest areas the same as Michael's. Just we always wanna know how things at the State level affect you locally and then thereby affect our children locally so.

(Woods) I, for one, would like to know with some specificity, and maybe I just missed it and you were covering it answering Marty's questions but we typically have carried at least the past three or four years a healthy cash balance. What happens when we've

paid off all the O.A. bills and there's still a million and a half two million dollars sitting in your cash balance that's Monroe County property tax money. I don't think its fair we should float the State for a quarter of a year or more on our cash balance.

(Arnold) There will be a surplus because I've already taken a look at that and when we get all of our settlement that we have coming we should have a very healthy surplus so that is a good question what happens to it. We'll try and find out.

(Lesh) Remember they are accrued bills. They could be accruing in December and we not even get them until February or March.

(Woods) I recognize that. Hopefully its not that many.

(Arnold) But whatever's left, we're supposed to keep.

(Woods) Okay.

(Kelson) We'll discuss having a further discussion at a work session. Thank you Carol.

(Travis) Thank you. Thank you for waiting.

(Hawk) I particularly appreciate the accrual basis reports. I know it was time-consuming and we really appreciate it.

(Arnold) Oh well thank you.

(Woods) Mr. President, move approval of Item 11-2 Transfer of Funds approval, 0101271 County General Public Defender from lines 30.0006 malpractice insurance in the amount of \$2,199.10; 30.0010 Equipment Maintenance, in the amount of \$192.00; and line 20.0002 copy paper, in the amount of \$608.90; all to line 40.0002 Equipment, in the amount of \$3,000.00 total.

(Kelson) Motion is there a second.

(Henengar?) Second.

(Kelson) Motion to second.

(Unknown) Good evening. We're here to ask for your approval in transferring funds from three different lines to allow us to purchase two laptop computers for existing employees that have none. We've exhausted all options and this is what's left.

(Kelson) Questions from the left?

(Travis) When you get these then will Tech Services be, put those in the rotation for replacement every seven years?

(Unknown) As, as I had requested, we got a little statement from Tech Services Department and I hope Council got that. For the public's knowledge, it just was an affirmation that they indeed are not able to provide the amount of their funding scenes and their resources.

(Kelson) That was brought up at the work session. Questions from the right? Is there any public comment.

(Unknown) Call to question. Question has been called. We will do a roll call vote.

(C. Smith)

Kelson – Yes
Travis – Yes
Woods – Yes
Henengar – Yes
Hawk – Yes
Lesh – Yes

(Smith) Motion passes.

(Unknown) Thank you.

(Woods) Mr. President, move approval of Item 12, Prosecutor Request for Transfer of Funds approval, line 3500-000 to Adult Protective Services, from the 01s in the amount of \$10,000 to the 0, to line 40.0001 Equipment in the total amount of \$6,500 and line 20.0001 Supplies in the total amount of \$3,500 for a grand total transfer of \$10,000.

(Kelson) Motion to second.

(Hawk) Second.

(Kelson) Motion is seconded. Good evening.

(Unknown) Hello. This request is for a transfer of funds approval within our Adult Protective Services budget. The APS is funded by a fiscal year grant awarded by the State of Indiana to provide protective services to endangered adults. This request is to move \$10,000 from the personnel line to, as Michael read, thirty-five hundred to supplies and sixty-five hundred to equipment. Just so you know, the, the money left in the personnel line is due to unforeseen circumstances which has had one of our employees on a restricted work schedule. We don't normally run over. Well, we don't normally have extra money in the personnel lines. And also, as a point of clarification, which I'm sure you're all well aware of, any money that's left in this budget as of June 30th of 08 will have to go back to the State. So, what we don't use is returned to the State which is why we wanna move this down to allow for some expenses that we don't,

wouldn't normally be able to afford. Evelyn Harrell who is our local Adult Protective Services Director has consulted with Patrick Caulkins who is the State APS Director and he supports our moving this money in order to allow us to make these purchases. If you have any questions, I will do my best to answer them.

(Kelson) Questions from the right? Questions from the left? There are sometimes advantages to going last. The question has been called. Let's do a roll call vote.

(C. Smith)

Hawk – Yes
Travis – Yes
Woods – Yes
Henenger – Yes
Lesh – Yes
Kelson – Yes

Motion passes.

(Unknown) Thank you all very much.

(Kelson) Thank you.

(Woods) Mr. President, move approval of Item .. huh?

(Kelson) The witching hour is upon us.

(Woods) Move approval of Item 13, 2008 Tax Abatement Compliance, Resolution 2008-16, tax abatement compliance for Macanac, LLC.

(Lesh?) In Michigan it would be Macanaugh.

(Woods) I, it would be, that's why I froze up. LLC and I would note as part of my motion that the ADC has found them in substantial compliance with their Statement of Benefits.

(Kelson) Motion, is there a second.

(Henegar) Second.

(Kelson) We have a motion to second. I suspect that Aaron Platt left thinking we were continuing the meeting.

(Unknown) Actually, I can cover this because attorney Cockerill went home to help his wife with the child rearing duties of a two-year old and a one-month old and he briefed me quickly and I can be quick on this if you want. The EDC has _____

compliance. This is for a tax abatement for the real estate portion of this project. I've done some quick calculation. They are not only where they promised to be when they got the abatement, they are ahead. It looks like their salaries are over a quarter million dollars higher than where they promised to be and when they received the abatement they had 65 employees and anticipated they would move to 68 and, in reality, they're at 69, so there are four new positions instead of three.

(Kelson) Questions from the right? Questions from the left? Is there any public comment on this item?

(Woods) Call the question.

(Kelson) Questions been called. We will do a voice vote. All in favor say "yes".

(All) Yes.

(Kelson) Opposed, "no." Motion passes.

(Woods) Mr. President, move approval of Item 17, Approval of Council Minutes from the Regular Session on March 11th 2008 and the Special Sessions on March 20th 2008 on tax abatements and March 25th 2008 on the EAB Annual Report.

(Kelson) Motion, is there a second.

(Several) Second.

(Kelson) Motion and second. Is there discussion on these Minutes?

(Woods) Call to question.

(Kelson) Question has been called. We will do a voice vote. All in favor say "yes."

(All) Yes.

(Kelson) Opposed "no." {inaudible}

(Woods) Oh yes, sorry.

(Kelson) Six yeses. Now we move on to public comment. We have no public here but...

(Woods) He knows better than to comment at this point.

(Kelson) Move on to Council comment.

(Woods) He knows better than to comment at this point.

(Hawk) Are we going to discuss budget. I mean, do we have a column or not.

(Kelson) The Auditor sent them back.

(Hawk) I'm sorry?

(Kelson) The Auditor sent the 1782s back to the State.

(Hawk) And signed them? Did you get, authorize that?

(Kelson) I did not. She told me ...

(Hawk) Well that is totally inappropriate.

(Kelson) Well, I did investigate it some more. I found out today, as I walked into the meeting, that, I think she, I think what I was told was that they had been sent back but I will confirm that tomorrow. Michael do you know this?

(Woods) I found Aaron.

(Kelson) What's that?

(Woods) I just found Aaron. He's hiding me.

(Hawk) I mean, obviously, I mean when we sit there and voted during budget hearings we said we were going to readdress, take a look at that when it came in. Now, I mean, if our mismanaged revenue came in as we thought it was going to, we can then afford to go ahead and eat that other \$200,000 in the County's General Fund. And go ahead and look at the clock, if we hadn't talked so long about other things, we wouldn't have been, had time to talk about this.

(Henegar) I would just looking at the clock. We got three minutes. Go ahead, we got time.

(Hawk) Now if we, if mismanaged revenue is okay and I'm on track and we all decide yes we're going to spend the extra two hundred thousand there, then I'm all good for that but it was our place to make that decision.

(Kelson) Marty, I will confirm that with the Auditor's Office in the morning and I will let you know what I find out immediately. Further Council comment from the right.

(Woods) I would just second Marty's comments on that. We need to look at that and bring it back to the contents of ECS. If it, you know, if it looks like at the end of the year there could be a very large cash balance left over, just left over, that 1782 Statement

would be where we could make adjustments to that to roll back a little bit, if I'm correct or if I remember correctly, is that right?

(Hawk) I have, I do...

(Woods) They have a 1782 as well and we could adjust that to shrink their levy a little bit so that there's not such a huge cash balance, correct?

(Hawk) Well, you have to remember that we will not be voting on a levy for them for next year because they won't be on our taxes next year.

(Kelson) He's talking about the 08s.

(Hawk) Oh.

(Woods) We could.

(Hawk) Yeah we could have looked at the 1782s.

(Woods) That's what I'm talking about.

(Hawk) Yeah, absolutely. We had that right.

(Kelson) Council comment from the left.

(Lesh) Good night.

(Hawk) Bless your heart.

(Lesh) I'll be hosting an information discussion from 11 to 1, it's an open house style, it will be held in this room and the topic is a continuation of discussion of maternity and parenthood workplace issues in County government and Charlotte Zeetwill will join us, Margie Rice will stop by, and a few other friends from the community, so everyone's welcome. Mothers, father.

(Hawk) When is that.

(Lesh) Tomorrow from 11 to 1 and I'll provide some lunch.

(Kelson) I've got a couple of comments. The first one is in regards to the discussion earlier about the green line. This Council has discussed, and I think it's unanimous amongst the bunch of us that, that we are serious about making sensible investments and prudent investments in making this County more environmentally sustainable and we will be continuing to discuss that as we go further this year and certainly during the budget hearings and finding a way to account for that so that the public understands what kinds of investments we're making and how much of an investment we're making,

I think, is an important part of making it, making our operations understood. The second thing I'd like to talk about briefly is the proposed project on the Thompson property for a Corrections campus. That, this Council passed a resolution in December asking for a comprehensive plan on how to proceed from the Commissioners in December and we asked for a final report in six months. And, unfortunately, the Commissioners are still in the process of working on that. But they are working on that. And, they retained a very qualified consultant who will be working with all of the interested persons that were working on this in the past and we fully expect that they will bring us a comprehensive project plan both for the facilities and also for the operational budgets for such facilities and those will presumably come to us towards the end of the year. I can speak only for myself but I suspect I speak for others here and also for others in County Government that we are serious about pursuing this project in some form. And, next year, there will be a different cast of characters on some of the Boards and there will be a different cast of characters here on the Council but I believe that, in one form or another this County Government will continue to work on this important matter. We really need to do something about the corrections facilities in the County and, and the juvenile problem in the County and we will certainly not let this thing drop at this point, speaking only for myself but I suspect others will, will concur with me. That's it. We are adjourned.