

**THE MORGAN COUNTY COUNCIL MET IN A REGULAR SESSION ON MONDAY,  
AUGUST 5, 2013 AT 6:30 P.M.**

MEMBERS PRESENT: KENNY HALE, BOB O'NEAL, BRYAN COLLIER, PAUL PRATHER, JEFF QUYLE, VICKIE KIVETT, AND RYAN GOODWIN. ALSO PRESENT WERE BRENDA ADAMS, MORGAN COUNTY AUDITOR, DEB VERLEY, ADMINISTRATIVE ASSISTANT, AND PETE FOLEY, MORGAN COUNTY ATTORNEY.

PLEDGE OF ALLEGIANCE

PRAYER (*Kenny Hale*)

**Additional Appropriation:**

- *Superior Court I*

Kenny Hale stated that Judge G. Thomas Gray is on vacation but had submitted a request for an additional appropriation of \$500.00 from the General Fund (1000) into Acct #1000-138-4363 (Maintenance/Repair). One of the recording devices broke down and they needed to obtain parts to repair it. Vickie Kivett made a motion to approve the additional appropriation. Motion seconded by Bryan Collier. Ryan Goodwin asked if a transfer was considered. Mr. Hale stated that there is a transfer for this on the agenda and there weren't any extra funds in any other accounts. Motion carried 7-0.

- *Clerk*

Stephanie Elliott, Morgan County Clerk, stated that the scanner they use in Microfilm is malfunctioning. They are able to purchase a refurbished scanner for \$1,700. Ms. Elliott requested an additional appropriation of \$1,309 from the Clerk's Record Perpetuation Fund (1119) into Acct #1119-000-4441 (Equipment). Bryan Collier made a motion to approve the request. Motion seconded by Ryan Goodwin. Motion carried 7-0.

- *Sheriff*

Robert Downey, Morgan County Sheriff, stated that last month, inmates in the old side of the jail put items down the toilets that caused a major sewer backup. They had to call in a company to get the sewer open and had to cut into the concrete floor. They have installed pins in the toilets so that inmates cannot get blankets, books, or other large items down the sewer. The detectives completed an investigation and have charged three of the inmates that caused the problem. They have asked for restitution. Sheriff Downey requested an additional appropriation of \$45,000 from the Public Safety Fund (1170), or Riverboat Fund (1191), or Rainy Day Fund (1186) into Acct #1170, 1186, or 1191-000-4363 (Jail Maintenance). Jeff Quyle made a motion to approve the additional appropriation from the Public Safety Fund (1170). Motion seconded by Paul Prather. Motion carried 7-0.

- *Commissioners*

Norman Voyles, Morgan County Board of Commissioners' President, stated that a project to update, repair, and/or replace items for more efficient, energy-saving, county buildings has been discussed at several meetings. Mr. Voyles requested an additional appropriation of \$1,200,000 from the Cumulative Capital Development Fund (1138), the Cumulative County Building Fund, or the Rainy Day Fund (1186), or Riverboat Fund (1191) into Acct #1186, or 1138, or 1191, or 1136-000-4330 (Energy Savings Project). Mr. Voyles handed out a spreadsheet showing the scope of work for each building, Courthouse, Administration Building, Annex, and jail. Mr. Voyles stated that the project will be progress billed and an amount will be retained until completion of the job. Kenny Hale noted that the Cumulative Capital Development Fund is replenished each year. Bob O'Neal made a motion to approve the additional appropriation of \$1,200,000 from the Cumulative Capital Development Fund (1138). Motion seconded by Kenny Hale. Motion carried 5-2. Ryan Goodwin and Vickie Kivett were opposed.

Bryan Collier stated that he has been approached about the condition of the water at the Courthouse and the lettering and awning at the Annex. Ryan Goodwin stated that he is not against the project, but thought they should put the Public Safety Dispatch Center to rest first. Vickie Kivett and Jeff Quyle stated that there is merit to that.

Mr. Voyles stated that the chiller at the jail is the first priority for this project.

**Minutes**

Paul Prather made a motion to approve the July 1, 2013 minutes and June 12, 2013 Joint Meeting minutes as presented. Motion seconded by Kenny Hale. Motion carried 7-0.

## **Transfer:**

- *Superior Court I*

Kenny Hale stated that Judge G. Thomas Gray requested a transfer of \$500 from Acct #1000-138-4441 (Equip/Furn) to Acct #1000-138-4363 (Maint/Repair) to repair the recording equipment as mentioned in the additional appropriation request listed above. Vickie Kivett made a motion to approve the transfer. Motion seconded by Ryan Goodwin. Motion carried 7-0.

## **Personnel Policy / Salary Ordinance Amendment** – 2<sup>nd</sup> Reading

Pete Foley, Morgan County Attorney, stated that the Obama administration issued an executive order to delay implementation of the hourly requirement, or the penalties associated with it, that is driving the amendment to the Personnel Policy and Salary Ordinance. (The Health Care Affordability Act provides that an employee who works 30 hours or more is entitled to health care benefits. The current county personnel policy states that a part time employee is one who works 35 hours or less. The proposed amendment changes this to 28 hours or less.) Mr. Foley recommended working with office holders in exploring how this amendment could affect their offices and how they might staff their offices assuming this hourly requirement goes into effect next year. Paul Prather stated that he did not think they should implement this change until office holders had time to reorganize their staff. Mr. Foley stated that he could help the Auditor draft a memo to let office holders know that this change is coming and they need to prepare for it. Jeff Quyle made a motion to table the resolution regarding the amendment to the Morgan County employee handbook and instruct the Auditor to send direction to all office holders encouraging them to engage in best practices to manage their employees now in preparation for the end of 2014, when no offices will have part time employees engaged for more than 28 of employment per week. Motion seconded by Ryan Goodwin. Motion carried 7-0.

## **Salary Ordinance Amendment** – Court Services

Carole Kinder, Morgan County Court Services Director, stated that in the past, they had a full time home detention position. When home detention numbers decreased, they filled the full time position with two part time employees. These positions are funded completely, including PERF, out of project income funds. Home detention numbers are now on the increase and the probation department also has several educational programs that one of the part time employees has been working on for an average of 32 hours per week. Ms. Kinder requested that this position revert back to full time. The Board of Judges and Community Corrections Advisory Board have approved this request. Jeff Quyle made a motion to waive the hiring freeze to allow the hiring of a full time community corrections officer. Motion seconded by Paul Prather. Motion carried 7-0.

## **Resolution to Purchase Real Estate**

Kenny Hale stated that this resolution allows him to serve as the purchasing agent for a land swap agreement. Mr. Hale stated that an additional appropriation of \$100,000 has already been approved and a National Park Service grant would reimburse the county for 50% of this expense. The property is along the White River and belongs to Cragen, and StarLite. The county would obtain a wooded area that could be used for off-site mitigation for the State Road 67/267 corridor. Pete Foley stated that there are two steps in the process: first, the resolution authorizing the purchasing agent to purchase certain real estate and authorizing the Board of Commissioners to obtain appraisals; and second, the ordinance authorizing the purchase agreement of \$100,000. There are two parcels with the total acreage of approximately 26 acres. Jeff Quyle made a motion to approve the Resolution Authorizing Purchasing Agent to Purchase Certain Real Estate in Morgan County, Indiana. Motion seconded by Bryan Collier. Motion carried 5-0-1. Kenny Hale abstained.

## **Ordinance Authorizing Purchase of Real Estate**

Bryan Collier made a motion to approve the Ordinance Authorizing Board of Commissioners to Purchase Certain Real Estate Located in Morgan County, Indiana. Motion seconded by Paul Prather. Motion carried 5-0-1. Kenny Hale abstained.

## **Group Insurance Trust**

Bryan Collier stated that the Group Insurance Trust is looking good. He did not see a need to raise premiums.

## **Budget Schedule**

Kenny Hale handed out the revised schedules for the budget hearings and budget adoption. The budget workshops are August 19<sup>th</sup>, a regular meeting September 3<sup>rd</sup>, binding / non-binding budget hearings September 9<sup>th</sup> with the budget workshop immediately following, and the budget adoption and binding hearing on September 20<sup>th</sup>.

## **911 Funding Discussion**

Kenny Hale stated that the Mooresville Town Council sent a letter asking if the Morgan County Council is going to fund one or two PSAPs (Public Safety Answering Point). Mr. Hale stated that the Board of

Commissioners has voted to consolidate to one PSAP in the county. The submitted 911 budget of \$1.8 million indicates that dispatchers will be paid from the 911 Fund.

Jeff Quyle stated that the legislature has indicated that it is their preference that every county have one or less PSAP. As stewards of the 911 funding stream, it is in the county's interest to anticipate that the full amount of funding provided by the state will be needed for the single primary PSAP that is established in the county and he would recommend to Mooresville that they not anticipate receiving any funds.

Ryan Goodwin stated that Mooresville is in the middle of making a decision regarding their dispatch center. The county has discretion over the 911 fees that are collected and how the fees are distributed. In its letter, the Town of Mooresville is asking if the county will continue to give them 911 funds if they don't participate in the consolidation of the dispatch centers.

Jeff Quyle stated that since the county would be funding the operating costs of a new unified dispatch center, he did not think that there would be enough money left over to fund a separate operation for Mooresville.

Kenny Hale stated that Mooresville is setting their budget and he would like to be able to give them an answer. Pete Foley stated that any vote taken on this issue would be in an advisory context.

Mr. Hale stated that once the interlocal agreements are signed, this would dictate how the funding is disbursed. Bob O'Neal stated that it was his understanding that once all of the centers were unified, it would be a cost savings for the taxpayers. Mr. Hale stated that Senate Enrolled Act 459 and Indiana Code 36-1-7-16 addresses 911 funding once entities enter into interlocal agreements and how their tax levies would be decreased. Pete Foley stated that he could include this information in the interlocal agreements.

All Council members came to a consensus that funding would not be available. Pete Foley stated that he would draft a memo to send to both Martinsville and Mooresville so they are aware of the Council's position.

**LOIT Levy Option**

Brenda Adams stated that the Council would have to choose a LOIT (Local Option Income Tax) levy option by November 1<sup>st</sup>. She has located a speaker to talk to the Council about the impact each option could have on the county's taxes.

**Adjournment**

Vickie Kivett made a motion to adjourn the meeting. Motion seconded by Kenny Hale. Motion carried 6-0.

MORGAN COUNTY COUNCIL

\_\_\_\_\_  
Kenny Hale

\_\_\_\_\_  
Robert O'Neal

\_\_\_\_\_  
Bryan Collier

\_\_\_\_\_  
Paul Prather

\_\_\_\_\_  
Jeff Quyle

\_\_\_\_\_  
Vickie Kivett

\_\_\_\_\_  
Ryan Goodwin

ATTEST:

\_\_\_\_\_  
Brenda Adams, Morgan Co. Auditor