

MINUTES OF THE
SPECIAL MEETING
OF THE
ST. JOSEPH COUNTY COUNCIL
August 29, 2006

The special meeting of the St. Joseph County Council was called to order at 5:46 p.m., on Tuesday, August 29, 2006, by the President, Rafael Morton, in the Council Chambers, fourth floor, County-City Building, South Bend, Indiana.

Members in attendance were:

Mr. Joseph A. Baldoni	Mr. Rafael Morton
Mr. Mark A. Catanzarite	Mr. W. Randall Przybysz
Mr. Dale R. DeVon	Mr. Mark Root
Mr. Andrew T. Kostielney	Mr. Dennis R. Schafer
Mr. Michael J. Kruk	

Present from the Auditor's office, Ester Costello, Clerk.

Council staff present were Mr. James J. Olson, Attorney and Joan M. Pawlowski, Executive Secretary.

Mr. Kostielney motioned to suspend the rules to waive committee assignments for Bill No. 114-06 and 115-06. This was seconded by Mr. Root. The motion passed by a voice vote; 9-0. No negatives were heard. This will allow for a Public Hearing on these bills on September 12, 2006.

Public Hearings:

BILL NO. 92-06: AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY, INDIANA FOR THE YEAR 2007.

BILL NO. 93-06: AN ORDINANCE APPROPRIATING MONEYS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE SEVERAL DEPARTMENTS OF THE COUNTY GOVERNMENT OF ST. JOSEPH COUNTY, INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2007, AND ENDING DECEMBER 31, 2007, INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT.

BILL NO. 94-06: AN ORDINANCE LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSE FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007, FOR THE COUNTY OF ST. JOSEPH, INDIANA.

Public Hearing:

The following people spoke with regard to the 2007 Budget:

Gail Budzinski, German Township Assessor

She received no notice that her budget was to be further cut. She had originally done the 2 percent cut, eliminating a position, then disbursing the money left for raises. Now she found out in the news paper that she was also going to lose the money that she had given for raises. Now her cut will be 9.2 percent.

George Lane, 2405 Division, Citizens for Accountability Government

He asked if the Ordinance was going to be available or was the Council just going to speak about something that was not clear. About salaries, where is the ordinance on salaries? Is that available for everybody to look at?

Mr. Morton stated that information was available in the Auditor's Office. The public has been invited and properly advertised to attend all the budget meetings.

Mr. Lane stated that Mr. Morton does not return his phone calls. Mr. Morton replied that he does return Mr. Lane's phone calls. However, he does owe him a call.

Mr. Lane stated that he has tried on several occasions and has left messages for Mr. Catanzarite. Mr. Catanzarite has not returned any of his calls.

Mr. Catanzarite stated that he has been dealing with a death in the family. He stated that he has returned his calls in the past.

Linda Silcott, Republican Board Member, Registration

It is a hardship to cut a very small budget by 2 percent. She stated that they are required to support two (2) systems, our system and a state wide voter system. They proposed to cut two (2) Deputy positions, one (1) from each party by 7 ½ hours a day. This is hard to understand when a part time position needed to be added to help with the extra work. Mail now has to go at first class rate instead of election rate.

Mr. Kostielney, stated that he agreed that the funds be returned to the Voter Registration's budget.

Cindy Bodle, Board of Commissioners

She stated that, yes, these funds would be put back into their budget. She felt that this was a clerical error and there were others. This is still a work in progress. This is not done yet.

Mr. Morton stated that last night they were discussing an over site on the Recorder's budget and have made the Auditor aware of this.

Michael Dvorak, Prosecutor

Spoke to the budget cuts that were made in his budget in excess of the cuts that he had already made. He stated that the Council had asked for a 2 percent cut and they achieved that. In Department 18 there was a cut of 2.1 percent and in Department 48 there was a cut of 2.4percent. He stated that a document was passed around explaining how the additional cuts adversely affect them. He stated that he would like to have the travel line put back in. This would bring the cuts to 3.5 percent and 2.92 percent. This is part of a cooperative agreement with the State for reimbursement in Department 48. You would end up paying more money and will have to have someone to manage this fiscal obligation. We have an obligations for continuing legal education. He stated that the funds for witnesses for travel needs to be put back in the budget. If there needs to be approval for this expense, the time frame will not always be possible. He stated that the County Government has the personnel to watch this. He stated that he is a county-wide elected official and will be fiscally responsible, along with the Council.

Mr. Kruk addressed the issue that \$12,000.00 was taken out of Department 48 - Travel, what portion of that do you think would be used for like juror - witness travel versus... Mr. Dvorak stated approximately \$3,000.00 - \$5,000.00. Also, he stated that his budgets have been at or below the previous years.

Joe Nagy, Director of Budget & Finance, Prosecutor, stated that Department 48 is \$12,000.00 travel for staff. There is no witness amount. The \$3,00.00 - \$5,000.00 for witnesses comes from Department 18. He stated that they cut \$6,000.00 prior to the Council cutting the entire \$20,000.00. The gasoline line was not budgeted based upon the \$3.00 that was requested of them. There gasoline account that was reduced by the Council by 11 percent, stated that they have had the same amount of money since 2004. Mr. Dvorak has controlled the mileage that those vehicles drive each month. If it is going over, the miles allowed to be driven in the evening and weekends are limited. He stated that those amounts need to be reinstated.

Cindy Bodle, Board of Commissioners, as a point of clarification stated that these department heads and officials were not make aware that the dollars have all been cut by 15 percent county wide, at this particular point, and shifted into the Commissioners budget. There will be a change in policy when this all takes place.

Mr. Morton stated that the thought process behind that was to shift the dollars to the Commissioners because there could be a better handle on what overall was thought of necessary travel and there is a lot of necessary and mandatory travel.

Michael Gotsch, Judge, Circuit Court, he finds that after reaching an agreement with the committee, now the budget is different. He stated that he has provided a letter that states what he was attending to do was to rectify an ongoing problem that has existed in his budget, which is the Superior Court staff and the Circuit Court staff are not paid equally. He stated that his bottom line budget has not gone up and he has taken some cuts. He also stated that he was speaking for Judge Marnocha, Superior Court, and asked him to address his concern for the travel line. He stated that legal education is mandatory for judges and this requires travel. This should really be called instruction and training.

Mr. Morton stated that the Council does share the frustration that the Department Heads have. He said that this is the Public Hearing and we still have a long way to go. This is definitely a work in progress.

Judge Gotsch stated that he is working to develop outside fees to help to run these operations.

Steve Ross, Board of Commissioners addressed travel. He stated that the rational was and that there was no intent on taking travel away from training. Items were discussed that were not pertinent to the job specifically. For example, if someone became a member of a state or federal committee and it was not critical or relative to the persons job, but prestigious to their job, this would be cut out. Travel will be continued to be paid for certification, etc. This is why it has been put in the Commissioners' budget.

Rick Podell, Cooperative Extension Director, stated that he cut his budget by 7 percent in 2006 and 2 percent for 2007. Travel is necessary for his staff to do their jobs. They take education to the people of the county. Travel is regulated by him and by the clerk at Purdue. They only have mileage costs. Training costs, meals and lodging are paid by Purdue and the county only pays for the mileage. They have no take home vehicles. He stated that his staff uses their own personal vehicles. He stated that his current budget will get them through August. He asked that his Travel please be restored.

Evie Kirkwood, Parks & Recreation Director, reported that she just received a copy of her budget minutes ago. She said that they did not receive a call from the Auditor's Office that they were ready. She said that they came to the budget hearings with a 2 percent cut and now see that the 40000 series has been zeroed out and the overall budget has been cut further. This cut will not allow them to make any small equipment purchases.

Mr. Root stated that \$2,500.00 has been moved to line 44601 out of the Cumulative Capital Development Fund and it is stated that it is specifically for the Parks Department.

Mr. Catanzarite re-stated that these funds have been taken out of the Parks Department budget but are earmarked in the Cumulative Capital Development fund for the Parks Department.

Evie Kirkwood also stated that the other item she was concerned about was that in order to make the 2 percent cut, they cut a full time person to half time and requested (this item was listed as bookkeeper... and that they are still trying to get job titles changed) that this be put in 11462 and it has been placed in part time. In the future it will be harder to re-establish another full time position and that is why they wanted these funds where they were placed.

Cindy Bodle, Board of Commissioners, explained that this was another item that slipped between the cracks.

Beth Kerns, Domestic Relations, explained how they are trying to find other ways of funding their expenses. She said that they have a small grant and establishing user fees. She said that by cutting her travel, she has some travel money in her grant, but it is not intended for the DRCB travel is for. Since she was not asked to come to any meetings to explain anything, she wanted it made clear that this will leave her without funds for home visits, training and education.

Mr. Catanzarite questioned the travel money from the grant. Ms. Kerns stated that those funds were for the Director specifically to attend mandated meetings and continuing education. These funds have nothing to do with the home visits they make.

Debra Jenkins, Court Substance Abuse Program, she stated that she went into the budget meetings with a cut in her budget. She stated that she requested to use her User Fees to give raises to the full time staff. Since 2003 they have

collected more money than they have projected in laboratory fees. The 2003 was \$10,000.00, 2004 was \$43,000.00, and last year was \$68,000.00 and she requested \$8,750.00 for \$500.00 salary raises and \$750.00 for the laboratory technician. This was not any taxpayer money. When she received her budget, this had all been eliminated and she was requesting that it be returned.

Rosemary Mandrici, Portage Township Assessor, explained that in the two and one half years that she has held this office, she stated that she has always returned money to the General Fund. This year she took a 2 percent cut and now the travel budget has also been taken. She hoped that this would not affect the conferences that the Assessors need to attend. She stated that there are field personnel out continuously now. This field person needs to be reimbursed mileage. He uses his own car. She stated that they have no outside vendor to assist with the Annual Adjustment Project, in addition to the regular field inspections. Our functions are increasing and she has limited staff. Without travel reimbursement there will be no assessments completed.

Nick Molchan, Health Department, read a budget support letter from the Indiana State Department of Health Commissioner. This letter was sent to all County Councils in the state. He wanted to restate that since they have revised their fees schedule, they have seen an increase of \$250,000.00 and have supplemented their budget and will continue to do so along with grants.

John Byorni, Area Plan Commission, reported that his department he understood the travel line item. However, he asked that his budget be approved as it was submitted. He stated that he did meet the 2 percent reduction and made one full time position only 24 hours. He then explained how the salary items were then adjusted.

Tom Nowicki, County Police, was present to answer any questions since the Sheriff could not attend the meeting.

Public Hearing closed on the 2007 Budget.

Old Business:

Bill No. 76-06, passed on 7/11/06; 9-0 and became Ordinance No. 62-06. On 7/20/06 the Board of Commissioners vetoed this Ordinance; 2-0. This will be a *vote only* to sustain or override the veto.

BILL NO. 76-06: AN ORDINANCE AMENDING ORDINANCE 82-05 THE SAME BEING AN ORDINANCE ESTABLISHING SALARIES AND FIXING THE NUMBERS OF EMPLOYEES OF ST. JOSEPH COUNTY FOR THE YEAR 2006. (Dept. 025 - Juvenile & Probate Court)

Mr. Kostielney moved to override the veto and was seconded by Mr. Przybysz. Bill No. 76-06 was overridden; 9-0.

Bill No. 77-06, passed on 7/11/06; 9-0 and became Ordinance No. 63-06. On 7/20/06 the Board of Commissioners vetoed this Ordinance; 2-0. This will be a *vote only* to sustain or override the veto.

BILL NO. 77-06: AN ORDINANCE APPROPRIATING THE SUM OF \$40,188.00 OUT OF THE ST. JOSEPH COUNTY GENERAL FUND AND INTO VARIOUS ACCOUNTS FOR THE PURPOSES HEREIN SPECIFIED FOR THE CURRENT YEAR. (Dept. 025 - Juvenile & Probate Court and Dept. 034 - Commissioners)

Mr. Catanzarite moved to override the veto and was seconded by Mr. Kostielney. Bill No. 77-06 was overridden; 9-0.

Motion to adjourn was heard at 6:47 p.m.

Auditor, St. Joseph County

President, St. Joseph County Council